

**Wednesday
16 September 2015**

**Volume 599
No. 45**



**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Wednesday 16 September 2015

House of Commons

Wednesday 16 September 2015

The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

SPOILIATION ADVISORY PANEL

Resolved,

That an humble Address be presented to Her Majesty, That she will be graciously pleased to give directions that there be laid before this House a Return of the Report from Sir Donnell Deeny, Chairman of the Spoliation Advisory Panel, dated 16 September 2015, in respect of an oil painting by Pierre-Auguste Renoir, 'The Coast at Cagnes', now in the possession of Bristol City Council.—(*Charlie Elphicke.*)

Oral Answers to Questions

WALES

The Secretary of State was asked—

Summer Budget 2015

1. **Ann Clwyd** (Cynon Valley) (Lab): What assessment he has made of the effect of the summer Budget 2015 on people in Wales. [901171]

The Secretary of State for Wales (Stephen Crabb): With your permission, Mr Speaker, I congratulate the new shadow Wales team and welcome them to their places. I particularly congratulate the hon. Member for Llanelli (Nia Griffith), and wish her well in her new role.

The summer Budget was a one nation Budget to benefit the whole of the United Kingdom. It was a Budget to help to create a higher-wage, lower-tax, lower-welfare economy, and a Budget to reward hard work while protecting the most vulnerable in our society.

Ann Clwyd: I congratulate my hon. Friend the Member for Llanelli (Nia Griffith) on her very well-deserved promotion. The Budget actually cut millions from over 200,000 working families in Wales. How can the Secretary of State justify pushing even more Welsh children into poverty?

Stephen Crabb: I just do not accept the right hon. Lady's charge. We discussed this issue at length in this place yesterday, and the measures passed with a comfortable majority. The truth is that the vast majority of people in Wales will benefit financially from all the measures we are putting in place through the Budget. I never thought I would see the day when Labour Members stood up to talk down the efforts we are making to increase pay for working people across Wales.

Mr Philip Hollobone (Kettering) (Con): What happened to the level of unemployment in Wales over the lifetime of the last Parliament, and what impact does the Secretary of State think the Budget will have on employment over the lifetime of this Parliament?

Stephen Crabb: My hon. Friend asks a really good question. What we have seen over the past five years, despite the scaremongering and Labour's talking down of the Welsh economy, is unemployment continuing to fall. Today's figures demonstrate once again that record numbers of people in Wales are going back to work—there is no reason to think that that will not continue—and we will achieve our long-term ambition of full employment.

Nia Griffith (Llanelli) (Lab): The Prime Minister repeatedly promised before the election not to cut child tax credits, so will the Secretary of State explain to the 250,000 families in Wales who are losing an average of £1,000 a year, 90% of which will not be recouped by the rise in the minimum wage, just why his Conservative Government are breaking that promise? By reducing work incentives and hitting low-income families, any pretence they ever had to represent working people has been exposed as the sham it always was.

Stephen Crabb: I am really surprised by the tone that the shadow Secretary of State adopts for her first question. As I said, we discussed this issue at length yesterday. We have just come through an election in which the people of this country gave a very strong mandate and endorsement to one party to carry on fixing the economy and reducing the deficit. We cannot get on top of that or achieve it without tackling our spiralling welfare costs. I thought during the election campaign that Labour Members seemed to be getting close to understanding that, but I now see that they have abandoned all hope.

Nia Griffith: We have a broken promise on child tax credits. The majority of the 250,000 families affected are in work, and the Government are deliberately choosing to push them into poverty. It is not only they who will lose out. These cuts will suck £200 million out of the Welsh economy, which is money that families, out of sheer necessity, spend directly in their local high streets. What assessment has the Secretary of State made of the knock-on effects of that lost income on jobs in our communities across Wales?

Stephen Crabb: Ahead of the summer Budget, we of course analysed how the measures taken together would affect people up and down the country. As I have said, eight out of 10 families will be better off as a result of the measures we are taking. The hon. Lady knows as well as I do that low pay has been a curse on the Welsh economy for far too long. I repeat the point that I never thought I would see the day when Labour Members stood up to talk down the efforts that we are making to drive up wage levels for people all across our country.

Welsh Curriculum

2. **David T. C. Davies** (Monmouth) (Con): What discussions he has had with Ministers in the Welsh Government on ensuring that the new Welsh curriculum is accepted across the UK. [R] [901172]

The Parliamentary Under-Secretary of State for Wales (Alun Cairns): With your permission, Mr Speaker, I too congratulate Labour Front Benchers on their appointments.

My hon. Friend raises an important issue. Greater mobility means reputable, recognisable and comparable qualifications are more important than ever. The CBI has said that employers believe that qualifications across the UK need to be directly comparable.

David T. C. Davies: Is the Minister aware that if one puts the words “Wales”, “Labour”, “Education Minister” and “apology” into Google, one can read an admission from that Education Minister that Welsh Labour’s education policies have been an absolute failure? Does he agree that if we are serious about raising educational standards in Wales, we need only wait until the May Welsh Assembly elections, when instead of ditching the curriculum we can ditch the Labour Welsh Assembly Government?

Alun Cairns: In the first instance, we need to recognise the success of pupils who passed their A-levels and GCSEs in the summer. However, there is a worrying gap between the trends in Wales and England. As my right hon. Friend the Secretary of State for Education has said, the results speak for themselves. With free schools, academies and other reforms in England, 1 million more children are in good or outstanding schools here—sadly, those reforms have not been made in Wales.

Susan Elan Jones (Clwyd South) (Lab): One great success story in Wales is the growth of Welsh medium schools and the emphasis on language learning in the Welsh curriculum. We have put paid to the nonsense that people in this country have to be monolingual. How will the Minister share that success right across the nations of the UK?

Alun Cairns: There has been great success in encouraging people to learn Welsh in Wales. Of course, that should not come at the cost of any other language. It is important that we champion that success: bilingual education can work and does work. We will encourage as many people as possible to learn not only Welsh, but modern foreign languages in Wales and across the UK.

Huw Irranca-Davies (Ogmore) (Lab): I know that the Minister, who has a coterminous boundary with me, will want to congratulate the pupils and teachers in schools in his constituency and mine who this year produced record summer results for A-level students and an improved performance at A* to C in GCSEs in English language, Welsh, maths and science. Rather than talk them down, will he congratulate those students and schools?

Alun Cairns: The hon. Gentleman either ignored the answer I gave earlier or prepared his script before he came to Question Time. I did congratulate the students who succeeded. My point was that we need more students in Wales to succeed because there is a worrying gap between the success in England and the success in Wales.

Tourism

3. **Bob Blackman (Harrow East) (Con):** What assessment he has made of recent trends in the level of tourism in Wales. [901173]

4. **Jason McCartney (Colne Valley) (Con):** What assessment he has made of recent trends in the level of tourism in Wales. [901174]

The Parliamentary Under-Secretary of State for Wales (Alun Cairns): It is 12 months since the NATO summit showcased Wales to the world, and the Welsh tourism industry continues to boom. It is an essential part of the Welsh economy, attracting investment, jobs and record numbers of visitors to Wales. International visitors spent £368 million visiting Wales last year.

Bob Blackman: Does my hon. Friend agree that the start of the rugby world cup gives Wales the opportunity to put itself on the front foot for business and tourism? Will he join me in wishing Wales every success in the world cup, until they play England?

Alun Cairns: My hon. Friend has a point. International events play a significant role in attracting visitors, while promoting Wales and the UK to the world. The rugby world cup not only means that Wales will lift the Webb Ellis trophy; it gives us a great opportunity to sing the Welsh national anthem and the UK national anthem together.

Jason McCartney: As a member of the NATO Parliamentary Assembly, I welcome the fact that last year’s NATO summit took place in Newport, Wales. Will the Minister ensure that Wales can build on that wonderful showcase for its heritage and food and drink industry?

Alun Cairns: I am grateful to my hon. Friend for reminding us of the importance of the NATO summit that the last Government took to Wales. That not only allowed us to promote Wales around the globe, but was an important step towards the commitment that 2% of GDP would be spent on defence.

10. [901181] **Chris Evans (Islwyn) (Lab/Co-op):** Given all the Government schemes to encourage tourism in Wales, does the Minister think it is fair that people who want to visit Wales are thumped with a toll of £6.50 on the Severn bridge? What will he do to stop that tax on tourism?

Alun Cairns: I am aware of the hon. Gentleman’s interest in the Severn toll, as well as that of many Members from all parties across the House. The law has been in place for decades, but the concession will end in 2017 or 2018, depending on traffic volumes. That gives us the opportunity to bring innovations to the crossing, and my right hon. Friend the Chancellor of the Exchequer has already made significant moves in this area.

Mr Mark Williams (Ceredigion) (LD): Welcome though the trend of increasing visitor numbers is, I know that the Minister is not one to rest on his laurels. With that in mind, what discussions has he had about reducing VAT on tourism, which would boost many local economies throughout the country?

Alun Cairns: That seems to be a perennial question from Members. VAT is a matter for the Chancellor, who always keeps such matters under review, and there are currently no plans to change VAT on the tourism sector.

There are great things in Wales that we can champion to encourage more tourists to Wales. The Countryside is GREAT campaign is promoted by VisitBritain and provides an excellent opportunity for that, and I look forward to the UK tourism Minister visiting Cardiff shortly to discuss the great opportunities that it offers.

Guto Bebb (Aberconwy) (Con): Confidence in the tourism sector in my constituency is riding high, as illustrated by the £5 million refurbishment of the Llandudno Bay hotel. Does my hon. Friend agree that the only threat to confidence in that sector in Wales is the anti-business rhetoric of the Labour party?

Alun Cairns: My hon. Friend makes an important point, and his constituency depends significantly on income from the tourism sector. He rightly highlights the fact that every tourism business is a business, and the changes that we have made to make this a more entrepreneurial, innovative and growth-driven economy not only help every business but have particular relevance to the tourism sector.

Nick Thomas-Symonds (Torfaen) (Lab): Next month Blaenavon world heritage site in my constituency will host the UNESCO world heritage youth summit. Will the Minister congratulate Blaenavon on that, and agree how important it is that we showcase our world heritage sites in Wales to the world?

Alun Cairns: I am grateful to the hon. Gentleman for drawing the House's attention to that issue. The summit is important and I congratulate Blaenavon and wish the community well. I remember UNESCO awarding world heritage status to Blaenavon. The Welsh Government did a good job promoting the area, and the UK Government have a part to play in developing that further.

Jessica Morden (Newport East) (Lab): Further to the question from my hon. Friend the Member for Islwyn (Chris Evans), tourists arriving in Wales this weekend for the rugby world cup will face paying the highest toll in the UK on the Severn bridges—something that Welsh commuters and businesses face every day when they travel over those bridges. Will the Minister commit to make it a personal priority to press for a significant reduction in the toll once the concession ends, beyond the VAT reduction, and fight hard for that in government?

Alun Cairns: The hon. Lady regularly raises that issue, and the Government appreciate its importance. We have already committed to reducing VAT when the concession ends, and my right hon. Friend the Chancellor has gone even further because small businesses with light vans will pay the same price as cars, reducing the rate from more than £13 to closer to £5. The end of the concession provides us with an opportunity to do more, and that debate and discussion is ongoing.

Mr Speaker: Order. There is an understandable air of anticipation in the Chamber at this time, which is reflected in a large number of rather noisy private conversations. Let us have a bit of order for the new parliamentary leader of Plaid Cymru.

Benefit Sanctions

5. Hywel Williams (Arfon) (PC): What assessment he has made of the effect of benefit sanctions in areas of Wales which have high numbers of economically inactive people and low numbers of available jobs relative to the rest of the country. [901175]

The Secretary of State for Wales (Stephen Crabb): I congratulate the hon. Gentleman on his new role as leader of his party. Benefit sanctions are a necessary part of a welfare system that encourages people to take up support, while being sustainable and fair. Our welfare reforms have helped thousands of people from across Wales move from inactivity into work.

Hywel Williams: I thank the Secretary of State for his kind words. Some areas of Wales have high unemployment and low economic activity, and getting a job or extra hours is not easy, or even impossible. What has he done personally, as our Secretary of State, to ensure that our people are not subject to arbitrary and unfair benefit sanctions?

Stephen Crabb: I repeat that we need benefit sanctions if we are to reform the welfare system in a way that will encourage hard work and responsible decisions, but they are used as a matter of last resort. I take the hon. Gentleman's point about rurality as I am from a rural area myself, but I remind him that unemployment has fallen significantly in his constituency over the past five years, and we thoroughly expect that to continue.

Hywel Williams: Following yesterday's decision, Welsh families will lose between £1,000 and £2,500 in tax credits every year. Is the Secretary of State confident that his constituents, and mine, are aware of that change, so that they can plan cuts to food, fuel, clothing, footwear and—dare I say it?—even travelling to work?

Stephen Crabb: The hon. Gentleman paints a very negative picture. His constituency, like a great many in Wales, has suffered too long from the curse of low pay, so I thought he would welcome the fact that one of the things we are doing to transform the Welsh economy is introduce a national living wage, which will benefit thousands of families in his constituency and mine.

Christina Rees (Neath) (Lab): Would the Secretary of State allow made-up quotes to be included in leaflets from the Wales Office? If not, does he think it is acceptable that the Department for Work and Pensions did just that when it made up quotes about benefits sanctions?

Stephen Crabb: The information the hon. Lady refers to was used for illustrative purposes only. I think it is actually helpful to provide information based around real-life case studies so that people can understand how changes we make affect families in different circumstances.

Great Western Line

6. Carolyn Harris (Swansea East) (Lab): What discussions he has had with the Secretary of State for Transport on the completion date for electrification of the Great Western line. [901176]

The Secretary of State for Wales (Stephen Crabb): I have regular discussions with my right hon. Friend the Secretary of State for Transport. He and I share a total commitment to the electrification of the Great Western line all the way through to Swansea. Both he and the Prime Minister have been clear about the priority we all place on this strategic project.

Carolyn Harris: Earlier this week, the Secretary of State told the Welsh Affairs Committee about Sir Peter Hendy's stakeholder consultation. Are all the stakeholders committed to the project and, more importantly, did he share the UK Government's commitment to the project with Sir Peter?

Stephen Crabb: What matters above all else is our commitment, from the Prime Minister downwards, to completing the project. Opposition Members have expressed a lot of concern about the progress of the project. If they do not believe it is happening, I would encourage the hon. Lady and her colleagues to walk the length of the route, because they will see work happening right now to deliver this really important project.

14. [901185] **Geraint Davies** (Swansea West) (Lab/Co-op): Will the Secretary of State give a cast-iron guarantee, here and now, that in his review Sir Peter Hendy, the newly appointed chief executive of Network Rail, will not look again at stopping the electrification of the line to Cardiff and having dual fuel from Cardiff to Swansea?

Stephen Crabb: I am not sure the hon. Gentleman quite knows about these issues. We are totally committed—I cannot be clearer than that—to electrifying the Great Western line all the way through to Swansea, as part of a programme of infrastructure investment bigger than anything this country has seen since the days of Isambard Kingdom Brunel.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Over the summer, it was reported that electrification of the Great Western line was costing four times more per mile than the UK's last major infrastructure project, the east coast main line, which was completed in 1991. [Interruption.] One reason for the escalating costs are the compensation payments to train operators, which did not arise in the case of the east coast main line because the service was in public ownership. With the cost to the public purse now reportedly £1 billion more than projected, does the Secretary of State believe that the schedule 4 payments are justified, and does he agree that the profit-for-dividend model must be taken out of rail services? [Interruption.]

Mr Speaker: Order. We must have a bit of quiet. I could hardly hear the hon. Gentleman's mellifluous tones. Let us hear the Secretary of State.

Stephen Crabb: In fairness, I did not hear all of the hon. Gentleman's question, so I will write to him about the specific issues. He is right that electrification is a really expensive way of investing in our railways, but it is the right thing to do. We have asked Sir Peter Hendy to look at all the different projects that Network Rail is juggling and report back to us this autumn with an

update, but nobody in this place or outside should be in any doubt about our commitment to delivering electrification all the way through to Swansea.

Civil Service Jobs

7. **Paul Flynn** (Newport West) (Lab): What recent discussions he has had with his ministerial colleagues on the provision of civil service jobs in Wales. [901177]

The Parliamentary Under-Secretary of State for Wales (Alun Cairns): I have regular discussions with ministerial colleagues on a range of issues, including civil service jobs in Wales. I appreciate that the civil service, as a major employer in Wales, contributes significantly to the Welsh economy.

Paul Flynn: With 30 years of whinging and whining from job gluttons, mostly from London, set against the huge success of the relocation of civil service jobs in Wales, when will we hear a strong clarion call from Welsh Ministers to defend jobs in the broad acres of Wales and away from polluted, overcrowded and congested London?

Alun Cairns: I think the hon. Gentleman is referring to reports about the Office for National Statistics. Sir Charlie Bean's review is a wide-ranging report, independent of Government, into how to address future challenges to the measurement and production of economic statistics. He referred specifically to the support given by the Wales Office. I am sure that my predecessors would like me to highlight that the number of civil servants employed across the UK has fallen by 17% but in Wales by only 13%. That is a credit to my predecessors.

Ian C. Lucas (Wrexham) (Lab): Her Majesty's Revenue and Customs is talking about shifting jobs from Wrexham in north Wales to Cardiff. Will the Minister meet me to ensure that north Wales has civil service jobs and that the Tories in Wales do not sell north Wales down the river again?

Alun Cairns: I do not accept the premise of the question. The Government's commitment to north Wales is significant. We are looking at the improvement of the railway line across north Wales, and the hon. Gentleman will be more than aware of the impact that the prison will have in north Wales. Of course we want to ensure that all the jobs are as efficient as possible. I will happily write to the hon. Gentleman on the detail of the point that he has brought to the attention of the House.

Ian Austin (Dudley North) (Lab): What discussions has the Minister had with the people in the civil service who are responsible for the provision of library services about the appalling decision to remove an exhibition about Israeli and Palestinian people playing football together? Does he think that the decision to remove the exhibition will bring people together and further knowledge, which is what libraries are supposed to be about?

Alun Cairns: The hon. Gentleman makes an important point, referring to a disgraceful decision and act by Cardiff city council ahead of a visit from Israel to Cardiff. I hope that the leaders of his party on Cardiff city council will hear and take note of his comments.

Economic Inactivity

8. **Antoinette Sandbach** (Eddisbury) (Con): What assessment he has made of recent trends in the level of economic inactivity in Wales. [901179]

The Secretary of State for Wales (Stephen Crabb): Our economic plan continues to bear fruit for Wales. This summer, we have seen more people in Wales going out to work each day than ever before, as economic inactivity falls.

Antoinette Sandbach: In 2011, the Labour Welsh Government announced that 5,000 jobs will be created in the Deeside enterprise zone. Four years later, fewer than 1,000 have been delivered. What is the Secretary of State doing to ensure that north Wales will benefit from the Mersey Dee Alliance?

Stephen Crabb: These are primarily Assembly issues, and I will look into them on behalf of my hon. Friend. What I can say is that business in north Wales, as throughout the whole of Wales right now, is filled with concern and dismay about the posture of a Labour party that is increasingly anti-business, anti-British and anti-worker.

Stephen Kinnock (Aberavon) (Lab): The Port Talbot steelworks in my constituency accounts for over 4,000 jobs, but it is facing crippling energy bills. Does the Secretary of State agree that urgent action is now required to help the steel industry to reduce its energy costs?

Stephen Crabb: The hon. Gentleman may be aware that I was in his constituency just a fortnight ago with my right hon. Friend the Minister for Small Business, Industry and Enterprise to meet Tata Steel—and we also met Celsa Steel that day—to talk about precisely the issues he raises. It is a concern. People in the steel industry are a concern for us, and we are working with the industry to provide compensation for the higher bills it faces as a result of our renewable obligations.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Does the Secretary of State not agree that the economy of Wales would be boosted by the exciting proposed spaceport at Llanbedr? What discussions has he had with his Cabinet colleagues about bringing the spaceport to Llanbedr?

Stephen Crabb: The hon. Lady knows, because we discussed this on Monday, that I share her excitement and enthusiasm about the prospect of a spaceport coming to Llanbedr in her constituency. The Government are looking at various sites and various options, but I am in discussions with my colleagues at the Department for Transport about how we can secure that facility potentially for Wales.

Northern Powerhouse

9. **Mr David Jones** (Clwyd West) (Con): What assessment he has made of the potential effect on north Wales of the northern powerhouse. [901180]

The Parliamentary Under-Secretary of State for Wales (Alun Cairns): The northern powerhouse is a fantastic opportunity for north Wales. My hon. Friend will appreciate that there is significant economic and business value in strengthening links in the region.

Mr Jones: Will my hon. Friend say whether Welsh Ministers are engaging positively with the United Kingdom Government in pursuing the northern powerhouse agenda, or are they maintaining their customary position that nothing that happens in Cheshire is of any interest to the people of Flintshire?

Alun Cairns: My right hon. Friend makes an important point. I must admit that I was disappointed with the Welsh Government's attitude to the northern powerhouse, highlighting what they said was lowly aspiration and offering only trickle-down benefits to north Wales. The reality is that my right hon. Friend the Chancellor's plans for the northern powerhouse are about building a strong economy and a strong United Kingdom.

Albert Owen (Ynys Môn) (Lab): North Wales suffers from some of the poorest mobile phone coverage across the United Kingdom. If we want to have a powerhouse in north Wales and the north of England, will the Government intervene to ensure universal coverage in north Wales and make it the digital centre of the United Kingdom?

Alun Cairns: My right hon. Friend the Business Secretary, when he was Secretary of State for the Department for Culture, Media and Sport, brought together a groundbreaking arrangement between mobile operators, in addition to the Telefónica deal, with the auction for the 4G communication network, that will deliver at least 95% coverage for the whole of Wales and 98% across the rest of the UK. That is in contrast to the 3G deal that was offered by the previous Labour Government, which led to less than 90% coverage across Wales.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [901356] **Gordon Henderson** (Sittingbourne and Sheppey) (Con): If he will list his official engagements for Wednesday 16 September.

The Prime Minister (Mr David Cameron): I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall have further such meetings later today.

Gordon Henderson: Seventy-five years ago, Spitfires and Hurricanes were flying over Sittingbourne and Sheppey in the battle of Britain, defending our country from Hitler's aggression. It is particularly appropriate that the Royal Air Force protected the Isle of Sheppey, because it is the birthplace of British aviation, something of which we islanders are immensely proud. Will the

Prime Minister join me in paying tribute to those courageous RAF airmen who helped to ensure the freedoms we enjoy today?

The Prime Minister: I certainly join my hon. Friend in doing that. There was a very moving service in St Paul's yesterday, where many of us were able to pay tribute to those brave pilots, to the ground crews and to all those involved in what was not just an important moment in British history, but a vital moment in world history as Britain stood alone as the only thing that could stop Hitler and Nazism. It is a reminder of how proud we should be of our armed forces then, today and always.

Jeremy Corbyn (Islington North) (Lab): I want to thank all those who took part in an enormous democratic exercise in this country, which concluded with me being elected as leader of the Labour party and Leader of the Opposition. We can be very proud of the numbers of people who engaged and took part in all those debates.

I have taken part in many events around the country and had conversations with many people about what they thought of this place, our Parliament, our democracy and our conduct within this place. Many told me that they thought Prime Minister's question time was too theatrical, that Parliament was out of touch and too theatrical, and that they wanted things done differently, but above all they wanted their voice to be heard in Parliament. So I thought, in my first Prime Minister's Question Time, I would do it in a slightly different way. I am sure the Prime Minister will absolutely welcome this, as he welcomed the idea in 2005, but something seems to have happened to his memory during that period. So I sent out an email to thousands of people and asked them what questions they would like to put to the Prime Minister and I received 40,000 replies.

There is not time to ask 40,000 questions today—our rules limit us to six—so I would like to start with the first one, which is about housing. Two-and-a-half thousand people emailed me about the housing crisis in this country. I ask one from a woman called Marie, who says, "What does the government intend to do about the chronic lack of affordable housing and the extortionate rents charged by some private sector landlords in this country?"

The Prime Minister: First of all, let me congratulate the right hon. Gentleman on his resounding victory in the Labour leadership election. I welcome him to the Front Bench, and to these exchanges. I am sure that there will be many strong disagreements between us during our exchanges, but when we can work together in the national interest we should do so, and I wish the right hon. Gentleman well in his job.

If we are able to change Prime Minister's Question Time and make it a more genuine exercise in asking questions and answering questions, no one will be more delighted than me. Last week, when we discussed a substantial issue with substantial questions and proper answers, I felt that that was good for our House and good for our democracy, and so I welcomed it.

Let me now answer, very directly, Marie's question. We do need to see more affordable housing in our country. We delivered 260,000 affordable housing units during the last Parliament, and we built more council

houses in our country than had been managed in the previous 13 years, but I recognise that much more needs to be done. That means carrying on with our reform of the planning system, and it means encouraging the building industry to come up with innovative schemes like the starter homes scheme, but, above all, it means continuing to support the aspirations of people to be able to afford their own homes, which is where schemes such as Help to Buy come in. But I say this to the right hon. Gentleman: we will not get Britain building unless we keep our economy going.

Jeremy Corbyn: I thank the Prime Minister for that answer, and I thank him for his commitment that we are going to try and do Prime Minister's Question Time in a more adult way than we have done it in the past.

The effects of Government policy on housing are obviously enormous, and the decision to cut, for example, 1% of the rent levels in councils and in housing associations without thinking about the funding issues that those authorities face is a serious one. I have a question from Steven, who works for a housing association. He says that the cut in rents will mean that the company that he works for will lose 150 jobs by next March because of the loss of funding for that housing association to carry on with its repairs. Down the line, that will mean worse conditions, worse maintenance, fewer people working there, and a greater problem for people living in those properties. Does the Prime Minister not think it is time to reconsider the question of the funding of the administration of housing, as well as, of course, the massive gap of 100,000 units a year between what is needed and what is being built?

The Prime Minister: What I would say to Steven, and to all those who are working in housing associations and doing a good job, is that for years in our country there was something of a merry-go-round. Rents went up, housing benefit went up, and so taxes had to go up to pay for that. I think it was right in the Budget to cut the rents that social tenants pay, not least because people who are working and not on housing benefit will see a further increase in their take-home pay, and will be able to afford more things in life.

I think it is vital, though, that we reform housing associations and make sure that they are more efficient. They are a part of the public sector that has not been through efficiencies and has not improved its performance, and I think it is about time that it did.

Jeremy Corbyn: I thank the Prime Minister for that, but it leads me neatly on to what happened yesterday, when the House sadly voted for proposals that will cost families who are affected by the change in tax credits £1,300 per year. That is absolutely shameful. I received more than 1,000 questions about tax credits. Paul, for example, asks this very heartfelt question: "Why is the government taking tax credits away from families? We need this money to survive and so our children don't suffer. Paying rent and council tax on a low income doesn't leave you much. Tax credits play a vital role and more is needed to stop us having to become reliant on food banks to survive."

The Prime Minister: What we need is a country where work genuinely pays, and that is why what our proposals do is reform welfare, but at the same time bring in a

national living wage which will mean that anyone on the lowest rate of pay will get a £20-a-week pay rise next year. That is why the figures show that a family—*[Interruption.]* I thought that this was the new Question Time. I am not sure that the message has fully hit home.

I do not want to blind the House with statistics, but I will give just two. First, after all our changes, a family where one of whose members is on the minimum wage will be £2,400 better off. Secondly—and I think this is really important—between 1998 and 2009, in-work poverty went up by 20%, at the same time as in-work benefits rose from £6 billion to £28 billion. The old way of doing things is not working, and we should not go back to it. What we must do is tackle the causes of poverty: get people back to work, improve our schools, improve childcare. Those are the ways in which we can create an economy in which work pays and everyone is better off.

Jeremy Corbyn: The Institute for Fiscal Studies says there are 8 million people in paid work eligible for benefits or tax credits. They are on average being compensated for just 26% of their losses by the so-called national living wage that the Government have introduced. So I ask a question from Claire, who says this: “How is changing the thresholds of entitlement for tax credits going to help hard-working people or families? I work part-time; my husband works full-time earning £25,000”—they have five children—“This decrease in tax credits will see our income plummet.”

They ask a simple question: how is this fair?

The Prime Minister: The country has to live within its means and we were left an unaffordable welfare system and a system where work did not pay. We see today the latest set of employment statistics where the rate of employment in our country has yet again reached a record high—more people in work, more people in full-time work—and we are also seeing unemployment fall in every region of the country except the south-east, and the sharpest falls are in the north-west, the north-east and the west midlands. What we are doing is moving from an economy with low wages, high tax and high welfare to an economy where we have higher wages, lower taxes and less welfare. That is the right answer: an economy where work pays, an economy where people can get on. Let us not go back to the days of unlimited welfare. Labour’s position again today is to abolish the welfare cap; I say that a family that chooses not to work should not be better off than one that chooses to work.

Jeremy Corbyn: Many people do not have that choice; many people live in a very difficult situation and rely on the welfare state to survive. Surely all of us have a responsibility to make sure that people can live properly and decently in modern Britain; that is surely a decent, civil thing to do.

I received over 1,000 questions on the situation facing our mental health services and people who suffer from mental health conditions. This is a very serious situation across the whole country and I want to put to the Prime Minister a question that was put to me very simply from Gail: “Do you think it is acceptable that the mental health services in this country are on their knees at the present time?”

The Prime Minister: As I mentioned before the first question, there will be areas where we can work together, and I believe this is one of them; we do need to do more to increase mental health services in our country. We have made some important steps forward in recent years. Mental health and physical health now have parity in the NHS constitution. We have introduced for the first time waiting time targets for mental health services so they are not seen as a Cinderella service, and of course we have made the commitment—a commitment I hope the right hon. Gentleman will back, undoing previous Labour policy—to back the Stevens plan for an extra £8 billion into the NHS in this Parliament, which can help to fund better mental health services, among other things. There are problems in some mental health services and it is right that we make that commitment.

But I make this one point to the hon. Gentleman: we will not have a strong NHS unless we have a strong economy, and if the Labour party is going to go down the route of unlimited spending, unlimited borrowing and unlimited tax rates, printing money, they will wreck the economic security of our country and the family security of every family in our country. We will not be able to afford a strong NHS without a strong economy.

Jeremy Corbyn: May I take the Prime Minister back to the situation of mental health in this country, which is very serious? I agree with him absolutely on parity of service, and I hope the spending commitments are brought forward, rather than delayed to the end of this Parliament, because the crisis is very serious. We know this from our constituents, we know this from people we meet, we know this from the devastation that many face—and indeed some have taken their own lives because of the devastation they face.

I ask a question from Angela, who is a mental health professional, so she knows exactly what she is talking about. She says this: “Beds are unobtainable with the result that people suffering serious mental health crises are either left without adequate care or alternatively admitted to facilities many miles away from their homes, relatives and family support systems. The situation is simply unacceptable.” What does the Prime Minister say to Angela and people like her who work so hard in the mental health services, or people going through a mental health crisis who may well be watching us today on Prime Minister’s Question Time and want to know that we take their conditions seriously, and take seriously their need for emergency beds and to be near their homes and support system, and that we as a society take seriously their plight and are going to help them and care for them? What does the Prime Minister say to Angela?

The Prime Minister: What I would say to Angela, and all those working in mental health—and indeed all those suffering from mental health conditions—is that we need to do more as a country to help tackle mental health. That is obviously about money into the health service, which we will deliver, but it is also about changing the way the health service helps those with mental health conditions. The right hon. Gentleman rightly talks about mental health beds, and they are important, but frankly so is the service that people get when they visit their GP. Many people going into their GP surgeries have mental health conditions, but they are not treated for those conditions and do not get access to, for

instance, the cognitive behavioural therapies that are increasingly being made available. So my argument is, yes, put in the resources, change the way the NHS works and change public attitudes to mental health—that is vital—but I say again that we will not be able to do any of those things without the strong economy that we have built over these last five years.

Q15. [901370] **Mr Andrew Turner** (Isle of Wight) (Con): The Isle of Wight zoo is having difficulty importing a tiger. She was cruelly treated in a circus and has now been kept in isolation for nearly two years, despite Belgium being wholly free from rabies. Will my right hon. Friend assist in breaking through this bureaucratic logjam?

The Prime Minister: I will certainly do anything I can to help my—[*Interruption.*]

Mr Speaker: Order. I want to hear about the tiger.

The Prime Minister: I want to hear about the tiger, and we will help those at the Department for Environment, Food and Rural Affairs' Animal and Plant Health Agency, because they are the ones who are working on this. I had a constituency case exactly like this, when the Cotswold Wildlife Park wanted to bring in a rhino. I intervened, and I am delighted to say that the Cotswold Wildlife Park named the rhino Nancy, in honour of my daughter. Nancy has been breeding ever since she arrived in Burford, and I hope that the tiger will be just as effective.

Angus Robertson (Moray) (SNP): May I begin by congratulating the new leader of the Labour party? We in the Scottish National party look forward to working with him to oppose Tory austerity, and we hope that Labour MPs will join him and us in opposing Trident when the time comes. [HON. MEMBERS: "Oh!"] One year ago to the day, the Prime Minister made a vow to the people of Scotland. Promises were made to deliver home rule and an arrangement as near to federalism as possible. However, the former Prime Minister, Gordon Brown, now says that the UK Government are "falling short on the delivery of the recommendations of the Smith Commission on Scottish devolution".

When will the Prime Minister deliver on the promises that he made to the people of Scotland?

The Prime Minister: We have delivered on all the promises that we made—[*Interruption.*] We said that we would introduce a Scotland Bill, and we introduced a Scotland Bill. We said that there would be unprecedented devolution on taxes, and there has been unprecedented devolution on taxes. We said that we would provide those welfare powers, and we have given those welfare powers. The question now for the SNP is this: when are you going to stop talking about processes and start telling us what taxes you are going to put up? What welfare changes are you going to make? Or, when it comes to talking about the issues, are you frit?

Angus Robertson: That is very interesting. Whatever happened to the new style of PMQs? One of the architects of the vow says that it is not being fully delivered, as does the Scottish Trades Union Congress. The Scottish Council for Voluntary Organisations, Carers Scotland

and Enable Scotland all say that not enough welfare powers are being devolved. Only 9% of people in Scotland believe that the vow has been delivered, and not one amendment to the Scotland Bill has been accepted by the Government. Tory bluster and condescension will not go down well in Scotland. So, for the second time, may I ask the Prime Minister to tell us, in his new style of answering at Prime Minister's questions, when he will deliver on the promises that were made to the people of Scotland?

The Prime Minister: Of course this is going to take a bit of getting used to, but let me try to answer the right hon. Gentleman very calmly. What I notice from his question is that he has not given me one single example of where the vow was not delivered. If he can point to a tax we promised to devolve but have not devolved, I would accept it. If he can point to a welfare change we promised to devolve but did not devolve, I would accept it. He has not done those things. All he is doing is continuing an argument about process, because he does not want to talk about the substance. You give me a list—sorry, he should give me a list—of the things that were promised and were not delivered, and then we can have a very reasonable conversation. Until then, it is all bluster from the SNP.

Q14. [901369] **Tom Pursglove** (Corby) (Con): The Prime Minister has a lot to be pleased with Corby for—that is Corby, not Corbyn. Not only did Corby help him back into No. 10, but it gave to him and the world the DVD case, which was designed and first produced in the town. This week, we continue that entrepreneurial spirit, with our bid for a new enterprise zone being submitted. Does he agree that areas that are taking significant housing growth should also benefit from new jobs and new infrastructure?

The Prime Minister: My hon. Friend is absolutely right; there is a lot that is very positive happening in Corby—we got the claimant count down by 29% over the last year and long-term youth unemployment is down. The point he makes about areas that take extra housing getting the opportunity for more infrastructure is right. So, yes, ever since his election I have been feeling a sense of Corbymania.

Q2. [901357] **Mr Ronnie Campbell** (Blyth Valley) (Lab): Public sector workers like nurses, health workers, local government workers, teachers and public service workers have not had a pay rise for five years, and they are being told by the Chancellor that they are going to get 1% for the next five years. What is it with these hard-working, good tax-paying people that means this Tory Government will not give them a decent rise?

The Prime Minister: First, what we have been most keen on is trying to protect the services and the jobs, and it has a direct impact if you simply have larger pay rises. But of course today inflation is 0% and there are pay increases in the public sector, and what the hon. Gentleman completely fails to mention are the progression payments that, for instance, in the health service, have delivered year-on-year pay increases for many hard-working people in our NHS whom I want to see rewarded. But there is something else we can do, which is to cut their taxes. By keeping public spending under control and by

growing our economy, we are able to say to everyone in our public sector, “You can earn £11,000 before you start paying any income tax at all.” That has been, in effect, a pay rise for 29 million working people.

Q13. [901368] **Kevin Hollinrake** (Thirsk and Malton) (Con): Following the Prime Minister’s visit to Yorkshire last week, peace, love and harmony has broken out right across the county. Members on both sides of the House have expressed their support for a “Greater Yorkshire” bid, encompassing north, east and west Yorkshire and Hull. Will he agree to meet me and other Members to discuss the merits of the bid, and the central role we believe it can play in the northern powerhouse and our economic security?

The Prime Minister: I will obviously take great care with my answer. I think it is excellent that we have got these devolution proposals, and it is very good that a number of different ideas have come forward from Yorkshire. The most important thing now is for people to try to come together and get behind a plan for Yorkshire. But be in no doubt: this devolution is coming, in terms of real powers and real ability to drive that economy as part of our northern powerhouse.

Q3. [901358] **Kate Hollern** (Blackburn) (Lab): My constituent Enola Halleron-Clarke, who is 11 years old, suffers from Morquio syndrome. This distressing disease stunts her growth and leads to abnormal development of the bones, and at the moment there is no cure. Enola would like to be able to use the drug Vimizim to help alleviate her condition, but the National Institute for Health and Care Excellence has yet to decide whether the drug should be available on the NHS. Will the Prime Minister do all he can to encourage NICE to come to a speedy decision for Enola and people like her?

The Prime Minister: The hon. Lady is absolutely right to raise the case about this illness and this drug; other Members have raised it as well. She is right to say that NICE is still looking at the matter. I will continue to do all I can to ensure that it reaches a speedy decision. We also need to have a dialogue with the drug companies, because of the vast prices that are being charged for some of these drugs. There are resource implications, and we need to bring down those costs to make the drugs more available, more quickly.

Kelly Tolhurst (Rochester and Strood) (Con): After a Care Quality Commission inspection at Medway hospital, a two-day diversion of ambulances has been put in place, starting this morning. Will the Prime Minister assure me that all will be done to turn things around at our hospital so that my constituents can have a fully functioning A&E swiftly and urgently?

The Prime Minister: I well remember discussing that with my hon. Friend. Obviously, her hospital has faced difficulties, and, instead of trying to push that under the carpet, we have decided in these circumstances to send in a team to turn things around and improve the hospital’s performance, but more work needs to be done. The pledge I can make is that we will continue investing in that hospital and working on it to ensure that it can provide the service that her constituents deserve.

Q4. [901359] **Daniel Zeichner** (Cambridge) (Lab): At the general election, the Prime Minister promised an extra £8 billion a year for the national health service. This week, the chief executive of one of our leading hospitals in the country, Addenbrooke’s hospital, which serves my constituents in Cambridge, resigned, not least because of the financial crisis that is engulfing our health service, as indicated by the King’s Fund yesterday. How much more damage has to be done to the NHS before the Prime Minister coughs up?

The Prime Minister: With the danger of introducing too much politics into this answer, I have to say that at the general election our party stood on the proposal of £8 billion more for the NHS—effectively, it was £10 billion more for the NHS—and we have set out where every penny piece of that is coming from. At that election, the Labour party did not support an extra £8 billion for the NHS; it did not back the Stephens plan. The truth is if we want proper reform for a seven-day NHS and the resources that go with a successful NHS, it is the Conservative party that will deliver.

Q5. [901360] **Julian Knight** (Solihull) (Con): In a world in which we have a nuclear North Korea, a rampant and aggressive Russia and the pure evil of the so-called Islamic State, will the Prime Minister agree that, to protect our security and way of life, we simply must have an independent nuclear deterrent?

The Prime Minister: My hon. Friend is absolutely right. In terms of defence, this is the most important duty for a Government and for a Prime Minister. The cornerstone of our defence will remain the 2% spending to which we are committed with the increased defence budget in this Parliament, the membership of NATO and Britain’s own independent nuclear deterrent as the ultimate insurance policy in what is a dangerous world. The fact that the Labour party is turning away from those things is deeply regrettable. National security is the most important thing a Government can deliver and we will never fall short.

Mr Nigel Dodds (Belfast North) (DUP): The plaques at the entrance door to this Chamber in memory of Airey Neave, Robert Bradford, Ian Gow and Sir Anthony Berry—serving Members of this House who were murdered by terrorists as they stood up for democracy and the British way of life—are a reminder of the savagery and brutality of terrorism, as are the gravestones and the headstones in Northern Ireland and right across this land. The Opposition Leader has appointed a shadow Chancellor who believes that terrorists should be honoured for their bravery. Will the Prime Minister join all of us, from all parts of this House, in denouncing that sentiment and standing with us on behalf of the innocent victims and for the bravery of our armed forces who stood against the terrorists?

Hon. Members: Hear, hear!

The Prime Minister: From the reaction he has just heard, the right hon. Gentleman will know that he has spoken for many in this House and, I think, the vast majority of people in our country. Airey Neave is the first Member of Parliament I can remember, because he was my Member of Parliament. Ian Gow was one of

the first politicians I ever wrote a speech for, and there never was a kinder or gentler public servant in this House. He was cruelly murdered and his family had that life taken away. My view is simple: the terrorism we faced was wrong. It was unjustifiable. The death and the killing was wrong. It was never justified, and people who seek to justify it should be ashamed of themselves.

Q6. [901361] **Michael Tomlinson** (Mid Dorset and North Poole) (Con): Schools in Poole are in the bottom five and schools in Dorset are in the bottom 11 when it comes to local education authorities and funding per pupil. I welcome this Government's commitment to a fairer funding formula. Does the Prime Minister recognise the importance of fairer funding for our schools in Poole and Dorset, and the need for that to be implemented as quickly as possible to ensure a world-class education for our children, including respect for our traditions, and perhaps even learning the importance of our national anthem?

The Prime Minister: My hon. Friend makes a very important point. There are very strong calls on all sides to ensure that we address fairness in funding. In the last Parliament we allocated £390 million extra for fairer funding, and his own authorities, Dorset and Poole, benefited from that, receiving £3.1 million and £3.2 million respectively. I can tell him that that money is included in the baseline for schools funding in 2016 and 2017. But I know that there is unfairness in the current system and I want us to do everything we can to make the funding formula fairer.

Q7. [901362] **Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): Nissan in my constituency has just reached the half-a-million production mark for its new Qashqai model, breaking all UK records. I am sure that the Prime Minister, and indeed the whole House, will wish to join me in congratulating Nissan on that great achievement. Nissan's constructive unionised workforce has helped achieve that fantastic outcome, so why is the Prime Minister attacking workers' rights when in many cases, as at Nissan, trade unions are an overwhelming force for good?

The Prime Minister: First, let me agree with the hon. Lady that the achievements at Nissan are absolutely remarkable. One of the great privileges of my job is being able to go and meet people there and see what they are doing. I think that I am right in saying that the north-east of England now produces more cars than the whole of Italy, which is something that I think we can be proud of. Of course, with the new Hitachi factory we will now be manufacturing trains in the north-east as well. Look, the Trade Union Bill is not what she says it is; it is to make sure that we do not have strikes based on very low turnouts. Let me give her one example. A couple of years ago we had school strikes that shut schools right across our country. The ballot was two years out of date and only 27% of people had turned up to vote in it. Working parents across the country had to keep their children at home when they should have been getting the public service they paid for. That is what our Bill is about, and I hope that it will have support across the House.

Mr James Gray (North Wiltshire) (Con): The bravery of all our servicemen and women is beyond question, but does the Prime Minister agree that the bravest of the brave must be those who faced the invisible bullets of Ebola in the recent crisis in west Africa? Will he take the opportunity to join me, along with Members of both Houses, at the great north door of Westminster Hall straight after Prime Minister's questions to welcome back 120 soldiers, sailors and airmen, together with aid workers, medical workers and others, who did our bidding in west Africa?

The Prime Minister: I will be delighted to join my hon. Friend. One of the great privileges of this job was being able recently to hold a reception at No. 10 for people who had served in west Africa tackling Ebola. They are some of the bravest and most remarkable people I have met, whether the nurses, the volunteers or members of Britain's brave armed forces. It really is remarkable what they have done. We are almost in a position to declare Sierra Leone Ebola-free. Great work has been done by the people of Sierra Leone, but I think that Britain was able to take on this task because we have good armed forces that are properly funded, and having an aid budget at 0.7% of our GNP is something the whole country can be proud of. That is exactly the sort of use of our aid budget, where we are doing it with moral force and with our moral conscience but also keeping our country safe at home. To those who sometimes wonder what are the uses of British troops, I say, "Get a map out and have a look at Sierra Leone."

Q8. [901363] **Tom Blenkinsop** (Middlesbrough South and East Cleveland) (Lab): The SSI steelworks in Redcar are facing serious and imminent challenges. UK steel is of vital strategic importance to the British economy. Will the Prime Minister urgently meet me, my hon. Friend the Member for Redcar (Anna Turley) and the steelworkers' union community so that we can look at more positive ways of supporting our industry in order to protect it in much the same way that other European Governments do?

The Prime Minister: The hon. Gentleman is quite right to raise this, and everyone is concerned about the steelworks in Redcar. Obviously, we have taken the action of voting with others in Europe against Chinese dumping. We have also provided over £30 million of support in respect of high energy users. Also, by setting out our national infrastructure plan, we are giving steel producers a sense of the demand in our country in the months and years to come. I will certainly consult my right hon. Friend the Secretary of State for Business, Innovations and Skills about the best sort of meeting we can have in order to make sure we do everything we can to keep steelmaking in Redcar.

Q9. [901364] **Graham Evans** (Weaver Vale) (Con): Does the Prime Minister agree that this Government's commitment to spend 2% of GDP on defence protects our national and economic future, while giving our 21st century armed forces the moral and financial support they need to protect our nation's security?

The Prime Minister: We have had to make difficult decisions in the spending review and we will have to make further difficult decisions, but on the decision to

increase our defence spending in a very dangerous and uncertain world, when we face threats in Europe with the behaviour of Russia and the threat from ISIL in the middle east, combined with all the other threats, including cyber, it is absolutely right to increase this spending and to make sure that membership of NATO remains the cornerstone of our defence. National security will always be the top priority of this Government.

Andrew Griffiths (Burton) (Con): On a point of order, Mr Speaker.

Mr Speaker: We have a statement. It is always a pleasure to listen to the hon. Gentleman. We will save him up and keep his point of order until a little later. The statement comes first.

Migration

12.37 pm

The Secretary of State for the Home Department (Mrs Theresa May): With permission, Mr. Speaker, I would like to make a statement updating the House on the UK's response to the migration situation in Europe and the middle east.

Last week, many right hon. and hon. Members across the House spoke passionately and thoughtfully about the distressing scenes that we have witnessed over the summer—men, women and children taking extraordinary risks as they have travelled to reach Europe, some by rickety vessels over the sea, others by land and by foot. Many are fleeing the brutal conflict in Syria, where war has wrought devastation and destruction on so many innocent lives.

As I told the House last week, the UK can be proud that since the start of that conflict we have been at the forefront of the humanitarian response. We are providing more than £1 billion in aid, making us the second biggest bilateral donor in the world. Our contribution is almost as much as the rest of the European Union put together. Since 2011, we have taken more than 5,000 Syrian refugees and asylum seekers, and last week, the Prime Minister announced that we will resettle 20,000 Syrians in need of protection over the course of this Parliament.

I can tell the House that plans to welcome those refugees are progressing at pace. On Monday the Prime Minister announced the appointment of a new Minister solely responsible for overseeing this work. The Under-Secretary of State for Refugees, my hon. Friend the Member for Watford (Richard Harrington), will be responsible for co-ordinating and delivering this expansion of our resettlement programme across Government, as well as co-ordinating the provision of UK support to Syrians in the region. He will report primarily to me and to the Secretary of State for Communities and Local Government. He will also report to the Secretary of State for International Development on the provision of support and assistance to Syrian refugees in the region. My right hon. Friend the Immigration Minister will continue to be responsible for our asylum system for Syrians and people of all nationalities who need our protection. One of my hon. Friend's first commitments will be to host a meeting of non-governmental organisations to agree with our partners how best to harness the strong desire expressed by the public, and a range of organisations, to welcome these refugees to the UK. This will take place over the next week.

The response of the British public has been one of overwhelming generosity, and many have been moved to make very kind offers of assistance. In order to harness that tremendous generosity, we have set up a web page on gov.uk to provide advice for those who want to help. In collaboration with Her Majesty's Government, the Red Cross has set up a helpline for anyone who wants advice on the ways in which they can be of assistance to Syrians in need of protection in the UK.

In addition to appointing the new Minister, I have established a dedicated gold command team within the Home Office to bring together important partners such as the Local Government Association, the Department for International Development, the Department for

Communities and Local Government, the Foreign and Commonwealth Office, the United Nations High Commissioner for Refugees, and NGOs. This team is working closely with local authorities across the UK to ensure that refugees will have the support and care they need locally on arrival.

Last Friday, I chaired a cross-Government meeting that brought together the Secretaries of State for Communities and Local Government, for Work and Pensions, for International Development, for Education, and for the Wales and Scotland Offices, as well as Ministers from five other Government Departments and representatives from the Local Government Association, to drive forward this important work. Together we agreed the plan of action, which includes urgent work to expand the criteria for our existing Syrian vulnerable persons resettlement scheme and to scale up our current processes. We have also had a number of productive discussions with the UNHCR. On Monday in Brussels I spoke to the UNHCR, António Guterres, who welcomed our decision to take more refugees from the region and gave his full support to the Government's plan.

In welcoming vulnerable refugees to the UK, it is imperative that we have in place the support and help they need and deserve. I know that hon. Members, and the general public, are keen to know more detail on the numbers and when people are expected to arrive, but I must underline that the scale of the expansion needs careful and meticulous planning to ensure we get it right. My hon. Friend the Minister and I will continue to update the House on that point, but I am pleased to tell the House that we are looking forward to welcoming the first wave of new arrivals in the coming days, and we are working at speed to plan for even more in the coming weeks.

This is of course a crisis that affects the whole of the EU. That is why, together with the interior ministers of Germany and France, I called for an extraordinary Justice and Home Affairs Council to be held on Monday to discuss the immediate situation. At the meeting, Ministers from across Europe agreed on the need for bold and concerted action, and I stressed our desire to work with our European partners. I also made it clear that we do not support all of the Commission's recent proposals, which include the relocation of 120,000 people already in Europe. As I have said before, the UK believes that this approach risks encouraging even more people to risk their lives making the dangerous journey across the Mediterranean or into Europe.

Instead, we should, as the UK is doing, be resettling people directly from the region, including Syrian refugees from Turkey, Jordan and Lebanon, such as those the Prime Minister met on his visit to the region on Monday. This is important for three particular reasons. First, it ensures that we are taking the most vulnerable people, not just those who are sufficiently fit or who have enough money to make the journey to Europe. Secondly, it deters people, of any age or wealth, from attempting the perilous journeys that have already led to so many tragic deaths. Thirdly, it helps to break the business model of the callous criminal gangs preying on human misery in this way.

I made it clear once again at the Council meeting on Monday that the UK will not be participating in a compulsory EU relocation scheme, and our position on this has been acknowledged clearly by the Commission

and other member states. The UK will, however, continue to build on the considerable practical assistance we are already providing to the member states experiencing particular pressures, and help them to build functioning asylum systems with the resilience to withstand increased pressures. We have already provided over 1,000 expert working days to countries such as Greece and Italy—more than any other member state. We are also committed to supporting our European partners in ensuring the full and proper management of the EU's external border.

I set out our strong support for the Commission's hotspots proposals for screening centres in the parts of Europe most acutely affected at the moment. These centres will identify those in need of international protection and give them quick access to asylum procedures. They must become operational immediately. Those who are not in need of protection will be rapidly returned to their countries of origin, relieving the huge pressure which unfounded claims put on member states' asylum systems, and ensuring that our protection can be given to those who really need it.

The strain of such claims must be addressed. Claiming asylum must not be viewed as an easy means of settlement in Europe. Now more than ever we need asylum systems that can respond quickly to those genuinely in need, and all available resource must be directed appropriately. I also stressed the importance of long-term work to overcome the issue. We must use every opportunity, including the Valletta summit in November, to continue to deepen our work with our international partners, including those outside the EU, and we must work to smash the criminal gangs that lie behind so much of this disgusting trade in human misery.

The UK is already spearheading the effort, working bilaterally with a number of other European countries as well as with Europol, and I urged other member states on Monday to join us in that important work. We need to ensure that all possible information and intelligence, including from migrant debriefing, is shared across Europe and with Europol.

We also want to see the EU and its international partners take forward more ambitious efforts under initiatives such as the Khartoum and Rabat processes and the proposed multi-purpose centre in Niger. These should include concrete actions aimed at combating the people smugglers and returning illegal economic migrants.

The plight of so many Syrian refugees who have been left homeless and whose lives have been shattered is simply heart wrenching. They have experienced things most of us cannot begin to comprehend. Many have seen their friends and family killed. Others have suffered terrible injury and trauma. Most have lost the prosperity and security they once enjoyed. As the Syrian crisis has grown over the past four years, Her Majesty's Government have done—and will continue to do—everything we can to help those in immediate need. I hope the whole House will join me in sending a message of welcome to those refugees who will soon be arriving in this country and I commend the statement to the House.

12.46 pm

Andy Burnham (Leigh) (Lab): I thank the Home Secretary for updating the House on the refugee crisis and welcome the further measures she has announced

today. We have worked together well in the past and although I will of course provide real challenge in this role, I shall do so constructively at all times.

May I also take this opportunity to praise my predecessor and friend, my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper)? She showed great leadership in forcing the Government to face up to the scale of the crisis and I am sure that the whole House wish her well in her continuing role on these matters.

Unfolding across Europe and the north of Africa is a humanitarian crisis on a scale not seen since the second world war. More than half a million migrants have arrived at the EU's borders this year, about double the number that came in 2014. Terrible images of families and children in great distress continue to fill our television screens. Earlier this week, four babies, six boys and five girls were among 34 victims who lost their lives after their boat capsized between Turkey and a small Greek island. With winter approaching and temperatures in many of the countries affected about to drop, an urgent solution is needed, so may I begin with the Government response to date?

The measures announced last week—in response, it has to be said, to huge public pressure—were, of course, welcome as far as they go. The Prime Minister and the Home Secretary are right to say that the UK has set the lead on aid spending and we must urge other European countries to match it. Although the appointment earlier this week of a Minister with specific responsibilities is a welcome and sensible development, we now need clarity on the headline figures.

The Government have committed to 4,000 refugees a year, although the Prime Minister has suggested it could be more this year. What is their latest assessment of how many will arrive this year and how many does the Home Secretary expect to arrive before Christmas? What discussions has she had with councils about the practical arrangements? More than 50 have offered to help. Are they actively turning those offers into practical proposals and, given the concerns that councils have expressed about funding, is she working to get a better funding arrangement for them?

Will the Home Secretary say more about the situation in Calais? How many of the people in camps there have had their status assessed and what discussions is she having with her French counterpart to progress that situation? The big question, of course, on the Government's response to date is whether it is in any way commensurate with the scale of the crisis. David Miliband, chief executive of the International Rescue Committee, said earlier this week that the UK Government's commitment on an annual basis matches only the numbers arriving in Greece on the beaches of Lesbos every single day. With that in mind, is the Home Secretary really standing by the description of the Government's response to date as adequate? Does she accept that it must be kept under constant review and, if necessary, increased?

Let me turn to the European response and the Justice and Human Affairs Council meeting on Monday. Such is the sheer scale of the challenge, the Home Secretary is right to say that it can be met only through a co-ordinated European response. Although she was right to call for the meeting, it is disappointing, to say the least, that the UK Government failed to table any practical or positive proposals to help our European neighbours. Can we

[*Andy Burnham*]

really leave Greece, with all the other economic problems it faces, to cope with the situation alone? The expert help is good, but it goes no way to meeting the scale of the emergency Greece faces.

Although we understand that the Government do not want to give an incentive for people to travel across the Mediterranean, they cannot deny the reality on the ground in Europe right now. The Home Secretary describes the arrivals as the fittest and the wealthiest. Is not that a dangerous generalisation? Does it adequately describe the people—the desperate parents carrying children at the Hungarian border and the children sleeping on the streets in Greece? Is the Government's decision not to take any refugees from Europe sustainable from a moral and practical point of view? Although I understand the Government's reluctance to take part in the proposed quota system, surely an offer of some help would live up to the historic tradition our country has always had. If the Government were to provide that help, would not that only build good will and help the renegotiation discussions in advance of the forthcoming European referendum?

The Home Secretary will know that Chancellor Merkel has called for a summit of European leaders to broker a solution. Will the Home Secretary today commit the Government to a positive response to that call? One of the problems the summit will have to address is the management of borders within Europe. Does the Home Secretary agree that the ability to move without checks can leave people in the grip of people traffickers? What is her view on Germany's decision to reintroduce border controls, and what implications does she think that will have for the Schengen agreement?

Will the Home Secretary say more about the proposal for removal centres in transit countries in Africa? She says they must become operational immediately; when does she expect that to happen? Is the approach of moving people back to transit centres consistent with the principle set out in the Dublin convention, whereby people have the right to claim asylum in the country of arrival?

Is the EU in discussion with other countries across the middle east to increase what they are doing? Lebanon, Turkey and Jordan are doing what they can, but surely they need more help from other, wealthier countries in the region.

Finally, we have heard today about the deployment of HMS Richmond to the Mediterranean, with a specific role to board ships and intercept people traffickers. Although we welcome that development, will the Home Secretary say more about how it will work in practice and whether it will work as part of an international effort to disrupt those gangs?

In conclusion, this is possibly the biggest crisis of its kind in our lifetime, and the way in which we respond to it will define us as a generation. We need to be ready to do more, if the necessity demands, and reach out to our European neighbours whose challenges are greatest, and we must honour our country's long tradition of providing refuge to those who need it.

Mrs May: May I start by welcoming the right hon. Member for Leigh (*Andy Burnham*) to his place? I would also like to pay tribute to his predecessor, the

right hon. Member for Normanton, Pontefract and Castleford (*Yvette Cooper*). She was appointed as shadow Home Secretary in 2011, before the Syrian conflict started, but since the beginning of that conflict she has shown great passion for the concerns of those displaced by it. She has continued that approach in recent weeks and continues to work on that particular area. I wish her the very best for her time on the Back Benches.

The right hon. Member for Leigh is, of course, a former Home Office Minister, so he will be aware of some of the issues that are likely to be the subject of our debates. I welcome the fact that he has said he will approach his role constructively and that he will wish to work with the Government on some areas. Obviously, I think we are all agreed on the need to take action on the issue under discussion, but it is clear that it is in the British national interest for this House to be able to work constructively on other issues, not least national security.

The right hon. Gentleman asked a number of questions. To be absolutely clear on the numbers, the Prime Minister set the figure at 20,000 by the end of the Parliament and that is the figure we are looking at. We have not set a year-by-year quota or a target for the numbers before Christmas. As I explained in last week's debate, we are working with the UNHCR and have expanded the criteria of vulnerability that will be used to identify refugees to come to the United Kingdom. We want to work with the UNHCR to ensure not only that we are taking those whom it is right to take according to those criteria of vulnerability, but that we have the right support for them when they are in the United Kingdom. I am sure that everybody will agree that we need to ensure that it is not a question of just taking people from Syria and putting them somewhere in the UK; it is about making sure that their needs have been identified and that they are given the right support when they arrive.

That ties in with the right hon. Gentleman's question about local authorities. As I have said, Local Government Association representatives were present at the meeting I chaired on Friday. They have already been working with local authorities across the country and looking at the offers and the capacity of various councils to receive refugees. My right hon. Friend the Secretary of State for Communities and Local Government met the LGA leadership again this morning to talk through the issue. As I indicated in my statement, this is one of the practical issues that my hon. Friend the Minister with responsibility for Syrian refugees will address at a granular level in his discussions, making sure that those offers are being made and that they give the correct support.

The right hon. Member for Leigh talked about European support and Monday's meeting. We have, over time, been giving practical support to other EU member states. As I indicated in my statement, we have been supporting asylum systems in Greece, initially as part of the Greek action plan but also subsequent to that. We have also been looking to work with the Italians and others to break the criminal gangs. Crucially, I encouraged other member states to support us in that work. We have worked bilaterally, particularly with the French, and broken a number of criminal gangs dealing in people smuggling, but more effort needs to be made.

The right hon. Gentleman referred to the UK's historic tradition of helping. That is why it is absolutely right that the United Kingdom is at the forefront of the humanitarian support for people who have been displaced from Syria. That is why it is right that we are the second biggest bilateral aid donor to those in refugee camps and communities in Lebanon, Jordan and Turkey. The Foreign Office is working with others in the region to encourage increasing support for those in the camps. The UK can be rightly proud of the effort we have put into that humanitarian support. There are people today who are fed, watered and sheltered because of the generosity of the British taxpayer. We should recognise that.

There was some confusion in relation to one or two references the right hon. Gentleman made about the return of individuals and the immediate establishment of hotspots. I think I heard him suggest that the hotspots were in the transit countries in Africa, but actually they are in countries such as Italy and Greece. They are part of the EU's collective support for those countries and provide a system whereby people who cross the border can be properly identified and registered. Those who are claiming asylum appropriately are identified, but it is those who are illegal economic migrants that we are talking about returning to their countries of origin. That is, of course, all within arrangements relating to the Department for International Development.

On the question of aid from other countries in Europe, my right hon. Friends the Prime Minister and the Secretary of State for International Development and I have consistently made that point to other EU countries. Indeed, only this morning my right hon. Friend the Secretary of State for International Development was in touch with the European Commissioner concerned to discuss the issue.

Sir William Cash (Stone) (Con): My right hon. Friend and the Government are to be congratulated on the manner in which they have dealt with the problem of migration at source, but will she do what the European Scrutiny Committee has insisted on and agree to a debate on the document on the relocation of migrants, which we will discuss with the Minister for Europe in about an hour's time? We have asked for it to be debated on the Floor of the House, but without success. Will the Home Secretary agree to that request?

Will the Home Secretary also recognise that Germany, despite all the hype, has not done anything like as well as the United Kingdom in respect, for example, of the money we have provided to the World Food Programme? Some of its policies have clearly been orientated to assist its own internal economic problems. She should have a word with her counterpart to ensure that Germany does actually step up to the mark in doing the sorts of things that are really going to help and stop the tsunami of millions of people who could well come over here and swamp Europe.

Mrs May: My hon. Friend has long championed having debates on the Floor of the House on various matters put forward by the European Scrutiny Committee. The business of the House is of course a matter for the Leader of the House and the business managers. I simply point out to my hon. Friend that how the EU has responded on this matter has already been addressed

by Members in our debates. Last week we had a number of discussions on this whole question, including three in the Chamber on various aspects of the refugee crisis and, indeed, migration.

In relation to aid, my hon. Friend is absolutely right that the United Kingdom has, as I said in my statement, given financial support to the aid programme adding up to virtually the same as that of the rest of the European Union put together, so I think we can be justifiably proud of what we have done. I think I am right in saying—I will correct this if I am wrong—that we are actually giving about double what Germany is giving in aid to refugees in the region.

I reiterate that the reason why that is important is that it helps people to stay in the region, where many of them want to be, so that they are there and able to return to Syria when the conflict is over and they can do so, and so that they are not encouraged to make the perilous journey that, as we have seen—sadly for some, including for some very young children—has led to a loss of life.

Joanna Cherry (Edinburgh South West) (SNP): I thank the Home Secretary for her statement, but the Scottish National party remains of the view that the United Kingdom Government are not doing enough in the face of the extraordinary humanitarian crisis sweeping across southern and now central Europe.

It is a matter of regret that at the emergency meeting on Monday, European Interior Ministers did not explicitly endorse Jean-Claude Juncker's plan to have mandatory quotas for member states to facilitate the resettlement of the 120,000 refugees who are now in Italy, Greece and Hungary. The SNP welcomes reports that Ministers agreed in principle to share the refugees among different countries, but is disappointed that they could not decide how the refugees would be divided up. Meanwhile, the unravelling of frontier-free travel across Europe over the past few days is a symptom of the fact that certain states are bearing the brunt of the influx of refugees. It is therefore imperative that EU Interior Ministers agree on a new system of binding quotas for refugees to be shared across Europe.

It simply will not do for the United Kingdom Government to continue to insist on an opt-out from relocation proposals for the refugees already in Europe. As my right hon. Friend the Member for Moray (Angus Robertson) said in our Opposition day debate last week, the SNP recognises and welcomes the steps that the UK Government have taken, but we do not think that they are doing enough—nor do significant numbers of the British public and leading international charities. In her statement, the Home Secretary said: "The response of the British public has been one of overwhelming generosity". Why are her Government unable to match that overwhelming generosity?

In the face of the biggest humanitarian crisis to hit Europe since world war two, it is just not right for the UK to refuse to take one single refugee from the European mainland. We should be taking steps to relieve the pressure on southern European countries, which, because of their geography, are the first port of call for the refugees. The refugees are seeking sanctuary with us—with Europeans—and countries such as Greece are ill-equipped to cope with them because of their own economic

[*Joanna Cherry*]

condition. Richer EU member states, such as the United Kingdom, should assist them to deal with the enormous challenge that they face. Will the Home Secretary please reconsider her refusal to take any refugees from the European mainland?

Finally, I want briefly to welcome the Home Secretary's statement that the United Kingdom Government will take steps to co-ordinate the humanitarian and practical response at home by making contact with NGOs and setting up a gold command team. Some weeks ago, the Scottish Government set up a taskforce—it has now met twice—which brings together stakeholders from across Scotland in the areas of local government, housing, health services, language support, transport and social services, as well as charities and faith communities. Will the Home Secretary confirm that what she is doing is something akin to that taskforce, and that it will perform the same function on a continuing, rather than a one-off, basis?

Several hon. Members *rose*—

Mr Speaker: Order. Before we proceed—I certainly did not want to interrupt the hon. and learned Lady, who is a most experienced advocate—I just want to say to the House that from now on and in conformity with usual practice, statements should be followed by questions rather than further statements. Of course, I partly have what the hon. and learned Lady said in mind, but not only what she said. It has become quite common in recent times for people to feel that they must follow a statement with another statement. This is not for speeches to the Press Gallery; it is for a series of questions following the statement. I hope that that is helpful. It is genuinely intended to be helpful.

Mrs May: The hon. and learned Lady invited me to comment on the Schengen borders and the decisions taken by a number of European Union member states who belong to the Schengen border-free zone. I would simply say that such decisions are matters for countries that are members of the Schengen zone. The United Kingdom is not a member of Schengen and will not be a member of Schengen.

The hon. and learned Lady referred to the public's overwhelming generosity and various issues about how we are helping people. While she welcomed what we are doing, she said that we are not doing enough. I would say to her that the overwhelming generosity of the British people has been exemplified, first, by the fact that we have been willing as a Government to commit to 0.7% of GNP going to our aid budget, and secondly, by the fact that we are the second biggest bilateral donor to people in the region. The figures are striking. There is obviously a difference in terms of the support given and the sort of life and accommodation that people have, but I think these are the figures: with the money that would be spent on one individual coming to the UK, 20 people can be supported in-region. That is why we have always said that we can help more people by supporting them in the region, where, as I said in response to my hon. Friend the Member for Stone (Sir William Cash), they are then able to go home when that becomes possible.

Finally, we have had significant interaction with the Scottish Government. I think that the Prime Minister spoke to the First Minister last week about this matter. We have also had interaction with the Welsh Government on it. My hon. Friend the Under-Secretary of State for Refugees is due to meet the relevant Scottish Minister soon and to speak to the relevant Welsh Minister, and my right hon. Friend the Minister for Immigration spoke to his Scottish and Welsh contacts on this matter last week.

Mr Kenneth Clarke (Rushcliffe) (Con): In my right hon. Friend's EU ministerial discussions, has any progress been made on finding and producing better safe havens outside the external frontier of Europe? Refugees from places such as Somalia, Eritrea and Iraq, as well as those from Syria, could be taken to such safe havens when they cross the Mediterranean or reach the border in other ways, and could live there in civilised conditions while they are processed to decide whether they have any claim for asylum. Does she agree that, although it would be an enormous task to arrange that, something of the kind must be attempted if we are to stop this stream of destitute people coming along the roads and railways of Europe to get to Britain, Germany or Sweden?

Mrs May: My right hon. and learned Friend makes a very important point. There has indeed been discussion at European Union level. I and other colleagues, particularly the French Interior Minister, have encouraged the European Commission to work at pace. The initial proposal is for a centre in Niger. We are looking, as is the European Commission, at the possibility of a centre in east Africa as well. It is obviously important to look very carefully at where it is appropriate to have such a centre, because it needs to be a place of safety for individuals. This also relates to the important issue of illegal economic migrants, rather than refugees, in that it is about breaking the link between making the perilous journey across the Mediterranean and gaining settlement in Europe.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I thank the Home Secretary for her kind remarks. She and I were first elected together in '97, served on our first Select Committee together, were first promoted at the same time and have shadowed each other for about seven years. I can only wish that her promotion prospects will be rather more successful than mine.

May I ask the Home Secretary about the crisis? I welcome the work that she has done in the last week alone since we debated this matter, but she has been asked repeatedly to go further in taking refugees from Greece, as well as from across Europe. Some 230,000 people have arrived in Greece this year alone. She has provided only 1,000 expert working days to help them. Does she really think that all those people, many of whom are Syrian refugees, should remain in Greece? Does she think that other countries nearby should offer to help and to take some of those refugees? If she thinks that other countries should offer to help, why shouldn't Britain?

Mrs May: I thank the right hon. Lady for her comments. I simply say to her that politics is an interesting business, and despite what one's future looks like at this point in time, one never knows what may happen in the coming months and years.

The right hon. Lady asked about the people who are in Greece. She recognised in her question that of those 230,000 people, not all are Syrian refugees and not all are refugees. There are people from other countries who have seen it as a route to enter the European Union. That is why the hotspots proposal is so important and why it is important to set it up as quickly as possible. There were indications on Monday from the European Commission and the Greek Minister that the support that is being put into that will enable people to be identified at that point, so that those who have a genuine claim to asylum can be supported appropriately and illegal economic migrants can be returned to the countries from which they originated.

Nusrat Ghani (Wealden) (Con): People traffickers and organised criminal gangs operating in the Mediterranean are responsible for the deaths of more than 2,600 people. Will the Home Secretary detail the action that is being taken to tackle that vile trade?

Mrs May: I am very happy to do so. We have been working bilaterally, particularly with our French colleagues, to break a number of criminal gangs. We did that over the first few months of the year and quite a number of gangs were dealt with, but there are more out there that we need to deal with. We are putting support into the JOT Mare operation, run by Europol, which enables the sharing of intelligence on such matters. It is important that everybody participates in this. We have put effort into it and I have been encouraging my European counterparts to do the same, because we need a collective effort across the European Union. The National Crime Agency and Immigration Enforcement have set up a new organised immigration crime taskforce, to which 90 people are assigned, not only in the UK but elsewhere in Europe and in Africa, to help identify the criminal gangs and take action.

Keith Vaz (Leicester East) (Lab): I, too, welcome the appointment of the shadow Home Secretary and pay tribute to the former shadow Home Secretary for the work that she has done. I warmly welcome the appointment of the Minister with responsibility for Syrian refugees. He has a good record of dealing with the diaspora community in north London and I think he will do an excellent job.

My concern has to do with the criminal gangs, which were just raised by the hon. Member for Wealden (Nusrat Ghani). We are not part of Schengen, so we are not part of the rapid border intervention team deployments, but we need to provide support to break the criminal gangs. That means that there must be a 24/7 operation, because criminal gangs do not operate to Brussels office hours; it is something that they do all the time. What support will the Home Secretary give the Tunisian Government? I was in Tunis last Thursday where they are intercepting Libyan boats that are trying to get to Italy. Without supporting the Tunisians, we will not be able to defeat the criminal gangs.

Mrs May: The right hon. Gentleman makes an important point. I am tempted to say that very few of us work to Brussels office hours, but he is absolutely right that it has to be a 24/7 operation. We need co-operation across Europe, but we also need to work with the countries in Africa where the criminal gangs are operating. That is

why the National Crime Agency has ensured that its new organised immigration crime taskforce has people in Africa who are able to work at a local level, with European input, to break the criminal gangs.

We also have the proposal from the European Union, which has been masterminded by High Representative Federica Mogherini, to take action off the Libyan coast through the common security and defence policy. Of course, that depends on the consent of the Libyan Government. As the right hon. Gentleman will know, that is not something that is possible at the moment, but work on the stability of Libya is part of the important work that needs to go on.

Henry Smith (Crawley) (Con): In recent days, we have seen the closure of the German-Austrian border. Does my right hon. Friend, whom I commend for her statement, agree that that shows the naivety and nonsense of the Schengen treaty? Will she rule out this country ever being a signatory to it?

Mrs May: My hon. Friend tempts me to talk about Schengen, as did the hon. and learned Member for Edinburgh South West (Joanna Cherry) who spoke for the Scottish National party. I simply say that we are not a member of Schengen. Decisions on borders within Schengen and the operation of the Schengen border code are matters for countries that are within the Schengen zone. We are not a member of it and we do not intend to be a member of it.

Alex Salmond (Gordon) (SNP): We managed two debates in this House last week without a single reference to dehumanising language such as “swarming” and “swamping”. We have not managed that today. The next time the Home Secretary hears such language, will she undertake to say something and take a stand against it, instead of ignoring it as she did today?

Mrs May: I say to the right hon. Gentleman that it behoves all Members of the House to be careful about how they speak in relation to these matters. It is the job of the Home Secretary, in responding to a question, to respond to the question.

Mr Andrew Turner (Isle of Wight) (Con): We are told by a Lebanese Minister that 2% of Syrian refugees are from ISIL. What are we doing to sort the overwhelming majority of decent people from the murderers, both in Asia Minor and in Europe?

Mrs May: When people are identified to come to the United Kingdom under our resettlement scheme, we assess their needs and ensure that the proper security checks are undertaken. The fact that the refugees we are taking come from the most vulnerable sections of the populations in the camps suggests that the problems my hon. Friend is talking about are less likely. A lot of the people we have been taking are women and children who have been traumatised by sexual violence and who have particular needs. However, we do ensure that there are proper security arrangements in place in relation to the matter that he is talking about.

Mary Creagh (Wakefield) (Lab): Last week I spent three days in Lebanon—a country that took more refugees in two days than Britain will accept in five years. In

[Mary Creagh]

Beirut, Sidon and the Bekaa valley, I met people who were suffering neurological problems as a result of chemical weapons, disabled children who were unable to access any support and frail elderly people who had been deregistered by the United Nations because they had made the decision to travel back to Syria to seek medical help that they were unable to afford in Lebanon.

When the Home Secretary is looking at her resettlement programme, I ask her to consider people who have been deregistered as refugees by the United Nations, as well as those who are registered. An estimated 50,000 Syrian children who were born in Lebanon do not have birth certificates. Those stateless children are the most vulnerable of the refugee population. Great work is being done by charities such as Islamic Relief and by the United Nations, but the most vulnerable people are those who have been deregistered.

Mrs May: I understand that the Foreign and Commonwealth Office is doing some work to look at people in Jordan who do not have documentation. We recognise the effort that has been put in by the countries close to Syria—Turkey, Jordan, Lebanon—that have taken large numbers of refugees and that now see, particularly in the case of Lebanon, that the refugees who have come over from Syria make up a very significant portion of their population. That is precisely why the United Kingdom has been helping those countries by putting money into the camps to provide support for the refugees.

Dr Tania Mathias (Twickenham) (Con): I applaud my right hon. Friend for what we are doing for refugees in the region. Can she assure the House that, in liaison with the Local Government Association, councils will get long-term funding for refugees, not just funding for one year? We have the brilliant introduction of a new Minister for Syrian refugees, but will that Minister also look after refugees who were previously in Syria, namely Palestinian refugees?

Mrs May: It is right that we cover the cost of refugees being received into the United Kingdom in the first year from available overseas development aid funding. That is open to us and that is the decision we have taken. My right hon. Friend the Chancellor made it clear that he is considering the funding thereafter, but he must obviously do that in the context of the spending review that is taking place. Given the criteria for the people who are being selected to come to the United Kingdom as refugees, not all of this is relevant, but it is possible for refugees to claim benefits and to work from day one.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Why does the Home Secretary think that responding to this crisis in the region of origin and responding to its effects in Europe are mutually exclusive? Why can we do only one or the other, and not both? Until she answers that question, the Government's response will not match the generosity of spirit that she has so rightly identified in the British people.

Mrs May: A number of people who have asked questions today, who contributed to last week's debates and who questioned the Prime Minister on his statement

made a point about the large number of people who have been travelling to the borders of the European Union and trying to get to EU member states. One decision that the UK Government have taken is that we do not want people to make that perilous journey because, as we have seen, some of them die in the back of a lorry in Austria or on a boat in the Mediterranean sea. That is why it is important to provide support in the region. Countries are responding to this crisis in a number of ways. We have responded generously with our support for refugees in the region, and we are now taking an increased number of refugees directly to the United Kingdom.

Bob Blackman (Harrow East) (Con): My right hon. Friend is correct to say that many of the people who have fled violence are traumatised and have been physically injured. The generosity of the British people in opening their homes to those people is remarkable, but will my right hon. Friend tell the House what process will be undertaken to vet those who are volunteering their homes, to ensure that they are suitable and that they understand the responsibilities they will be taking on?

Mrs May: My hon. Friend makes an important point. That is why the work that the Minister for Syrian refugees will do in considering offers of support and ensuring that they are channelled in the best way possible is important, so that people are able to give that support. I have discussed this matter with the LGA, and local authorities will have some responsibility when considering people's offers. However, the LGA has already sent a message to councils for them to give to others, because some people do not perhaps realise the nature of the commitment that would be required. We are talking about people coming to the United Kingdom with humanitarian protection for five years. These people are particularly vulnerable and, as I indicated earlier, some of them will have been traumatised, for example by the use of sexual violence against them. It is important that those people are placed in an environment where they get the necessary support, so that their experience of living in the United Kingdom is a good one.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): Birmingham City Council held an open meeting yesterday and made it clear that the city will welcome Syrian refugees. As the Home Secretary has recognised, those refugees will require long-term support, and to tell local authorities that they will receive funding only for 12 months is simply not sufficient. May I press her to make more long-term commitments and to allow local authorities to plan properly?

Mrs May: I will give the right hon. Lady the same reply that I gave to my hon. Friend the Member for Twickenham (Dr Mathias): we are clear that ODA funding will be available for the first year as the ruling on such funding is that it is available for 12 months. Thereafter, discussions will take place with the LGA, those involved in this issue, and with the Treasury, and the Chancellor has made clear that he will consider this matter carefully as part of the spending review.

Mrs Anne Main (St Albans) (Con): My right hon. Friend will have heard in this morning's media that the Prime Minister of Hungary, Mr Viktor Orbán, has

suggested that one reason to close the borders was to stop the dilution of Hungary's Christian heritage. May I press her to say that when we help people from Syria and in the camps we will not discriminate against anyone as a result of their faith or otherwise?

Mrs May: I fully endorse what my hon. Friend has said. We look at the need of individual refugees. This is not about people of a particular faith; we do not discriminate against people because of their faith, and it is their need and vulnerability that will determine whether they come to the UK.

Alison McGovern (Wirral South) (Lab): I very much associate myself with the remarks made by the Chair of the Home Affairs Committee. The Home Secretary said, quite rightly, that we should judge the number of refugees we take in on need, and not on a target. How can she then include refugees in her immigration target?

Mrs May: The hon. Lady has tried, neatly, to join together two issues that it is not possible to join together. Figures on migration numbers are produced by the Office for National Statistics on the same basis as they have been produced for many years. Earlier I indicated that it is not right for us to say that we are looking to bring in a certain number of refugees by a certain date, because that will be determined by need and vulnerability. We are working with the UN High Commissioner for Refugees, at pace, to ensure that it can identify refugees whom it would be appropriate to bring to the United Kingdom, and at what support it might need in that work.

Mr David Burrowes (Enfield, Southgate) (Con): The UNHCR has called on the international community to provide places for 130,000 particularly vulnerable Syrian refugees by the end of 2016, and on 18 August the number of pledged places was short by 25,590. I therefore welcome the Immigration Minister's confirmation to the Home Affairs Committee last week that the 20,000 relocation scheme will be in line with the UNHCR requirement by 2016.

Mrs May: My hon. Friend makes an important point, and the Immigration Minister held that discussion with the UNHCR last week after the Prime Minister made the initial announcement about the expansion of the Syrian vulnerable persons relocation scheme. My hon. Friend is right: the UNHCR was clear that that announcement will enable it to meet its target.

Jim Shannon (Strangford) (DUP): We must address the push factors behind the refugee crisis, one of which is that individuals have been targeted, attacked and killed for their religion or beliefs, and their very identity is putting them at risk in their own country. To resolve the refugee crisis in the coming years, when will we start analysing and addressing the reasons behind that crisis, alongside providing practical humanitarian aid?

Mrs May: We are seeking to address the reasons behind the crisis. The hon. Gentleman will recall that the Syrian conflict started with President Assad attacking his own people within Syria. People fled and there have been terrible scenes, including reports of a barrel bombing that has taken place more recently and the possible use

of chemical weapons. These are matters of concern, and one can understand why people are fleeing. If we add to that the brutality of ISIL—or Daesh—in parts of Syria, we can see why around 11 million Syrian people have been displaced. About 4 million of those have left Syria to go to refugee camps, and a significant number are still in Syria but displaced from their original homes. Dealing with the origin of the conflict must be part of the work done by the international community.

David Rutley (Macclesfield) (Con): Does my right hon. Friend agree that in these challenging circumstances it is increasingly difficult for the Schengen arrangements and the protocols of the Dublin convention to work effectively together? Does she agree that it is important for Schengen members to work effectively to update its increasingly outdated framework?

Mrs May: The members of the Schengen zone are already considering how the Schengen arrangements and border code operate and whether any changes need to be made. Obviously, as my hon. Friend and other hon. Friends have hinted, some countries have been exercising the clause in the Schengen arrangements that enable them to take emergency border measures. It is right that the members work together on this issue to decide what is appropriate, and it is right that we have retained our border controls and are not part of Schengen.

Anne McLaughlin (Glasgow North East) (SNP): A gold command team has been set up to look at how we offer people support when they are here. Can they also look at the welcome people get the minute they set foot on UK soil? As the Secretary of State has said, we are taking the most vulnerable people and they need to know they are welcome here. I was struck by what happened in Germany, where people seemed to come out spontaneously and welcome people to their country. It is important that we do the same—important that the people of these islands can express their support and important for the people arriving as well.

Mrs May: I thank the hon. Lady for making that point. It is important to ensure that when people arrive here they know they are welcome in the UK. That is part of the work that the Minister for Refugees will be doing. It is a way to harness the offers of support from individuals, charities and non-governmental organisations across the UK to make people welcome when they arrive.

Mr Peter Bone (Wellingborough) (Con): I am grateful to the Home Secretary for updating the House. It is no wonder she looks a little tired given the hard work she is doing on this difficult situation. When I was chairman of the all-party group on human trafficking, we warned of the problems of open borders in Europe. We will never tackle the problem of people coming across without getting rid of these gangs. If there are no gangs, they will not be able to come across. One problem with putting more money and resources into fighting these gangs through the Home Office was funding. We wanted to get the funding from the overseas aid budget, because that seemed a good way of spending it, but it would have impinged on the 0.7% and would not have counted. Can we look at that again?

Mr Speaker: I am sure the hon. Gentleman would not wish to become overly discursive. I regard him as an exemplar in this place.

Mr Bone: I am sorry, but it was important.

Mr Speaker: It is important, as the hon. Gentleman rightly observes, and he has made his point with some eloquence.

Mrs May: I am always willing to consider suggestions about possible budgets to deal with these issues, and my hon. Friend is absolutely right about the gangs smuggling in refugees and illegal economic migrants. Of course, the business of some people smugglers is taking money from people and putting them on a boat that they know will probably sink in the Mediterranean, while others are human traffickers who want not just to put somebody on the journey but to ensure they are met when they arrive and are taken into some vile form of slavery. We constantly look at our effort on this, and I am pleased we have now confirmed in his place the independent anti-slavery commissioner, Kevin Hyland, who has been working with countries—in Africa, for example—looking at this terrible trade of human trafficking.

Valerie Vaz (Walsall South) (Lab): Rather than raid the DFID budget, could we consider using the seized Syrian assets, both in the region and for cash-strapped councils?

Mrs May: The Government take the view that the Syrian assets are the assets of the people of Syria and that they should decide how they are used. I recognise that the hon. Lady is suggesting that we use them on behalf of the people of Syria, but it is not necessarily appropriate to take money from those assets, which will be needed in the future when Syria has to be rebuilt.

Several hon. Members *rose*—

Mr Speaker: Order. Progress has been slow, and we are a bit short of time, but the last question was commendably pithy. If we can follow in that vein, it will help the House with later business.

David Mowat (Warrington South) (Con): Like others, I welcome today's statement, but could the Home Secretary tell us a bit more about the criteria she will use to determine the proportions of settlers going to the various nations and regions of the UK?

Mrs May: There will be a balance between the offers of accommodation and the availability of the appropriate support for individuals. It is a careful process to ensure that individuals are placed where their needs can be best met. For example, it might be appropriate for somebody with a particular medical need to be in the vicinity of a hospital with such a specialty. It is not a question of allocating on a quota basis across the UK, even if others might suggest we do that within Europe. It is important to fit the offers of support to the needs of the individuals.

Hywel Williams (Arfon) (PC): Have the Government received any specific request for financial help from the Welsh Government to enable them to respond to the refugee crisis?

Mrs May: If I may, I will write to the hon. Gentleman. I am not aware of any specific financial requests from the Welsh Government, but I know that discussions have taken place with them on their willingness to be part of this effort to take in 20,000 Syrian refugees over the course of the Parliament. I will write to him on that specific point.

Tom Pursglove (Corby) (Con): Does my right hon. Friend agree that by focusing our efforts on the region we will be in a better position to help the most vulnerable as well as the maximum number of people?

Mrs May: My hon. Friend has it in a nutshell. By giving £1 billion to refugees in the region, we can support more people in the region, from where, in due course, they will be able to return home, which is where many of them wish to be.

Fiona Mactaggart (Slough) (Lab): The Home Secretary will be aware more than anyone else in the House of the inefficiency inherent in our asylum determination system, which a report by the Public Accounts Committee last year said was being made worse by reducing the seniority of decision makers. Will she ensure that Syrian refugees have their status assessed by well-trained expert staff and have access to healthcare and the other provision that such vulnerable refugees will absolutely need?

Mrs May: I can guarantee to the right hon. Lady that people will be specifically set aside with the task of assessing these claims. Of course, there is an initial assessment with the UNHCR in the region, and we also work with the International Organisation for Migration, which assesses migrants' health needs. On Monday, I spoke with Bill Swing, who runs the IOM, about the facilities it can make available in the region to carry out those assessments—for example, looking at important issues such as vaccination. The point of matching people with accommodation and support in the UK is to ensure that their needs, be they physical, medical needs or mental health needs, can be met.

David T. C. Davies (Monmouth) (Con): Having just returned from the Calais camp, I would like strongly to endorse the Government's compassionate position. Can we find some funding to send illegal migrants either back to their own countries or to a safe refugee camp nearby?

Mrs May: We are already working with the French Government on the issue of returning illegal economic migrants, and we are looking to boost our capability to do so to ensure that illegal immigrants with no right to claim asylum can be returned.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): The voluntary sector plays a vital part in supporting both asylum seekers and refugees, yet organisations such as Asylum Link in Liverpool are suffering cuts in funding just when they are needed most. Will the Home Secretary or her very welcome newly appointed Minister for Refugees give specific attention to that issue, outside the support given to local government directly?

Mrs May: I can assure the hon. Lady that my hon. Friend the Minister for Refugees will work with NGOs to assess their requirements, capabilities and capacities and to determine in what areas they can give support.

That will also link in with the work that the Government are doing, including with the Local Government Association. We all have one aim here: to ensure that those refugees whom the UNHCR identifies as particularly vulnerable and who come to the UK are given the support they need when they arrive.

Michael Tomlinson (Mid Dorset and North Poole) (Con): The Prime Minister has just returned from Lebanon to see for himself the difference that our aid is making in Lebanon. I and other members of the all-party parliamentary group on Jordan are due to visit the region during the forthcoming recess. Will the Home Secretary give an update on the difference that our aid is making in Lebanon, Jordan and the region, and on how it will continue to do so?

Mrs May: I am pleased to say that my right hon. Friend the Prime Minister was able to visit Jordan as well as Lebanon. He met people in refugee camps and saw for himself—and has reported it back—the very real difference that our aid is making. It is notable that we are providing water, food, shelter and medical support, and for those who are not in the camps, we are helping communities by providing education for children, for example. We are making a real difference.

Mr Clive Betts (Sheffield South East) (Lab): I am pleased that the Home Secretary and her colleagues are working closely with the Local Government Association, but I want to press her again on local council funding. Surely this is such an urgent and unique problem that the Government, in advance of the spending review, can make a commitment to cover the full costs that local councils incur—and not just for the first year—in delivering a national policy. I ask the right hon. Lady to reflect on the potential damage done to community relations by saying to people who welcome refugees into their communities, “Welcome them now, but you will pay the full cost in the future in cuts in your services for funding the refugees coming to your community.” That is a damaging position for the Government to get into. Will she please reflect on that urgently?

Mrs May: As I indicated earlier, the issue will be looked at. The Chancellor has made it clear that he will look at it alongside the spending review.

Owen Thompson (Midlothian) (SNP): Last week, the Prime Minister told us that his Government have also looked at Save the Children’s proposals concerning the 3,000 Syrian children already here in Europe, and said that they will continue to discuss that. Is the Secretary of State able to provide more information on that point?

Mrs May: The work we are doing at the moment is based on the Prime Minister’s announcement of our helping 20,000 refugees directly from the region.

Peter Kyle (Hove) (Lab): From my experience of working in a previous refugee crisis, I know that the UNHCR is one of the most overstretched and overfunded of UN organisations. Now that the Government are relying so heavily on the UNHCR to help them with

this crisis, can the Home Secretary assure us that it is adequately resourced and that British officials are working alongside in situ?

Mrs May: Yes. That is exactly one of the issues that I discussed with António Guterres when I saw him on Monday—we stand ready to provide support, probably in the form of personnel who can help to bolster the UNHCR effort to the extent that it requires. He already has plans for refocusing some of its effort to ensure that such support can be provided, but if further support is needed in the form of people in situ, we stand ready to provide it.

Paul Flynn (Newport West) (Lab): Would the Home Secretary’s message of welcome to refugees not be strengthened if she led by example? There are 459 asylum seekers in Newport; 900 in Cardiff; seven in the Home Secretary’s constituency; two in the Chancellor’s; and none in the Prime Minister’s. As there are great advantages to refugees and communities in spreading the refugees evenly throughout the country, will she tell us how many of the 20,000 she expects to welcome to her constituency?

Mrs May: The hon. Gentleman talks about how the dispersal of asylum seekers takes place across the country, but we are of course operating on the basis of the rules that were introduced by a previous Labour Government. We are looking at all the offers from local authorities and, indeed, from others. As I said earlier, we will ensure that need is met, so that when people come here, their need can be met through the accommodation and support they are able to receive.

Barry Gardiner (Brent North) (Lab): Two weeks ago, the Home Office wrote to my constituent to apologise to her because the six-month period had not been honoured since her asylum claim. This is a woman who came from Syria, travelling across the continent to join her husband, who is my constituent. The Home Office has now said that it can give no fixed time during which her asylum claim will be decided. Will the Home Secretary please allocate additional resources to the case officers who are dealing with such refugee claims, because insecurity is what they fled from? To be told when they get here that there is no fixed time in which their case will be decided only adds to that insecurity.

Mrs May: UK Visas and Immigration has made a lot of effort to try to ensure that it operates within the six-month timescale for asylum-seeking claims. I suggest that the hon. Gentleman gives the Immigration Minister the details of the particular case, so that we can look it at and find out why it has taken longer. As for those who we will bring in from Syria as refugees, we will set aside specific resources to be able to ensure that the claims are dealt with properly.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Does the Secretary of State agree that our refugee family reunion rules are too restrictive to be appropriate for use in the current crisis, and that the procedures for applying are too bureaucratic? Will she work with expert organisations to extend their

[*Stuart C. McDonald*]

scope and simplify the procedures so that those for whom the UK is clearly the appropriate place of refuge are able to get here safely?

Mrs May: The hon. Gentleman has raised this issue with me before. The criteria set for vulnerability by the UNHCR include refugees with family links in resettlement or the humanitarian assistance programme. We also have the Mandate Scheme—I think that is the right title—that is specifically for the resettlement of people in countries where they have family links.

Steve Rotheram (Liverpool, Walton) (Lab): The Secretary of State will know that the mayor of Liverpool has offered her Government the practical assistance of our great city. Given that Liverpool city council is one of the hardest hit, has she had the opportunity to speak to Liverpool city council officials about additional costs in regard to any particular number of refugees who might be settled?

Mrs May: I personally have not spoken to Liverpool city council officials. The offers of support from local authorities are being dealt with first by the Local Government Association, although discussions have been held with Home Office officials—the Gold Command and the team—about these matters. Given that we are looking at the needs and vulnerability of individuals and matching that to support here in the United Kingdom, requirements will vary. It is of course necessary to look at people on a case-by-case basis. There is an overall assumption of the cost of a refugee being brought into the UK, but matching the particular needs is important.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I think my hon. Friend the Member for Newport West (Paul Flynn) deserves a better answer than he received. Will the Home Secretary confirm whether

Syrian asylum seekers who arrived before the Government had reached their current position will have their applications for refuge processed swiftly—in weeks, not months? Will she also confirm that if they have had their fingerprints and photographs taken at other points within the European Union, they will not be returned there?

Mrs May: I undertake to consider the points that the hon. Lady makes. We will try to ensure that those who are claiming asylum here in the UK are dealt with properly and within a reasonable timescale. That is why I said to her hon. Friend the Member for Brent North (Barry Gardiner) that I would be interested in hearing the specifics of the case he raised, where somebody had not been dealt with within the timetable.

Paul Blomfield (Sheffield Central) (Lab): The Home Secretary is clearly right to say that we have to do everything possible to tackle smuggling by criminal gangs, and it was useful to get an update on the Government's work in that area. She will also know that people turn to these gangs only out of utter desperation. Does she therefore accept the concern of the Refugee Council that if we simply stop illegal routes, we will leave vulnerable people stranded in potentially dangerous situations—in Libya, for example—unless we provide alternative safe and legal routes through which to make asylum claims? What is she doing to address that issue?

Mrs May: The hon. Gentleman's point is one of the reasons why the European Union is looking at working with countries such as Niger to establish centres that will be safe for individuals, so that people do not have to make that journey and are not going through to a country where they might be at risk of exposure to people smugglers and human traffickers—or, potentially, face a dangerous journey across the Mediterranean. The establishment of safe zones in countries such as Niger is part of the work we are doing across the European Union.

Point of Order

1.49 pm

Andrew Griffiths (Burton) (Con): On a point of order, Mr Speaker. Thank you for giving me the opportunity to raise this point order.

I know that you, Mr Speaker, have long been an advocate of reforming Prime Minister's questions, and that you have been concerned about the impression it gives the public about Members in this House and the way in which we operate. Today, we saw new politics and a new style of PMQs in operation. We will wait to see how the public view that, but one of the consequences of today's PMQs was that it was actually 22 minutes before we got on to Question 2 on the Order Paper. As well as being a champion of reforming PMQs, Mr Speaker, you have been an advocate of Back Benchers and of having our voices heard. In fact, I would argue that no Speaker has done more to give Back Benchers their voice. Do you, Mr Speaker, share my concern that in having a new style of Prime Minister's questions, Back Benchers could be limited in being able to ask their important questions? I had Question 10 on the Order Paper today and we got through to Question 9. If next week the Leader of the Opposition reads out a question from Andrew from Burton, you will know that I have found a new way to get my question across. [*Laughter.*] Will you bear that in mind, Mr Speaker, and ensure that, in this new style of PMQs, Back Benchers have the opportunity to ask their questions?

Mr Speaker: I am extremely grateful to the hon. Gentleman for his point of order and the very measured and good-humoured way in which he put it. I say two things to him. First, I always have him in mind. It would be difficult not to do so; he is a most assiduous contributor to our proceedings. Secondly, a change of style in Prime Minister's questions—which is not a matter for me, but is perfectly legitimate and may well be widely welcomed—need not and must not delay progress through the Order Paper.

I think it is fair to say, and the hon. Gentleman will appreciate this, that quite apart from today being a one-off—the first appearance of the new Leader of the Opposition—there is another factor in the equation: the very proper role that the Scottish National party, as the third largest party, plays in Prime Minister's questions. That role did not arise in the previous Parliament, because the then third party was part of the Government and did not have questioning rights. The SNP, very properly, does have questioning rights, which it uses perfectly properly. I am not criticising it in any way, but inevitably those two questions mean it is more challenging to make progress down the Order Paper. If the hon. Gentleman is asking me for an assurance that I want to see swifter progress down the Order Paper so that

Members at numbers 10, 11 and 12 as a matter of course do get called, as they did throughout the previous Parliament, he can be assured that I will make my best endeavours, and I hope the House will help me.

Mr Peter Bone (Wellingborough) (Con): Further to that point of order, Mr Speaker. I glanced up at the clock when the Prime Minister and the Leader of the Opposition finished their exchanges and it was actually no longer than normal. The time was indeed taken up because of the SNP and it seemed that they were more statements than questions. I wonder what advice you give to Front Benchers, Mr Speaker, on the time they should take to ask those two questions.

Mr Speaker: There is no formal time limit, unlike in some Parliaments. Personally, I sense that colleagues would prefer that we preserve a degree of discretion and room for manoeuvre for the Chair, in the interests of the House. The general principle is minimum preamble and quickest possible focus on the substance of the question, which should then be delivered pithily and with the panache that the hon. Gentleman has characteristically brought to the House since his election 10 years ago.

BILLS PRESENTED

ARMED FORCES

Presentation and First Reading (Standing Order No. 57)

Secretary Michael Fallon, supported by the Prime Minister, Secretary Theresa May, Secretary Philip Hammond, Secretary Michael Gove, Secretary Sajid Javid, Secretary Justine Greening, Secretary John Whittingdale, the Attorney General and Mark Lancaster, presented a Bill to continue the Armed Forces Act 2006; to make provision about service discipline; to make provision about Ministry of Defence fire-fighters; and for connected purposes.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 70) with explanatory notes (Bill 70-EN).

INTERNATIONAL TRADE AGREEMENTS (SCRUTINY) BILL

Presentation and First Reading (Standing Order No. 57)

Geraint Davies, supported by Hywel Williams, Mike Weir, Nia Griffith, Zac Goldsmith, Mr Mark Williams, Sir Alan Meale, Helen Hayes, Catherine West, Daniel Zeichner and Jo Cox, presented a Bill to require scrutiny of and enable amendments to international trade agreements, including investor state dispute settlements, by the European and UK Parliaments; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 November, and to be printed (Bill 71).

Basement Excavation (Restriction of Permitted Development)

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

1.54 pm

Ms Karen Buck (Westminster North) (Lab): I beg to move,

That leave be given to bring in a Bill to restrict the application of permitted development rights; to grant local planning authorities powers to restrict the size and depth of basement excavations underneath or adjacent to residential properties; and for connected purposes.

Some may think that squabbles over the construction of home spas and swimming pools underneath a garden do not matter that much, and that neither does the question of who gets to decide whether and how those constructions can go ahead. I do not agree. Quality of life matters. Local accountability matters. The ability of a locally elected council to act fairly and quickly in response to issues of concern matters. The scourge of the monster basement excavation frequently undermines all three. The fact that most of these planning battles are taking place in some of London's more affluent neighbourhoods is not grounds for failing to act in defence of their residents.

What is the problem? Basement excavations are both a relatively recent and concentrated problem, but problems they often are. For we talk not of the extended kitchen or extra living space for a growing family, but of "icebergs": projects that have, at the extreme, involved digging down several levels and hundreds of feet out for home gyms and spas, cinemas and gun rooms, and dance floors and the almost mandatory pools. If people have the money and want to build a private underground spa, that is not a choice that I care about. I do care, however, when these works impact so severely on their neighbours and neighbourhoods, as they have done recently. As Councillor Robert Davis says in the introduction to Westminster council's new planning policy:

"basement development is a matter of considerable concern to many. Some basement extensions are exceptionally large, the construction phases of work can last for a significant period of time and, in some instances, works have brought an unacceptable level of disruption to neighbours, and resulted in damage to adjoining properties."

Numbers have soared: there have been 925 in Westminster alone in past eight years, with the numbers doubling between 2008 and 2012—although they have fallen off a little, annually, since then. Of those, just 13% have been refused. One in four applications were refused in 2008. Last year, despite a tightening of the policy by the council, it was still only one in five. In Kensington, another borough subject to significant levels of such developments, there were 450 basement applications in 2013 alone—a 500% increase on 2003 figures.

The impact of the size and scale of basement excavations on immediate neighbours is hard to overstate. Soil removal alone on this scale takes time and generates a significant traffic volume, often causing damage to roads and pavements nearby. Noise levels are hellish. One constituent wrote to me this summer to oppose a scheme in the Maida Vale area saying that the works would include excavations to build an underground swimming pool and the erection of a large above-ground condenser

that would emit noise 24/7. Little or no thought seems to have been given to the plight of nearby residents who would be expected to endure noise, vibration and dust for at least a year. He welcomed a growing recognition of the hardship experienced by ordinary residents, who more and more find themselves in the frontline of such works, but of course we are not there yet.

By no means is it only the construction process that is a problem. In St John's Wood, a group of my constituents objected to a huge planning application submitted by a developer to demolish an "unlisted building of merit" and then excavate under most of the garden to create a massive two-storey basement and a vast new build above that would be completely out of context with the established neo-Georgian character of the road. Not only would this proposal threaten negatively to transform the street scene and create a very unfortunate precedent, it also threatens heritage assets, namely two Georgian listed properties nearby. An objection to a scheme in Bayswater stressed issues around drainage and flood risk, with

"a whole host of related and very serious technical concerns regarding the physical impact on the neighbouring properties."

It is extremely difficult to predict accurately how such a large and invasive excavation might affect the water table and the movement of water within the ground around a property, but it seems likely that there is at least some level of risk to the building and any neighbouring structures.

Dr Michael de Freitas, emeritus reader of engineering geology at Imperial College London, told Camden residents that those looking to install a basement often do not invest enough money in engineering expertise to ensure that the work will not cause long-term damage to neighbouring properties. This point is confirmed in a devastating report by the Health and Safety Executive earlier this year, which found that almost half the sites inspected in unannounced visits broke health and safety rules. Of those, 44 were so hazardous that the contractors were served with prohibition notices requiring immediate improvements, while two were shut down completely because of the danger posed to workers. James Hickman, the Health and Safety Executive's leading inspector in the construction division in the City and south-west London, told the *Evening Standard*:

"These...figures reflect the rapidly-increasing number of companies entering the basement industry.

Those new to basement construction work are often unaware of the...technically challenging nature of the work or of the standards required to ensure the safety of their workforce."

Of course there are responsible builders, developers and owners, but all too frequently, concerned neighbours and other residents report a lack of consideration, and company ownership structures with which they cannot deal or negotiate. The cost and complexity of challenging planning applications, especially given some of the stupendously wealthy individuals and companies involved, is far too much for most residents, so they feel largely powerless. They have looked to their local planning authorities for help, but have found in recent years that, even when there is a will to resist, the power simply is not there.

What is needed is greater local autonomy, so that councils can respond to these very local and specific problems. Westminster council has now followed Kensington and Chelsea in drawing up a new, tougher control policy,

and I welcome it. Like Kensington's, it will try to bring the monsters under control, limiting the size and depth of permitted excavations. However—and this is my main motivation for bringing the issue back to this House—local authority policies are not the final word. Well-financed developers and owners know that they can often proceed with appeals that are risky and expensive for cash-strapped local authorities. One highly controversial case in the Royal Borough of Kensington and Chelsea is now being challenged in the courts, despite the council's ruling and its adoption of a new, tougher planning policy. Westminster Council is therefore seeking an article 4 direction: a notice under the Town and Country Planning Act 1990 to ensure that a democratically determined local policy is not subject to challenge as a consequence of permitted development rights. That will be a matter for the Government's adjudication.

Local councils, and the individuals and communities whom local elected representatives are there to serve, are at the mercy of national Government decisions. Although local problems are often below the national radar, they are of major local significance. Local communities want to know that judgments on such matters can be made and enforced by their local councils. Surely councils should not have to go cap in hand to the Secretary of State for the right to set and enforce policies of this kind, in keeping with their local priorities and the wishes of their residents, and that is what my Bill proposes.

Victoria Borwick (Kensington) (Con): On a point of order, Madam Deputy Speaker. I hope that I shall be allowed a quick point of order; I am rather new to this procedure. I should just like it to be recorded that I support the points made by the hon. Member for Westminster North (Ms Buck), because, as she has said, Kensington has significant problems with basement construction.

Madam Deputy Speaker (Natascha Engel): I congratulate the hon. Lady on that very imaginative and creative way of recording her support for the Bill.

Question put and agreed to.

Ordered,

That Ms Karen Buck, Mark Field, Andy Slaughter, Tulip Siddiq, Ruth Cadbury, Clive Efford, Matthew Pennycook and Emily Thornberry present the Bill.

Ms Karen Buck accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 29 January 2016 and to be printed (Bill 72).

**EDUCATION AND ADOPTION BILL
(PROGRAMME) (NO. 2)**

Motion made, and Question put forthwith (Standing Order 83A(9)),

That the Order of 22 June 2015 (Education and Adoption Bill (Programme)) be varied as follows:

- (1) Paragraphs (4) and (5) of the Order shall be omitted.
- (2) Proceedings on Consideration shall be taken in the order shown in the first column of the following Table.
- (3) The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Table	
Proceedings	Time for conclusion of proceedings
New Clauses and new Schedules relating to education and amendments to clauses 1 to 12	4.45 pm
Remaining proceedings on Consideration	6.00 pm

(4) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 7.00pm.—(*Mr Gibb.*)

Question put and agreed to.

Education and Adoption Bill

Consideration of Bill, not amended in the Public Bill Committee

New Clause 1

SCHOOLS WHERE PUPILS DO NOT FULFIL POTENTIAL

(1) The Education and Inspections Act 2006 is amended as follows.

(2) In section 59 (meaning of “maintained school” and “eligible for intervention”), in subsection (2), at the appropriate place insert—

“section 60B (Schools where pupils do not fulfil their potential)”

(3) After section 60A insert—

“60B Schools where pupils do not fulfil their potential

(1) A school where pupils do not fulfil their potential is one where the performance of pupils in aggregate on leaving is not as high as might be expected from their performance on entry to the school.

(2) A maintained school or an Academy school is by virtue of this section eligible for intervention if the governing body or proprietor of the school—

- (a) have been notified that Her Majesty’s Chief Inspector of Education, Children’s Services and Skills, in consultation with the local authority, considers the school to be one where pupils in aggregate do not fulfil their potential, and
- (b) have not subsequently been notified that the Chief Inspector no longer considers the school to be one where pupils do not fulfil their potential.

(3) In determining whether a school should be notified, the Chief Inspector will consider the following in consultation with the local authority and, in the case of an Academy school, the person with whom the Secretary of State has made Academy Arrangements—

- (a) the availability of qualified teachers in the area of the local authority;
- (b) the number of pupils on roll and the unreliability of drawing conclusions about aggregated pupil performance when the number of pupils is small;
- (c) the age range of pupils in attendance at the school;
- (d) the handling of data about pupils with special educational needs or a disability;
- (e) information about the socio-economic characteristics of pupils on roll and the area in which the school is situated;
- (f) the balance of boys and girls in the school.

(4) If an Academy school is found to be eligible for intervention under this section, then the school is to be treated as a maintained school for the purposes sections 63 to 69, and the governing body is the proprietor of the Academy school. For the avoidance of doubt, an intervention under sections 63 to 69 takes precedence over any provision of the Academy arrangements made between the Secretary of State and the proprietor.

(5) The Secretary of State must not make an Academy Order under section 4 (Academy orders) of the Academies Act 2010 for a maintained school which has been notified that it is a school where pupils do not fulfil their potential under this section.”

This new clause updates the concept of coasting schools; it covers all publicly provided schools where pupils do not fulfil their potential and introduces a local professional assessment of factors that can only be assessed with local knowledge.—(Kevin Brennan.)

Brought up, and read the First time.

2.9 pm

Kevin Brennan (Cardiff West) (Lab): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Natascha Engel): With this it will be convenient to discuss the following:

New clause 2—*Schools with an inadequate Ofsted judgement*—

(1) Where, in a report of a school made under section 5 of the Education Act 2005, Her Majesty’s Chief Inspector of Education, Children’s Services and Skills states that in his or her opinion—

- (a) special measures are required to be taken in relation to the school, or
- (b) the school requires significant improvement

the following actions will be taken.

(2) The Regional Schools Commissioner must consult with the local authority, any trustees or persons representing foundations associated with the school and, in the case of an academy school, the person with whom the Secretary of State has made Academy arrangements, about the school’s governance arrangements.

(3) If the school is a local authority maintained school, then the Regional Schools Commissioner may determine that section 5 (consultation about conversion) applies.

(4) If the school is an Academy school, then the Regional Schools Commissioner may consult with the Secretary of State about whether or not to terminate the school’s academy arrangements with a view to the school being established as a local authority maintained school or by the Secretary of State making Academy arrangements with another person.

(5) For the purpose of this Act, the Regional Schools Commissioner is an official appointed by the Secretary of State, except in the area of a combined authority, and if so requested by the combined authority or mayor, the Regional Schools Commissioner is a person appointed by the combined authority or mayor under arrangements made under Part 6 (Economic Prosperity Boards and Combined Authorities) of the Local Democracy, Economic Development and Construction Act 2009 as amended by the Cities and Local Government Devolution Act 2016.”

Schools which receive an inadequate Ofsted judgement may require changes to their governance arrangements. The new clause addresses weaknesses in the Bill by inserting a new clause 7 which removes the assumption that there is only one form of governance suitable for such schools by requiring a local discussion about what is best for such a school and the area the school serves.

New clause 3—*Schools causing concern: involvement of parent*—

(1) The Education and Inspections Act 2006 is amended as follows:

(2) After section 59 insert—

“59A Duties of Secretary of State, local authorities, and proprietors to parents when a school is eligible for intervention

When a school is eligible for intervention, the Secretary of State, the local authority, school governing body and proprietor must exercise their functions with a view to involving parents of registered pupils in decisions relating to the school under this Part and the Academies Act 2010.”

(3) In section 59 (Meaning of “maintained school” and “eligible for intervention”)—

(a) in subsection (1) after (c) insert—

“(d) an Academy school”

(b) after subsection (2) insert—

“(3) In this Part, references to the governing body of an Academy school are to be read as references to the proprietor of an Academy school.

(4) If an Academy school is found to be eligible for intervention under this Part, then the school is to be treated as a maintained school for the purposes sections 63 to 69, and the governing body is the proprietor of the Academy school. For the avoidance of doubt, an intervention under sections 63 to 69 takes precedence over any provision of the Academy arrangements made between the Secretary of State and the proprietor.”

(4) In section 60 (Performance standards and safety warning notice) in subsection (6) at end insert—

“(e) the parents of registered pupils”

(5) In section 60A (Teachers’ pay and conditions warning notice) in subsection (6) at end insert—

“(c) the parents of registered pupils”

This new clause requires parents to be involved in decisions about the future of their children’s schools.

New clause 4—Consultation with school community about identity of Academy sponsor—

After section 5A of the Academies Act 2010 insert—

“Consultation with school community about identity of Academy sponsor

“(1) This section applies where an Academy order under section 4(1)(a) or (1)(b) has effect in respect of a maintained school.

(2) Before entering into Academy arrangements in relation to the school the Secretary of State must consult the following about the identity of the person with whom the arrangements are to be entered into—

- (a) the school’s governing body;
- (b) the local authority;
- (c) the Chief Inspector of Education, Children’s Services and Schools;
- (d) parents of registered pupils at the school;
- (e) the teaching and other staff of the school, and
- (f) any other such persons as he thinks appropriate.

(3) As part of the consultation, the Secretary of State must publish all correspondence held by her relating to her choice of the proposed Academy sponsor.”

The new clause would require consultation with a school’s community before a decision on the Secretary of State’s preferred choice of a school’s sponsor is made. This new clause also requires publication of full information about the reasons for the Secretary of State’s choice.

New clause 5—Inspection of Academy sponsors—

Before section 9 of the Academies Act 2010, insert—

“8A Inspection of Academy sponsors

(1) The Chief Inspector of Education, Children’s Services and Skills may inspect the proprietor of an Academy school in the performance of the proprietor’s functions under the Education Acts, the Academy agreement entered into by the proprietor, and any ancillary functions.

(2) When requested to do so by the Secretary of State, the Chief Inspector must conduct an inspection under this section in relation to the proprietor specified in the request.

(3) Such a request may specify particular matters which the Chief Inspector must inspect.

(4) Ancillary functions shall include any function that may be carried on by a local authority.

(5) Before entering into Academy arrangements in relation to a school to which an Academy order under section 4(1)(a) or (1)(b) has had effect with an Academy proprietor with whom the Secretary of State has existing Academy arrangements in relation to one or more other schools, he must receive a report from the Chief Inspector on the overall performance of the proprietor in performing their functions.”

The new clause would make provision for the bodies which run Academy schools to be inspected. This new clause also requires Ofsted to report on the performance of an Academy chain before the Secretary of State uses his powers to make an Academy order.

New clause 6—Information on performance of academy proprietors—

“(1) The Academies Act 2010 is amended as follows.

(2) After section 11(1)(b) of the Academies Act 2010 insert—

“(c) the performance of Academy Proprietors and academy chains in regards to their management of academy schools, including the impact of this management on educational performance of such schools.””

Section 11 of the Academies Act 2010 requires the Secretary of State to prepare and publish an annual report on academy arrangements and on the performance of academies. The new clause aims to require the report to cover the performance of academy proprietors and academy chains in regards to their management of academy schools.

New clause 7—Performance of academy proprietors—

“(1) When deciding whether to make an academy order in relation to a particular school, the Secretary of State shall have regard to any information on the proposed academy proprietor and, if applicable, the academy chain to which it belongs, which has been gathered—

- (a) in order to prepare reports under subsection (1) of the Academies Act 2010, and
- (b) in the course of any Ofsted inspection of any school run by the proposed Academy proprietor or of the academy chain to which it belongs.

(2) The Secretary of State shall only appoint an academy proprietor for a new academy if the proprietor, and if applicable, the chain to which it belongs, has a proven record of success in improving schools which are comparable to the school to which the proposal relates.

(3) The Secretary of State shall by regulations define “proven record of success”.”

The new clause would require the Secretary of State to have regard to the information about an academy proprietor and its relevant academy chain before appointing it as an academy proprietor for a new academy.

New clause 8—Inspection of academy chains in England—

“(1) The Education and Inspections Act 2006 is amended as follows.

(2) After section 136 insert—

“136A Inspection of academy chains in England

(1) The Chief Inspector may inspect the overall performance by an academy chain in England.

(2) The Secretary of State may require the Chief Inspector to conduct an inspection in relation to a particular academy chain.

(3) When requiring an inspection under subsection 2, the Secretary of State may specify matters which the Chief Inspector must inspect.

(4) The Secretary of State may by regulations define an “academy chain”.

(5) Regulations under subsection 4 may set out the activities of academy chains that may be subject to inspection under this section.”

(3) In section 137(2)(a), after “authority”, insert “or academy chain”.

(4) In section 137(3), after “authority”, insert “or academy chain”.

(5) In section 137(4), after “authority”, insert “or academy chain”.

(6) In section 137(5), after “authority”, insert “or academy chain”.”

This new clause would permit the Chief Inspector of Ofsted to inspect academy chains, and give the power to the Secretary of State to order such inspections. It would also entitle academy chains to receive the report following an inspection, and require them to prepare a written statement setting out the action they will take in light of the report.

[Madam Deputy Speaker]

New clause 9—*Right of appeal against an academy order*—

After section 5 of the Academies Act 2010 insert—

“5A Right of appeal against an academy order

(1) An academy order appeal committee shall be established to hear appeals against decisions of the Secretary of State to make an academy order in a particular case.

(2) The following persons shall have the right to appeal to the academy order appeal committee:

- (a) parents of children at the school, and
- (b) staff of the school.

(3) The Secretary of State shall by regulations define the powers and remit of the academy order appeal committee.”

This new clause would provide for a right of appeal against an academy order.

Amendment 1, page 1, line 1, leave out clause 1.

Clause 1 to be replaced with new clause (Schools where people do not fulfil potential).

Amendment 12, page 1, line 1, leave out clause 1.

This amendment would remove the clause that establishes that “coasting” schools shall be eligible for intervention.

Amendment 8, page 1, line 16, clause 1, at end insert—

“(3) The governing body must inform the parents of registered pupils that the school has been notified that it is coasting.”

The amendment extends the duty to inform parents to those whose children attend the new category of coasting school.

Amendment 13, page 2, clause 2, leave out line 42.

This amendment would retain the right of a governing body of a school to make representations to the Chief Inspector at Ofsted in response to a warning notice, and the obligation of the Chief Inspector to consider such representations and give to the governing body and the local authority notice of his decision whether or not to confirm the warning notice.

Amendment 2, page 6, line 2, leave out clause 7.

Clause 7 to be replaced with new clause (Schools with an inadequate Ofsted judgement).

Amendment 14, page 6, line 2, leave out clause 7.

This amendment would remove the duty on the Secretary of State to make an academy order where a school is eligible for intervention because it requires significant improvement or it requires special measures.

Amendment 11, page 6, line 8, clause 7, at end insert—

“(A2) If requested by a relevant—

- (a) local education authority, or
- (b) local admission forum,

The Secretary of State may include in such an order provision for the school to adopt selective admission arrangements such as would fall under section 104(2) and sections 105 to 109 of the School Standards and Framework Act 1998 (“SSFA 1998”).

(A3) Section 104(1) of SSFA 1998 is amended as follows—

For subsection (1), substitute “If requested by a local education authority or local admission forum, the Secretary of State may by order permit a school to adopt selective admission arrangements falling under subsection (2) and sections 105 to 109.”

This amendment would allow the Secretary of State to provide for new academies established under this part of the bill to have selective admissions arrangements but only in circumstances where a local education authority or local admissions forum had requested it.

Amendment 15, page 6, line 16, clause 8, after “consult”, insert

“parents of children at the school, staff of the school and”.

This amendment would ensure that parents and staff of the school are consulted before a school is converted into an academy.

Amendment 16, page 6, line 16, clause 8, after “such”, insert “other”

This amendment is consequential to amendment 15.

Amendment 9, page 6, clause 8, leave out lines 18 and 19 and insert—

“(3) If an Academy order under section 4(A1) or (1)(b) has effect in respect of the school, the Secretary of State must convene a meeting of parents of registered pupils to explain the implications for the school being subject to such an order and take account of the views of parents in respect of the future governance of the school.”

This amendment requires the Secretary of State to convene a meeting of parents where the Secretary of State determines, or is required to, force Academisation.

Amendment 3, page 6, line 19, clause 8, leave out “4(A1) or”

A consequential amendment to new clause (Schools with an inadequate Ofsted judgement).

Amendment 4, page 6, line 26, leave out clause 9.

A consequential amendment to new clause (Schools with an inadequate Ofsted judgement).

Amendment 10, page 6, line 39, clause 9, at end insert—

“(d) the parents of registered pupils”

This amendment requires the Secretary of State to consult parents on the identity of an Academy sponsor where forced Academisation is proposed.

Amendment 17, page 6, line 39, clause 9, at end insert—

- “(d) the parents of children of the school,
- (e) the staff of the school.”

This amendment would require parents and school staff to be consulted about the identity of an academy sponsor prior to academy arrangements being entered into.

Amendment 18, page 7, line 16, leave out clause 10.

This amendment would remove the clause that provides that where a school is the subject of an Academy Order, the governing body and its relevant local authority must facilitate the school’s conversion into an academy.

Amendment 5, page 7, line 20, Clause 10, leave out “4(A1) or”

A consequential amendment to new clause (Schools with an inadequate Ofsted judgement).

Amendment 6, page 7, line 33, clause 11, leave out “4(A1) or”.

A consequential amendment to new clause (Schools with an inadequate Ofsted judgement).

Amendment 7, page 8, line 5, clause 12, leave out “4(A1) or”.

A consequential amendment to new clause (Schools with an inadequate Ofsted judgement).

Kevin Brennan: I apologise in advance for my slightly croaky voice.

It is good to return to the Bill, which we considered in Committee before the summer recess. We tabled more than 80 amendments, none of which was passed, despite the cogency of our arguments and the excellent drafting. We therefore find ourselves having to submit further

new clauses and amendments on Report, given our continued view that the Bill is badly drafted and ill thought through.

Before I deal with the details of new clause 1, let me take this opportunity to welcome my hon. Friend the Member for Manchester Central (Lucy Powell) to her new position. We have worked together before, and I look forward to her term of office first as shadow Secretary of State and then, in the not-too-distant future, as Secretary of State. She is the fifth Labour Secretary of State or shadow Secretary of State for Education under whom I have served, in government and in opposition.

Mr David Burrowes (Enfield, Southgate) (Con): You are coasting.

Kevin Brennan: I have been accused of coasting. We shall come to that later. Either I am doing something very right or I am doing something very wrong; it is hard to work out which. Perhaps the hon. Member for Enfield, Southgate is right. But, like the Schools Minister, I am still here after all these years. “Still Crazy After All These Years” was, I think, a song by Paul Simon. Anyway, we are still here, the two of us, facing each other across the Dispatch Box.

Let me pay particular tribute to my hon. Friend the Member for Stoke-on-Trent Central (Tristram Hunt). I am glad to see that another former shadow Secretary of State, my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg), is sitting next to him: it is a wonderful reunion. My hon. Friend the Member for Stoke-on-Trent Central has decided to take a sabbatical from Front-Bench politics, I really enjoyed working with him. I wish him well, and thank him for the hard work and passion that he brought to his role. I look forward to reading the book which I am sure will form one of the fruits of his new-found free time. If it is any sort of political memoir, I do not care what it says as long as I am in it.

New clause 1 deals with

“Schools where pupils do not fulfil potential”,

and should be read in conjunction with amendment 1, which proposes to leave out clause 1. The new clause replaces clause 1, which is entitled “Coasting schools”. The House will recall that when the original clause 1 was drafted, the Government were unable to provide a definition of “coasting schools”, even on Second Reading. In Committee, we were given some draft regulations which made it clear that what the Government had in mind was a purely data-driven exercise.

We believe there is a need to do something about schools that are doing well superficially but are failing to fulfil the potential of their pupils, hence our new clause. In government—my memory is long enough for me to remember what we did in government, as is clear from what I said earlier—we wanted local authorities to identify coasting schools whose intake did not fulfil earlier promise, and whose pupils lost momentum and failed to make progress. That often applies to pupils with special educational needs, or children who get left behind and may become disengaged from their education, but it is equally applicable to able pupils who are not stretched or challenged enough. We wanted coasting

schools to benefit from the support of other schools and leaders forming trusts and federations to formalise the benefits of collaborative learning.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): I rise to support my hon. Friend’s argument. One of the best achievements of the previous Government was the London challenge, and also the black country and Manchester challenges. Will my hon. Friend join me in welcoming the decision of the mayor of Liverpool, Joe Anderson, and his cabinet member, Nick Small, to establish a Liverpool challenge precisely to address some of these issues of standards in our schools?

Kevin Brennan: I join my hon. Friend in welcoming that, and of course he is too modest to outline his own part in the London challenge. I am sure the fact that Liverpool is the part of the country he represents has been influential in the idea being taken up so readily there. I congratulate him and the mayor on that initiative.

We recognise the concern to which I referred, but we are not at all convinced that the way the Government are dealing with this issue in the Bill is the best way forward. They are attempting to legislate on coasting schools in the Bill and then set up regulations that rigidly seek to define them in a way that produces significant anomalies and a whole new way of judging schools outside of Ofsted. By cutting out Ofsted, they are muddying the waters considerably.

The concept of coasting schools has been around for quite a while. It was first used formally by the last Labour Government in 2008 in “Gaining Ground: improving progress in coasting secondary schools”, in which we said:

“Coasting schools are schools whose intake does not fulfil their earlier promise and who could achieve more, where pupils are coming into the school having done well in primary school, then losing momentum and failing to make progress.”

So it is a useful concept, but the Government’s clumsy attempts to translate that directly into legislation has made the term toxic in the space of a few months. Our new clause goes back to the original definition of pupils not fulfilling potential so as not to confuse it with the Government’s rigid data-driven approach.

We accept that schools that need improvement might not be picked up in an Ofsted inspection. Every framework cannot meet every eventuality, but the answer is not to use the definition as proposed by the Government based on a crude formula from raw pupil data. A much better approach is one that involves both the professional judgments of Ofsted and the local authority—or the academy trust, because why should academies escape this measure? Our new clause would create a new section 60B in the Education and Inspections Act 2006 and put into its new subsection (1) a definition of a school

“where pupils do not fulfil their potential”

and in subsection (2) make it clear that a school has to be notified following a professional consideration between Ofsted and those with local knowledge. This would apply to both a local authority-maintained school and an academy.

In our proposed new subsection (3) we outline the sorts of issues that should be considered prior to that notification, including “the availability of...teachers”.

[Kevin Brennan]

In other words, schools should not be penalised because the Government have mismanaged the supply of qualified teachers, particularly mathematics teachers, which could affect, for example, EBacc performance in a school. I will return to the question of teacher supply in a moment.

Secondly, while a comparison of pupil progress statistics is important, it must take account of the size of the school and standard errors, and not crudely interpret and apply data. Thirdly, age range is important, especially where there is not a standardised assessment of performance on entry to the school. For example, some areas have middle schools. Fourthly, there is the question of special educational needs. A professional assessment should be made of the progress of pupils with SENs and disabilities. Fifthly, a school may be recruiting pupils from a more advantaged area where, for example, there is the widespread use of private tuition, which can be impossible to discern from raw data. Education Datalab and others have noted that it is virtually impossible for a grammar school to be coasting under the Government's initial floor standards in the draft regulations.

Gender is important, too. For example, underachievement of girls in STEM subjects needs to be identified and acted upon, rather than lost in raw statistics.

Tristram Hunt (Stoke-on-Trent Central) (Lab): Does my hon. Friend agree that one of the major challenges in respect of coasting academy schools for this Bill is a massive overdependence on the role of regional schools commissioners? In my constituency and across the west midlands, there simply is not the capacity of regional school commissioners and their staff to deal with underperforming and coasting academy schools, and what we have here in this Bill is once again an over-concentration on the maintained sector while not doing enough for children in underperforming academy schools.

2.15 pm

Kevin Brennan: My hon. Friend is absolutely right. There seems in the Department to be an in-built bias against facing up to failure in academy schools while exaggerating problems when the school is a maintained school. All we are calling for is a level playing field. We are just saying that every child should have the right to be taught in a good school, whatever that school is, and the Government should not be a propaganda department for a particular type of school structure.

I can see the hon. Member for Portsmouth South (Mrs Drummond) leaning forward. Does she wish to intervene?

Mrs Flick Drummond (Portsmouth South) (Con) *indicated dissent.*

Kevin Brennan: The hon. Lady is just very enthusiastic and very keen. I appreciate the attention she is paying to what I am saying.

Our proposed new subsection (4) treats maintained schools and academy schools equally as far as intervention is concerned, which picks up on the point made by my hon. Friend the Member for Stoke-on-Trent Central. It is right that the same forms of intervention can be used for both types of school—for example, working with an

outstanding school or working with a school improvement provider or replacing the governing body with an interim executive board.

Subsection (5) prevents the Secretary of State from making a forced academy order simply on the basis that a school has been notified that its pupils are not reaching their full potential. This should be about taking the right steps for a school, not arbitrary academy targets.

I said I would return to subsection (3)(a) of proposed new section 60B, which deals with teacher supply. My hon. Friend the Member for Dudley North (Ian Austin) is not here at present, but he said on Second Reading that

“the real crisis in education is in teacher recruitment and the quality of headteachers”

and that the Secretary of State's proposals and speech “have absolutely nothing to say about that.”—[*Official Report*, 22 June 2015; Vol. 597, c. 642.]

My hon. Friend was absolutely right. This is the real crisis and that is why we are addressing it. We cannot judge a school if it is not able to recruit the right teachers because of a failure of Government policy in relation to teacher supply.

Teacher recruitment has been falling since 2010. Some 10% of teacher training places remain unfilled this year, and one in 10 teachers left the profession last year, the highest rate in a decade. An extra 800,000 students will have entered England's secondary programme by the next decade. It is predicted there will be a 7% shortfall in teacher training recruitment for next September, the third shortfall in a row. Also, Department for Education published statistics show that for the secondary programme 91% of the target, or 12,943 student teachers, were recruited; that is a shortfall of 2,278 teacher trainees against the target for this term.

Pat Glass (North West Durham) (Lab): Does my hon. Friend agree that the figures are actually worse than that because they are being masked? School Direct is failing to meet anywhere near its targets in subjects such as mathematics and physics and is making up the numbers in non-shortage areas.

Kevin Brennan: My hon. Friend is right. We only have to speak to headteachers to know the difficulty of recruiting in those subject areas. Again, the Government have failed to face up to this crisis and schools cannot be judged if they cannot recruit the teachers because of a failure of Government policy. According to Professor John Howson, a shortage of more than 6,000 teachers has built up in the past three years. A report from London Councils says there is a need for 113,000 extra school places in the capital in the next five years.

I could go on and on, but I will not detain the House for too long with those statistics. It would, however, be interesting to hear from the Minister in his reply about what the Government are doing to meet this crisis in teacher training recruitment and retention, because that is the real issue out there and they are not addressing it adequately.

That is why we have made teacher supply one of the factors in judging how a school is performing under new clause 1. Ignoring teacher supply as a factor in influencing whether a school is doing well enough in helping its pupils to reach their potential is simply

burying one's head in the educational sand. That is exactly what the Secretary of State is doing in the Bill, and in her wider role. She remains obsessed by her pet projects of free schools and forced academisation, and is diverting ever more precious and scarce resources in the Department to them while failing to address the mounting crisis in teacher training, recruitment and retention. She cannot say that she has not been warned about this.

Tristram Hunt: As always, my hon. Friend is making a persuasive case. Is not the situation even starker than that? Schools are facing a 10% cut to their budgets over the course of this Parliament, yet funds are being allocated to opening free schools in areas where they are not needed. Courses for young people are being cut away and pupils' choices are being eliminated in order to fund those free schools.

Kevin Brennan: My hon. Friend is absolutely right. If we project the figures over the course of this Parliament, the position is even starker, especially when combined with the reality of the cuts to 16-to-19 education, which even Conservative Back Benchers are now complaining about because of their impact on sixth forms—

Tristram Hunt: And grammar schools.

Kevin Brennan: Indeed. I recently participated in an interesting Adjournment debate on this matter with Conservative Members. We know that a funding crisis is building up as we speak, and alongside the problems with teacher training and supply, these are creating a perfect storm. There are going to be real problems over the course of this Parliament, and I put on record that we are pointing that out and that the Government should be acting more urgently to deal with the problems that are going to emerge.

New clause 1 would mean that schools could not be blamed for problems that had been initiated by policies of the Secretary of State for Education that had led to a lack of teacher supply in their area. Teacher supply would be a reasonable factor to take into account, rather than simply looking at raw data that tell us nothing about the struggle that a school might be having to recruit high-quality, well-qualified teaching staff.

New clause 1 would also bring academies into the scope of the provision. The Government appear to believe that maintained schools that are experiencing difficulties need a fundamental change of structure, but that that does not apply to academies. They seem to think that academy status is right for failing maintained schools, but it is also right for failing academies. That seems to be the Government's policy. The Secretary of State's position is that if an academy fails, the obvious solution is to turn it into an academy. That simply makes no sense.

Peter Kyle (Hove) (Lab): My hon. Friend recently guided me through my first Bill Committee experience, for which I am grateful. As a novice, being mentored by someone of his experience will no doubt stand me in good stead. During the evidence session, Malcolm Trobe, a former secondary school headteacher and now general secretary of the Association of School and College

Leaders, was asked about the distinction between academies and maintained schools and whether they should be treated differently. He replied:

“No. All schools should be judged effectively on the same range of indicators.”

He went on to say:

“I think we believe in fairness and equality and, therefore, all schools should be treated the same, whether they be academies or maintained schools.”—[*Official Report, Education and Adoption Public Bill Committee*, 30 June 2015; c. 15.]

Does my hon. Friend acknowledge that expertise and agree that Malcolm Trobe was right?

Kevin Brennan: I thank my young apprentice for his intervention. He is a very quick learner, as he has just shown. He is absolutely right. The central point of our new clause 1 is that academies and maintained schools should be treated equally. There appears to be a presumption by the Government that academies are always superior to maintained schools, even when they are failing academies. In Committee, however, the Schools Minister, referring to me, stated:

“The hon. Gentleman is also wrong to say that we see schools as a hierarchy with academies at the top and maintained schools at the bottom. We do not.”—[*Official Report, Education and Adoption Public Bill Committee*, 7 July 2015; c. 220.]

He denied it, but I am afraid that no one believes him. Every time Ministers open their mouth, they give the clear impression—through the frequency of their praise of academies over maintained schools, the frequency of their visits to academies and their singling out of one type of school over the other for legislation—that they do not see schools in the way that the Minister described. They see them arranged in a hierarchy by type, rather than by quality of education and performance.

Ministers' powers over academies are to be found in the various funding agreements, and there is no consistency in those powers. There is also no mention of coasting in any of those funding agreements, so it is unclear how the Minister's right to intervene in a coasting school, under his proposed definition or any other, could be applied to a coasting academy. People might start to believe his words denying a ministerial hierarchy if he were to accept our proposal to include all schools in this provision.

The Minister for Schools (Mr Nick Gibb): The shadow Minister will be aware that we inherited the structure of academies from the previous Labour Government. This is an extension of the Blair-Lord Adonis structural reforms to education. Is he now saying that he opposes the reforms that those two individuals introduced?

Kevin Brennan: This is not an extension; it is a dilution of what was an effective, limited and targeted intervention using scarce resources where nothing else had worked before. The Minister knows full well that he is trying to say that the only solution for school improvement, everywhere and on every occasion, is to academise a school, even if there is not a good sponsor available in the area. That is a ludicrous position, and we shall return to this matter later.

Presumably the Minister is going to have to renegotiate thousands of individual funding agreements to ensure that coasting academies do not escape the scrutiny and investigation that he believes to be so important for our

[Kevin Brennan]

schools. Alternatively, he could admit that the coasting schools provisions in the Bill will not apply to academies. The Government cannot go on pretending that academies can continue to exist outside public law on this scale. The previous Government acknowledged that fact, when special educational provision in academies was legislated for in the Children and Families Act 2014 in relation to the duty of an academy trust to admit a pupil with a statement of special educational needs. So it can be done, and such a provision could have been introduced into this Bill. Similar acknowledgement was made under the provisions on pupil admissions in the Education Act 2011.

New clause 2 covers schools with an inadequate Ofsted judgment. This is to be read in conjunction with amendment 2, which would remove clause 7 from the Bill, and with amendment 3, which would stop the ban in consultation on schools judged inadequate, ahead of forced academisation. The new clause also relates to amendments 4, 5, 6 and 7.

New clause 2 would replace clause 7, which covers the duty to make academy orders. The concept of forced academisation when a school is found to be inadequate must rate as one of the most grotesque uses of statute law to control schools ever to be invented by any Government of any political description. The Secretary of State will be required to issue an academy order to approximately 250 maintained schools and then let the school and the local authority argue about when the order should be revoked under clause 12, but that is a waste of time and effort.

According to Ofsted's management information on inspection outcomes up to 31 July, there were 258 maintained schools and pupil referral units, excluding the three maintained nursery schools that cannot, by law, be academised. There were 287 academies, which is a significant over-representation. Thirty-three of the maintained schools received their inadequate judgment in 2013 and can confidently be predicted to be on their way out of special measures. Forced academisation will disrupt the improvements that are being made. This will not be the case for the 35 academies on the list, which can presumably have their improvements supported in a less public and punitive way. For 2015, only 77 maintained schools have been found inadequate, but 95 academies have received that judgment. This is another example of the academy programme failing, which the Minister refuses to acknowledge. We need a full independent review before any more schools are treated in this way.

As clause 7 stands, the Secretary of State has pretty much an absolute duty placed on her to academise a school that has an "inadequate" Ofsted rating. As we have said, in particular circumstances, with particular sponsors, the academy model works well, but it does not always work well and other models have worked better in some cases. We examined some of those cases in Committee, particularly those that were brought to us by the Catholic Education Service, which is deeply concerned about the rigidity and, dare I say it, the assumption of infallibility on the part of the Secretary of State, as illustrated by clause 7.

In Committee, we discussed some of the alternative approaches to school improvement, and the CES gave us some good examples. I will not go into them in great

detail, but it told us about the use of an executive headteacher as a means of school improvement at St James the Great Catholic primary school in London. Despite pressure to academise, the diocese wanted to use the executive headteacher, resulting in the implementation of a school improvement plan with an executive head and teachers from other local schools coming in. The school was re-inspected in June 2013 and whereas it had been grade 3 for three categories and grade 4 in leadership and management, with an overall grade 4, by then it had improved to an overall grade 2. That arrangement continues, with overwhelming support from staff and parents of both schools. That alternative intervention would, in effect, be banned by the Bill, because of the Secretary of State's delusions of infallibility.

2.30 pm

Stephen Twigg: My hon. Friend is making a very important point, because the evidence shows that the most important element in educational improvement is the quality of leadership and of teaching. The example that he gave from the CES is probably about that executive head and his or her ability to lead, and much less about the structures, which tend to dominate debates in here.

Kevin Brennan: My hon. Friend is absolutely right about that. There was a resource available locally of an outstanding executive head to take on the role, but the Bill would require the school to be academised and taken over by sponsors, who may have nothing to do with the local area, the local diocese and the wishes of local people and parents.

We also highlighted how partnership is another alternative way of going about school improvement. The case study sent to us by the CES was that of the Corpus Christi Partnership and the St Joseph's Catholic primary school in Crayford. Members may have seen that the CES highlighted this case in the briefing for the remaining stages. The school had had a section 5 inspection in May 2012, when it got grade 4 for attainment, teaching and leadership, and grade 3 for behaviour and safety. Overall, it got grade 4 and was in special measures. The diocese brokered a support programme led by the headteacher of St Catherine's Catholic school in Crayford and the expertise of a number of local schools in Bexley was used to improve the school. It was re-inspected under section 5 in June 2013 and graded 2 in all areas, with an overall grade 2. It was so successful that all the Catholic schools in the area formed a partnership—a school improvement and support board—through which all schools are committed to collaborative working and supporting schools in areas where support is needed. This was about a partnership, instead of automatic academisation, working successfully. Again, that approach would, in effect, be banned by this Bill because of the Secretary of State's delusions of infallibility.

What about federation as a way of trying to bring about school improvement? Let us look at another case study, that of the Regina Coeli Catholic primary school in south Croydon. Again, a "poor" inspection led to intervention, whereby an interim executive board was put in place. There was pressure from an academy broker, probably on £1,000 a day from the Department—we know from parliamentary questions that that was what some of them were paid—to join a multi-academy

trust. The diocese did not agree that that was the best thing for the school and arranged for the headteacher of St James the Great Catholic primary school in Thornton Heath to become executive headteacher for both schools until a permanent arrangement was agreed, which was to join a local federation of schools. Key staff from the other school were used—this included using its deputy to become the head of school—and a federation was joined in 2014. Again, the re-inspection showed much improved performance in the school, with it being graded 2 in all areas and overall. That was an example of a federation being used, instead of automatic academisation, and working successfully. Again, that approach would, in effect, be banned by the Bill because of the Secretary of State's delusions of infallibility.

As we have established, the Secretary of State holds an ideological position, which says that private sponsors are always better than public authorities and, in particular, better than any local authorities, regardless of the party in control, be it Labour or Conservative. We believe that decisions should be made according to the circumstances of the particular case, based on the evidence—it may well be that an academy solution is the best in some circumstances. The Secretary of State does not believe that, even though she already has the powers at her disposal to issue an academy order, if she wishes to do so. Under the Academies Act 2010 she can make an academy order in relation to any school that has received an adverse Ofsted finding. All she is doing with clause 7 is tying her own hands to one particular course of action, and academisation has to happen even if there is no high-quality sponsor available, even if the local authority has a strong record of improving schools and even if the parents and school or local diocese propose a credible, proven alternative approach. We know from the evidence that we have been given that that is the case.

I wonder how the Secretary of State is going to find all these sponsors to manage the 1,000 more academies that the Prime Minister has committed himself to during this Parliament, given that in the past five years the Government have struggled to convert all the schools that they could have, often because of the shortcomings of the Secretary of State and the Department, rather than because of any opposition locally. There will be circumstances when the academy route is clearly not the best one, but through this clause Ministers have tied themselves to it, regardless of whether it will do the school any good or not. We are all fallible, Madam Deputy Speaker, even you, except when you make a ruling from the Chair, but the Secretary of State should have the humility to renounce her attempt to legislate for her own infallibility and she should accept our new clause 2.

The final proposal the Labour Front-Bench team has made is new clause 3, which relates to schools causing concern and the involvement of parents, and has to be read with amendments 8 and 9. My hon. Friend the Member for Walsall South (Valerie Vaz), who is not here this afternoon, put it well on Second Reading, when she said:

“Amazingly, the Bill says that parents should not be consulted, so the very people who know about a school will not be allowed to have a say. In this country, we consult, we do not dictate, and that is one of the key areas that judges will look at in considering whether a decision is lawful.”—[*Official Report*, 22 June 2015; Vol. 597, c. 684.]

In new clause 3, we are showing that we are on the side of parents; it would put parents back in the picture when the Secretary of State would purge them from the process. That is why the press release from the New Schools Network about parents' rights today is so ironic; it comes on the same day as the Government are pushing through the Commons the remaining stages of this Bill, which obliterates the chances of parents to have any say in the future of their local school. Although the Government protest that parents are, from time to time, foremost in their thoughts in their education policies, that is patently not true. In fact, the Government treat parents who want to have a say in the future of their child's school with thinly disguised contempt—that is probably a bit unfair, because it is not thinly disguised at all. The Minister makes it clear that any parent who expresses concern at how Government policy affects their school is deemed to be an ideologically motivated individual. This Bill sweeps away any pretence that the Government care about what parents think.

New clause 3(2) would insert a new section 59A in the Education and Inspections Act 2006 that sets out the principle that the Secretary of State, local authority, school governing body and academy trust must do everything possible to involve parents in decisions about schools in difficulties. It would bring academies into the Act's remit as well. Parents at all types of publicly funded schools should be treated equally, and that is what the new clause would achieve. Subsections (4) and (5) would require parents to be informed if a school received a warning notice about its performance, its safety or its teacher conditions.

There is a loose duty under the 2010 Act to consult on an application for academy status. It puts the duty to consult on the school governing body, and the consultation can happen after or before an academy order is made. The consultation is only about whether the school should be an academy. There is no duty on the Department for Education, despite the fact that, in many cases, it will be the Department that has required the conversion to happen. There will be no consultation either on who should be the sponsor. In relation to schools eligible for intervention, clause 8 removes the requirement to consult.

We know what the Secretary of State thinks about parents. On 3 June on Radio 4, she said that this Bill would

“sweep away the bureaucratic and legal loopholes previously exploited by those who put ideological objections above the best interests of children.”

The objections she was referring to here are most commonly those held by the parents of the children affected. Parent Teacher Association UK recently commissioned a YouGov poll of 1,000 parents. Some 85% of them told the pollsters that they want a say in how their child is educated, and 79% want to support their child's school. PTA UK calls for parents to be involved in a timely way with any developments in the school, but the Bill would sweep away any opportunity for that to happen. Again, it is another example of the infallibility complex that the Secretary of State seems to have. We live in a democracy. Governments do not always know best in every circumstance. She is removing the democratic right of parents and others to influence the future of local schools. It goes against the Government's purported support for localism where local people have a say on local issues. The Bill would introduce even more centralised

[Kevin Brennan]

control than we already have. It is an extraordinary departure from the normal decision-making processes of Government.

The Secretary of State would make a decision without the need to make any attempt whatever to listen to parents, pupils, teachers, governors and employers—in fact anyone at all who might be thought to have some knowledge of the situation locally. As we heard earlier, we know what the Secretary of State thinks about other people's views. She justifies that on the absolute presumption that her solution is always infallible, but—as has been demonstrated over and again—that is not true.

Mr Gibb: Does the hon. Gentleman think that it was the parents' wishes that a school should fail or that it should be put into special measures by Ofsted? Was that school adhering to parents' wishes when that happened?

Kevin Brennan: No parents wish for a school to be put into special measures under any circumstances, but that does not mean that they wish to have their right to express their view about the future of the school ridden roughshod over by a Bill that does not even allow alternatives to be considered, even when those alternatives have been proven to be successful. That is the point. Under the Bill, the Secretary of State will be tied to one single course of action, even when other alternatives are available locally that are supported by parents. We want to ensure that parents have that opportunity. It is clear from the Minister's attitude—in fairness, he has always been clear about this—that he views any objection to anything the Government propose with regard to academies as being ideologically driven by troublemakers, which is his definition of a parent.

To put it generously, there is no evidence that academy conversion is more likely to lead to improvement in an inadequate school than the adoption of other school improvement measures, which is why we should use evidence to determine the best way forward in what I would hope is a shared desire and passion to improve the quality of education in our schools.

There is a case in general terms for consultation. There is also a case for consultation in particular. Parents should not have particular solutions imposed on them without having some say in the matter. We know from Ofsted—this is despite the efforts of Ministers to prevent Ofsted getting at what is really happening in chains—how inadequate some academy chains can be. Parents are entitled to say that that is not a particular regime that they want for their local schools.

Schools are not gifts that can be dished out to Ministers' friends, supporters and party donors. Government should not leave themselves open to the charge that they have favourites and will support them regardless of any evidence that has been put forward, because that is what this Bill does. Ultimately, it may be that, after consulting the Government, schools may decide that it is right to follow the initial path that they propose, but not to consult at all is wrong in principle.

Finally, I have a few words to say about amendment 11. I do not have time to comment on many of the other new clauses and amendments, but I will comment on amendment 11, tabled by the hon. Member for Altrincham

and Sale West (Mr Brady) and others. It is about the creation of new selective schools, albeit in the form of academies.

2.45 pm

I wish to make it clear that it is the Opposition's view that a system of selection at 11 is not the way to raise school standards or to promote social mobility. I think that that is also the Government's policy—I am sure that the Minister will tell us whether that has changed. Instead we should focus relentlessly on supporting schools to raise standards for all pupils regardless of their backgrounds. As my hon. Friend the Member for Liverpool, West Derby said, the most effective way to do that is through high quality teaching and leadership.

Clear evidence internationally, particularly from the OECD and Andreas Schleicher—whom the Government often quote and who oversees the OECD programme for international student assessment scores—shows that school systems with selection for children at the age of 11, and all that that entails, perform less well than non-selective school systems. Far from promoting social mobility, selective systems entrench social division. The difference in the average domestic wage between the top 10% and bottom 10% of earners is much wider in selective areas than it is in non-selective areas.

Schools that select at age 11 are also highly socially selective institutions. Almost all of the remaining 164 grammar schools in this country have fewer than 10% of pupils eligible for free school meals. In 2010, 96,680 year 7 pupils received free school meals from a total of 549,725 pupils in state schools. Of the 22,000 grammar school pupils in that age bracket, only 610 were receiving free school meals. It is undeniable that the poorest children lose out, and that is partly because, in some areas, almost everyone who passes the 11-plus has had private tuition of one sort or another.

I will not go into great detail about the evidence from the past: suffice it to say that the rose-tinted view of the selective system in the past is not true. At its height, at the beginning of the 1960s, a third of grammar school pupils got only three O-levels, and only 0.3% of grammar school pupils at that time with two A-levels were working class. It is therefore a myth that grammar schools were great engines of social mobility. There are many reasons for the great surge in post-war social mobility, but selection at 11 is not one of them. That is why the current Prime Minister was absolutely right in 2007 when he said that those who wanted to expand the number of grammar schools were

“splashing around in the shallow end of the educational debate.”

He went on to say that if his party got into this area, it would be in danger of becoming “a right-wing debating society” rather than an aspiring party of government. That is why the current Government have largely held on to the policy of not allowing more schools that select at the age of 11, although they have permitted a loophole to those that he said were

“clinging on to outdated mantras that bear no relation to the reality of life.”

The Government created a loophole to allow the expansion of selective provision by stealth to locations many miles away from existing grammar schools. We wait with interest to see whether, as the press has speculated, the

Secretary of State intends to use that loophole. Given the damage that it does to children's education overall, we oppose selection at 11 and amendment 11.

Mr Graham Brady (Altrincham and Sale West) (Con): I am delighted to follow the hon. Member for Cardiff West (Kevin Brennan), who gave me a cue to speak at this point to amendment 11, which stands in my name. I have debated this subject with him on more than one occasion, as I have with my hon. Friend the Minister, and I suspect that we will do so again on future occasions. I therefore do not intend to detain the House for long.

The hon. Member for Cardiff West spoke at length about the experience of selection in the 1960s as though it was something that no longer existed, and of which we have no experience today. Of course, I come to the subject precisely because my constituency is in the borough of Trafford in Greater Manchester, which is still a selective local authority area. Furthermore, the state schools in my constituency are probably the best in England and Wales, by any objective measure, and that goes for the grammar schools, the high schools—my hon. Friend the Minister has visited some of the excellent high schools in my constituency—and the primary schools, which are at the top of the table. We maintain high standards throughout, whereas in many areas high performance in primary education then dips at the beginning of secondary education. We also have an outstanding further education college, Trafford College. Whatever it is that the hon. Gentleman thinks might have gone wrong in the past, I submit that it is not going wrong in the borough of Trafford, at least at the moment.

Stephen Twigg: I have great respect for what the hon. Gentleman is saying and for the record in Trafford, but does he agree that the record on standards in schools is rather different in Kent? What he describes for the secondary sector in Trafford is rather different from what we see in another local authority that maintains selection.

Mr Brady: Kent is obviously a very big county, and there is a lot of diversity in performance there. I believe very firmly that if we are trying to improve a system, we should look at the bits that are working less well and try to raise standards there, rather than removing the parts that work best. I think that the tragedy of the comprehensive revolution in the 1960s and '70s was that often the people who suffered most as a result of the destruction of so many grammar schools were working class people in areas where very little of quality was put in their place. The hon. Gentleman will have heard me quote from the pamphlet "A Class Act", written by Lord Adonis and Stephen Pollard, who was then at the Fabian Society, in which they made that very point.

I am a strong supporter of what this Government and the Government immediately before did to try to raise standards in all schools. I am a strong supporter of academies and free schools. In fact, when I was shadow Schools Minister—the job that the hon. Member for Cardiff West now has, has had for some time and might have for many years to come—I was able constantly to praise the efforts of the then Labour Government to increase the autonomy of schools and create the academy model, building on the grant-maintained schools that went before them. It is regrettable that the Opposition are starting to move away from that bipartisan position.

To return to amendment 11, my campaigning on the subject aims to bring better schools and more opportunity to more children in state schools across the country, as well as to champion the obvious success that is evident in my constituency and in the borough of Trafford. Having been educated at Altrincham grammar school, which is in my constituency, I do not just believe that selective education can bring wider opportunity and social mobility; I know it.

I am not seeking to impose a different model of education on places or communities that do not want it, but I believe in wider choice for parents and a greater diversity of schools. I cannot see why every specialism under the sun should be welcomed today, except for a specialism in teaching the more academic. It is absurd in today's pattern of educational provision that the law still holds that the man in Whitehall knows best, especially if he celebrates the success of existing grammar schools but seeks to prohibit any new ones, however much parents and communities might want them.

Mr Burrows: I congratulate my hon. Friend on this welcome amendment. We have heard from the Opposition in another context about the need to encourage partnership and collaboration and to provide consultation. His amendment provides for selection admission arrangements but only if

"a local education authority or local admission forum" requests it, so it goes down that very route.

Mr Brady: I am grateful to my hon. Friend, who makes an important point. Of course, I was deeply disappointed, if not entirely surprised, that the hon. Member for Cardiff West, having lauded the benefits of localism and urged more reliance on what communities and parents across the country want, then sought to dismiss amendment 11 out of hand, despite the fact that it seeks to ensure that the proposed changes would be possible only in the event of significant levels of local support, as evidenced by the request from a local education authority or a local admission forum.

The hon. Gentleman also referred to the current situation in Kent. It is ridiculous that parents in Sevenoaks are having to wait to see whether an application for an annex to an existing grammar school can fit through the Department for Education's hoops. Kent has a pattern of selection that is popular and well established, and the problem is that demographic changes have led to a mismatch between the location of schools and the location of the communities that depend upon them.

Amendment 11 has widespread support, including from three parties represented in the House, two well respected members of the principal Opposition party, at least two Conservative former Education Ministers, a former shadow Education Secretary, a former shadow Schools Minister—that is me—and at least three former Cabinet Ministers. It also enjoys the support of the current Mayor of London, my hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson), although sadly not in time for his name to appear on the amendment paper. There is therefore a breadth of support across the House for these changes.

Contrary to what the shadow Schools Minister implied, that breadth of support is hardly surprising. In fact, the surprising thing is that there is not more support for selection evidenced in the House, given that opinion

[*Mr Graham Brady*]

polls—they do not get everything right, but they do give some indication, when they are consistent, of strength of opinion—suggest that over 70% of the public, and indeed the majority of voters for all the main parties, would like to see more grammar schools.

Pat Glass: Does the hon. Gentleman accept that when the question is reversed and the public are asked whether they would like to see secondary moderns reinstated, more than 70% say that they would not?

Mr Brady: I do accept that, but I think it is a false choice to offer people, given the advances we have since made in the genuine diversity of school provision. We have so many different types of schools, with so many different specialisms, that it really is not a binary choice. It seems particularly odd to tell people that they are allowed to have schools that specialise in the creative arts or in maths and computing, but not schools that specialise in teaching those on the more academic part of the spectrum.

It is 17 years since the introduction of ballot arrangements for the removal of existing grammar schools, but not a single challenge has succeeded—one took place many years ago in North Yorkshire, but it was defeated by more than 70% of the local population. In areas that benefit from grammar schools, almost no one wants to change that. I find myself going through general election campaigns looking for candidates from other parties who do not agree that the local schools are so good that they should remain as they are.

This amendment is modest in scope. I am almost embarrassed at how modest my aspirations have become in this regard. All the amendment seeks to do is give a power to the Secretary of State and, as I said to my hon. Friend the Member for Enfield, Southgate (Mr Burrowes), only when the Secretary of State was requested to exercise that power by a local authority or by the local admission forum. It would not force any community to have new grammar schools if it did not want them, nor would it force a Secretary of State to approve any such schools if she did not wish to do so. Local support would be a given under my proposal.

3 pm

Amendment 11, in its modest scope, would begin to resolve the very real problem of areas such as Sevenoaks, which have selective schools but where changes in the population have impacted on the balance of selection in a particular area. This problem has long been understood. The hon. Member for Cardiff West quoted extensively some of my favourite dicta of the then Leader of the Opposition and current Prime Minister on this subject, but the hon. Gentleman omitted to say—far more pertinent to the subject of amendment 11—that at the same time as that policy position was being set out in relation to selective education generally, it was accepted that there was a significant problem in some selective areas where the pattern of population had changed, and therefore the balance of selection might be affected. It was accepted that perhaps in Buckinghamshire, Kent and other selective areas it might be appropriate to have a new grammar school in order to address that problem.

That was accepted a decade ago. In the previous Parliament the Government were held back by the difficulties and rigours of coalition. Now that we are free of that constraint, I hope the Minister will give me some hope that we might look at ways to return to tackling that difficulty. As I said, this amendment is modest in its scope. As an incurable optimist, I hope that when the Minister responds he will indicate that the Government will welcome my amendment, accept it and see it as an additional important but modest tool in the armoury available to the Secretary of State. But if he does not, I hope he will undertake to look at what can be done by the Government as the Bill passes through the other place, and to look at other ways in which this very real problem might be addressed.

It is clear that there is real demand, both here in this House and in the country more widely. It is time the Government agreed to assist parents and communities in achieving the wider choice of schools that they want. There is a live debate about this subject always, and there will be at least as long as we still have areas like mine which have selective schools that perform so well and deliver for parents, both in the grammar schools and the high schools. I end by making it clear again that I do not seek to impose different schools and different models of education on any community in the country, but it is time we recognised that where communities want to have selective schools, they should be free to have them.

Stephen Twigg: I shall resist the temptation to respond in detail to the hon. Member for Altrincham and Sale West (Mr Brady), who made his case very powerfully. I disagree with it, for the reasons that my hon. Friend the Member for Cardiff West (Kevin Brennan), the shadow Minister, gave. The grammar schools debate is one to which, I am sure, we will return, but I want to focus on supporting the new clauses proposed from the Opposition Front Bench.

The case that my hon. Friend made is extremely powerful. It is about looking at the evidence of what has worked in this country and in other parts of the world. When I intervened on him earlier, I spoke about our experience in government with the London challenge. I want to talk a little about the London challenge, because it shows a different way of doing things from the one which the present Government are following. Academies started in London. A number of academies were created as part of the London challenge. To this day I am proud of those academies that we created in London, in places such as Hackney, which had been badly let down in the past by the education system, and I celebrate the success of schools such as Mossbourne and many others across London that have done so well as academies.

We know, however, that the evidence on academies is mixed. We have to acknowledge that. In Liverpool the schools that are struggling the most at secondary level are the sponsored academies. I do not therefore condemn them for being academies, but I recognise that they face big challenges. They tend to serve some of the areas of greatest social and economic need in the city. Simply making them academies did not, on its own, ensure that those schools would be transformed and do brilliantly. That is why I warmly welcome new clause 1, which my hon. Friend moved. The approach that was taken in the

London challenge, very much under the inspirational leadership of Tim Brighouse, was to look at the evidence, broker relationships between different schools in London, recognise the diversity of social and economic conditions in different communities across London, and not to have a one-size-fits-all approach.

As a Minister I spoke to local government leaders in London about academies. Some of those councils were Labour but many were Conservative or Liberal Democrat at that time. There were different views about academies. In local authority areas in London such as Camden and Tower Hamlets that did not want to have academies, we did not take the view that they should be imposed. In both those cases, we have seen real improvement in schools over recent decades. Other authorities, such as Hackney, Southwark and Lambeth, were more open to the creation of academies and that was part of the route that we pursued.

I welcome the fact that new clause 1 recognises that we have to take a sophisticated approach that looks at all the evidence. Data are extremely important. I never have any truck with those who suggest that we can simply ignore the data about a school, but data are only one aspect of the judgment that we have to make. We must look at context and at progress, as the Government have acknowledged—the value that is being added by the school. We have to look at the history of the school and, crucially, at the quality of leadership, teaching and learning in the school. The emphasis on that in the new clause is hugely welcome.

I urge the Government to reconsider an approach which is so highly centralised from London, does not take sufficiently into account concerns in local communities, and regards academy status as the be-all and end-all, when the reality is that we have some great successes from academies and we have some wonderful schools that have chosen not to go down that route. We should celebrate those schools equally. Ministers should visit those schools equally and their role in raising standards for all in our education system should be celebrated by all of us on a cross-party basis.

I look at the primary schools in my constituency, in West Derby in Liverpool, many of which do a fantastic job. I have spoken previously of Ranworth Square school in Norris Green, which has one of the highest levels of deprivation in the country but consistently delivers good results for the children at 11. It is not an academy, it has fantastic leadership and it works well with other schools and with the local authority. Changing that school's status would make no fundamental difference. Why does the school succeed? It is because it has great leadership, great teaching, and great relationships with the community and with other schools. Sometimes the change that comes through academy status can be transformational. I referred to some of the brilliant examples in London, and it is important that we remind ourselves of them.

Much analysis has been done of the London challenge. It was not all good and all successful, but the main feature of the analyses that I have seen, with which I certainly concur, is that the London challenge worked because it was collaborative and based on evidence. It was collaborative across schools and across communities. Local authorities were involved, but the schools were very much in the driving seat, working with us in central

Government. We need that kind of approach elsewhere. Something that works in a capital city cannot be replicated in every part of the country.

That is why the mayor of Liverpool, Joe Anderson, and cabinet member Nick Small have decided that we are going to have a Liverpool challenge. They have asked me to chair it. I will be working with schools, business, the further education college, the universities and others. This will be across the piece. Academy schools, local authority schools, faith schools and church schools are a particularly important component of education in the city. The aim is absolutely to raise standards for all young people in the schools. We have seen a big improvement in many of our cities, including Liverpool, over the past two decades, but in recent years we have had a drop-off in our secondary results, with Liverpool falling a bit behind some other cities. The mayor of Liverpool recognised that and has asked for this piece of work to happen.

I mention this because that kind of approach still has value. It is rooted in the community and in local democratic leadership, but it is also rooted in recognising that we have a big challenge on standards. There is no denial of that in the approach being taken.

The Minister for Schools (Mr Nick Gibb): I genuinely wish the hon. Gentleman every success in his chairing of the Liverpool challenge. Does he accept, though, that the approach taken in the multi-academy trust system is designed specifically to replicate that kind of approach but within a chain of academies, not necessarily inner-city, up and down the country?

Stephen Twigg: I do recognise that. A number of multi-academy trusts have proved hugely successful, and I praise their work. However, we must also recognise that some academy chains have not been successful. That is why I support the amendment tabled by my hon. Friend the Member for Sheffield, Heeley (Louise Haigh) advocating inspection of academy chains on the same basis as Ofsted inspection of local authorities. That is a really important principle. The good or outstanding multi-academy trusts have nothing to fear from my hon. Friend's amendment, but in the same way that we have challenged local authorities that have not succeeded in education in the past, we must challenge academies and academy chains.

The evidence now shows that we have seen some real improvement in our schools, particularly in cities and notably in London, but we still have some enormous challenges in coastal areas. I encourage the Government and my own party to look at this. Many coastal areas that have faced serious economic decline and big social challenges now have some of the poorest-performing schools; they may be coasting schools or schools with some of the poorest results. It is vital that we tackle that in the same way that the previous Labour Government sought to tackle underperformance in schools in our cities.

I hope that we can do that as this debate moves forward. It will be best done in a collaborative way that challenges the schools and works with them, because that is the way that works. It has worked with the London challenge, and the black country and Manchester challenges, and I hope it will work with the Liverpool challenge in which I am so pleased to have been asked to play my part.

Mr Burrowes: It is a pleasure to take part in this stage of the debate on this important Bill. I, too, support the Government in their intolerance of failing and coasting schools, and their continued restlessness for improvements. Young people have been let down by the system and by their schools, particularly in disadvantaged areas where mobility is being stifled.

I want to speak to new clause 2. I welcome the comments by the hon. Member for Liverpool, West Derby (Stephen Twigg). In many ways my comments will chime with what he said. From his experience of my constituency as my predecessor, he will know of the example I am going to use.

We need to look carefully at the assumption that there is a form of governance that is right for every school. We all no doubt agree that any good school needs strong leadership and supportive governors who are there to be critical friends to help to develop its character and to produce, through the quality of the teaching, the results that every child across our nation deserves. Certain types of governance and structure are needed at certain times to be able to provide initiatives, interventions and the rapid improvement that is required, and others are needed at other times to support and complement all the basic skills.

3.15 pm

I want to talk about the example of Broomfield school. I declare an interest as a governor of the school at the time when it went into special measures in October 2011. I am now an associate governor—just hanging on, but still maintaining a particular interest in the school. The Ofsted report of October 2011 said:

“The leadership and management of teaching and learning are inadequate...Leaders and managers, including governors, have had insufficient impact in addressing weak provision and poor outcomes in science...Self-evaluation is wide of the mark and the school has an unrealistic view of the quality of provision.”

I could go on and on. Unfortunately it was a damning report on the leadership and the quality of teaching throughout the school. It left the school on its knees, with morale very low. The head teacher resigned and we wondered what to do next. The governors recognised that they too had been criticised for their leadership and needed to take action. They came to me and said, “Can you do something about it?” I looked around at the evidence from the London challenge and other ways in which we could try to bring about rapid improvement. The Department was breathing down the neck of Broomfield school, saying that it might need to intervene and there needed to be an interim board. The LEA was extremely concerned. Indeed, Ofsted was probably concerned, because six months before it had given a “good” classification to the school that hid what was underneath, which was some systemic failures that needed to be addressed.

I looked around and saw that in order to do all that we wanted to do in trying to make rapid improvements, we needed to change the leadership to make it strong. We also needed to see what was around locally and collaborate to try to provide quick advice and support on excellence. I initiated a so-called rapid recovery group that I chaired during the time that we sought to come off our knees and help the school, along with the teachers who wanted to stay and be part of the senior and middle leadership—to be part of the future rather than consigned to the past.

When we looked around we saw that there were outstanding heads in Enfield. At Southgate school—the old school of the hon. Member for Liverpool, West Derby—and others there were excellent governors who were able to get involved; we had excellence on our doorstep. They became part of the rapid recovery group, along with the local authority. We tried to see what we could do without outside intervention, because we could move more quickly than if we went into a longer process that would also have been more destabilising for Broomfield. We were able to take prompt action on appointments and to provide some degree of certainty for the teachers who remained to try to make improvements.

That was the Enfield approach. It worked for Enfield but it would not work everywhere; we had the excellence on our doorstep that enabled us to do it. We benefited from the time that we were given to do it and from bringing on board, not least, the parents, as well as the remaining governors, to look to a brighter future.

In May 2015, Ofsted rated Broomfield as a good school. It said:

“The headteacher provides strong leadership and is ably supported by his senior team...Most students now make at least expected progress or better in most subjects...School leaders work with professionalism and care to support all students, particularly those who are more vulnerable”—

the school has a very challenging intake to deal with. It continued:

“The quality of teaching has improved significantly. A relentless focus on teaching and learning is supported by a programme of high quality training for all staff...Students’ behaviour is good in lessons”—

which certainly was not the case in 2011. It continued:

“Governors are knowledgeable about their school. They effectively support and challenge school leaders to ensure they remain focused on whole school priorities.”

It took us longer than we wanted to get to that stage—the rapid recovery group was not quite so rapid—but we got there. Step-by-step improvement brought the school along, together with the excellent support from within Enfield. It was a good example of collaboration and partnership. We have reached a point where we are good and need to make still further progress. Obviously, as soon as possible we want to be an outstanding school.

I have some sympathy with new clause 2 and the comments made by the Opposition. I want some reassurance from the Minister, who I know from his great experience is relentless in wanting improvements for all young people and to ensure that we are intolerant of failure and coasting schools. I am with the Minister on the broad thrust of the Bill, but I want him to reassure me that there will be time for consultation on the changes and that there will be the opportunity to work with local excellence and to draw on that support—yes, of the multi-chain academies that understand the model of the London challenge and, more locally, the model of the Enfield challenge. We were able to bring that change about through the rapid recovery group. Other schools that have been in special measures around my patch, such as the De Bohun school, have used the collaborative partnership model of the rapid recovery group to use the excellence on our doorsteps to improve. That seems to be working for Enfield, and I want us to benefit from that and set a good example so that schools from across the country can benefit from that excellence.

Pat Glass: I was never wholly convinced by the academies programme of the previous Labour Government, but as an educational professional—who worked under London challenge, on which I echo with many of the points raised by the hon. Member for Enfield, Southgate (Mr Burrowes) but would add that the relentless refusal to accept failure was a major part of it—I understood that there were schools that had consistently failed where everything had been tried and where something new was needed. Ultimately, I took the view that it was important for the children, parents and communities that had been consistently failed that I gave the programme the benefit of the doubt. I at least understood the rationale behind it, but the policy of the coalition Government and this Government of wholesale academisation and the establishment of free schools where there is no basic need and purely on the basis of ideology is both damaging and a colossal waste of public money.

I was a member of the previous Select Committee on Education, and we carried out a major piece of work on academies and free schools. We found absolutely no evidence whatsoever that academies improved standards more than maintained schools or improved standards faster. When I say that we found no evidence, I mean that we looked for it. We looked really hard, but it simply does not exist and it is wrong of the Prime Minister, Education Ministers and Conservative Members constantly to over-claim and exaggerate on behalf of academies.

We have seen a wholesale change in the educational structure of this country and if there is no evidence to back up such an approach, it must be based purely on ideology. In what seems the Government's rush to academise at any cost, schools have been handed over to any academy chain, although some are beginning to fail and are having to be handed on again. The views and wishes of parents, staff, pupils and communities have counted for nothing. A number of high-profile campaigns against academisation by schools and communities in which there is clear evidence, backed up by Ofsted, that those schools were improving and had the capacity to improve further, have simply been swatted away by the current Secretary of State and the former Secretary of State, now the Lord Chancellor, as though they counted for nothing.

I know a number of things as an educationalist who worked in education for 25 years, and schools will not thrive without the support of their communities, yet the Government have simply disregarded the views of countless communities because, as we all know, the current and former Secretaries of State have such a breadth of knowledge and experience in education that they clearly know best. I agree with my hon. Friend the Member for Cardiff West (Kevin Brennan) when he talks about the sense of infallibility that seems to exist in the Department for Education.

The Government are taking away even the pretence of any need to consult local communities when academisation is proposed. I believe that that is wrong on all kinds of levels. Some of our academies and academy chains are doing a fabulous job, but I have concerns about academy chains, as the Schools Minister knows because we have debated them many times. Some of them are doing a really good job, but there is

something dark and mysterious in many of these organisations. They exist on public money but there is little public transparency and very little public accountability.

As a member of the Select Committee, I tried really hard to follow some of that money. We were told constantly that the chains publish accounts once a year, but there was very little detail in them. I tried to find out how much money is being skimmed off the top of the funding given to schools to cover matters such as administration or to go into contracts linked to the members of those boards. I tried to find out how much was being paid on salaries, but with the exception of one person—the one who earns the most, which can mean more than £350,000—I could not find out anything. I could not find out how many people were paid more than £100,000, more than £200,000 or more than £300,000. I could not find out how many were paid a penny less than the one person whose salary had to be reported on. Local authorities are under a duty to transfer public money to schools and only hold back a tiny percentage of funding for the delivery of statutory education duties. There is no such legal duty on chains and it would appear to me, in the absence of any evidence to the contrary, that they are making large with it.

As a member of the Select Committee, in 2013 I visited the Netherlands, where the former Secretary of State got many of his ideas on academies and academy chains. At the time, the Netherlands were reeling from a scandal involving one of their school boards, which are very similar to our academy chains, that had gone bankrupt. What was causing the concern was not just the bankruptcy of the school board but the slow recognition that when a school board, like an academy chain, goes bankrupt, the assets of the school do not return to the public purse. They belong to the creditors. That means the school, its whiteboards, its laptops and, more importantly, the land on which it was built—and this is really important in places such as London where land is short. Creditors would rush in quickly, knock the school down and sell the land. The children and the community were left with no school and had to fall back on local authorities that did not have the resources to deal with them. The failure of an academy chain in this country is not a fantasy; I think it will be just a matter of time. The assets of those academy chains—of those former public schools that were paid for with money from our taxpayers—will drift off and belong to whoever the creditors are.

I am therefore asking the Government to think again and to consider the whole premise on which their academisation programme is built, the legal and financial basis, and the links with local authorities, children, families and communities. I ask them carefully to consult local communities when they are thinking about changing the nature of the school. A school is really important to a community, as we see when we try to close them down. Communities care about their schools and we ought to give them at least the opportunity to be consulted.

I would like the Government to give the local community the right of appeal to an independent body against the Secretary of State's decision rather than just assuming that the Secretary of State is infallible. I want only sponsors with a proven record of educational success to be allowed to run academies—now there is a new and

[Pat Glass]

great idea. I want to give the chief inspector of schools the explicit right to inspect not only academies and free schools but the chains that manage those schools. This is public money, and to do anything else is not only foolish in the short and the long term but a waste of public funding.

Neil Carmichael (Stroud) (Con): Thank you, Madam Deputy Speaker, for inviting me to contribute to this very important debate. I supported the academies programme long before the last Government were elected. I thought that the Labour Government were right to create academies, and it is also right for the current Government to continue with that programme. It is my firm belief that a system that encourages autonomy, focuses on good leadership and draws attention to the ability of schools to work together is all about self-improvement and improvement in general. We should salute and welcome that, and my comments on the proposed new clauses and amendments should be seen in that context.

The current direction of travel is to create more academy trusts and to make sure that each one contains a range of schools that, first and foremost, meet pupils' needs. My vision of a multi-academy trust is one that has a university technical college, ordinary secondary schools and a group of primary schools. In short, a MAT should offer a wide range of support so that a pupil can move around it, getting the education he or she needs and, above all, deserves. That is the very important direction we should be heading in.

3.30 pm

On new clause 2, the fact is that if a school is failing, action needs to be swift. We cannot sit back and watch things get worse. That is the essence of why a Secretary of State should be able to intervene, and they should do so constructively so that the right kinds of governors can be found for the struggling or failing school.

It is essential that we understand that a day wasted getting a school back on track is a day lost for a pupil at that school. If we do the maths and realise how many pupils are at an individual school, we will see that the situation could become terrible. I have seen for myself schools floundering and the local authority, while knowing that something should be done, not having the courage or capacity to intervene. That is why I support the thrust of the powers of intervention by the Secretary of State and do not agree that new clause 2 should stand part of the Bill.

I would go further. Oddly enough, the Education Committee today discussed leadership and governance in schools. We asked the chief inspector of schools about his views and he repeated his belief that leadership and governance are paramount. He is absolutely right, and that is why I set up the all-party group on education leadership and governance five years ago. Yesterday we launched a report about moving governance on to the next step, which is a combination of more skills, greater focus on strategy, and a more federal approach so that one governing body can look after several schools. The National Governors Association, the Secretary of State, the Parliamentary Under-Secretary of State in the other place and governors themselves welcome that approach.

The all-party group has managed to attract huge support for and interest in making sure that governors are well placed to govern, and the Bill should take that into account. I reject new clause 2.

I can see the logic of new clause 8, but the Education Committee heard this morning that the real issue is the accountability lines between governance and leadership. It is about how a school is run, how it should be led and how it should be held accountable. I do not think that new clause 8 adds anything useful to the actual process of finding out where accountability lies; checking how it works and making sure that governance feels, and is, responsible; and that it ultimately holds a school to account through not only the head, but in other ways. For me, new clause 8 does not make a serious contribution to this debate.

I feel bound to comment on amendment 11, because my hon. Friend the Member for Altrincham and Sale West (Mr Brady) made a persuasive case. I shall confine myself to these comments. I think that existing grammar schools should certainly be allowed to expand—two in my constituency want to do exactly that—but I do not think that going down the selective route beyond where we now are would be right for our children or, indeed, for our education system as a whole. For the sake of all children who go to school, we must ensure that the thousands of schools we have can become much better than they are now, rather than focus on just a few schools. Amendment 11 would lead us down the track of focusing on just a few schools.

James Berry (Kingston and Surbiton) (Con): In Kingston and Surbiton, we have the two Tiffin schools. One is just outside my constituency, and one is in it. They are excellent examples of grammar schools, and I would certainly support maintaining them. Does my hon. Friend agree that schools can create a variety of educational models, albeit non-selective ones, within the free schools system? Those models follow the traditional academic grammar school route without the selective element, which is a successful way of preserving the grammar school ethos without the problems of selectivity.

Neil Carmichael: I thank my hon. Friend for his very helpful intervention. That point justifies the free schools programme, which is all about bringing in choice and making sure that parents and staff can make decisions about their school, including about having a school of that type.

On that point, the shadow Minister quite rightly referred to what the New Schools Network has said about parent involvement. I have written about that in the past, and I pleased that the idea has now been given more traction. On the particular proposal of empowering parents to take action about the leadership of a school, I would say that they should do so only if the very highest threshold is met.

Kevin Brennan: I am grateful to the hon. Gentleman for his comments about parents. Is he at all concerned about the way in which the Bill sweeps away the right of parents to have a say on the future of their local schools?

Neil Carmichael: I thank the hon. Gentleman for his question, because it goes to the heart of the Bill. The Bill is largely about schools in which action needs to be taken to get them to a better place. Such action has to

be taken urgently, it must be about leadership and governance and, where necessary, it must take the form of intervention. As I have said, the principal focus should be on whether pupils benefit from delay or from action to take their school to a better place.

I do not want to say that parents should not be consulted, because I think they should. For example, there is a strong role for parent teacher associations to play in the interface with the community about a school's future. I spoke to the chief executive of PTA UK just a few days ago, and I was struck by the role that PTAs can play in such dialogue. When a school is failing, however, we must take action. That is implicit in the Bill. Action is absolutely necessary for any failing school.

Peter Kyle: The hon. Gentleman mentioned meeting a representative of PTA UK, but is he aware that it submitted evidence to the Public Bill Committee? It stated that the Bill

“signals to parents that their views aren't to be considered and positions them as unimportant despite the prevailing research that confirms their engagement as important to their child's education.”

I invite him to comment.

Neil Carmichael: It is absolutely right for there to be engagement, but I think that we are confusing two different things. I would have thought that PTA UK was talking about engagement with the school more generally. I am referring to the issues in the Bill and the specific question of whether intervention should be swift and effective, and the degree of consultation that should be involved.

Of course there should be consultation and the Bill makes clear the role of regional schools commissioners, who should consult fairly widely. The Education Committee will look into the role and capacity of the regional schools commissioners. One question that we will ask is how that consultation process is undertaken. I do not think that that point is at variance with the spirit of the Bill.

On amendment 12, we cannot have coasting schools and when we see them we must act. In the last Parliament, the chief inspector produced a powerful report about the long tail of underachievement, which detailed the problem that many schools carry on coasting without being noticed. It is striking that many of those schools are in rural and coastal areas. That tells us that the mechanism is not in place to properly check what a coasting school is doing. I therefore believe that amendment 12 would take us in the wrong direction.

A coasting school is a very bad place to be. If a school is coasting along then, even if everybody thinks it is doing okay, it is not doing its job properly. It is therefore a real challenge for the teachers and governors to move it forward. Of course, we need to discuss in some detail the definition of a coasting school, but if the teachers and governors of a coasting school are not moving it forward, we must act. I therefore do not believe that amendment 12 is appropriate.

Kevin Brennan: Just for clarity, amendment 12 is consequential to new clause 1, which would replace the Government's version of a coasting school with the

Opposition's provision. The amendment would not sweep away the need for action to be taken when schools have problems of that kind.

Neil Carmichael: According to the “Member's explanatory statement”, amendment 12 would

“remove the clause that establishes that ‘coasting’ schools shall be eligible for intervention.”

That is what I read, and I do not think that that should be the direction of travel. However, I take the hon. Gentleman's point about its connection to new clause 1.

The important point to make about amendment 13 is that if a school is in trouble, appeals from the governing body, which is probably responsible for a large part of those difficulties, ought to be put into perspective. Instead, a governing body should recognise that it has a duty and responsibility to participate in improving the school.

The Bill has a lot going for it. We need to address the issue of school leadership. In my judgment, we need more multi-academy trusts because they provide the right framework for schools to help each other and pursue self-improvement. It is critical that we focus on coasting schools and use powers to ensure that they stop coasting and, instead, do what they are supposed to be doing, which is raising the standard of delivery for pupils.

John Pugh (Southport) (LD): I rise in support of new clauses 3 and 9, and to make a few remarks about amendment 11.

What bothers me about this legislation is the issue of consultation, which was alluded to by the hon. Member for Stroud (Neil Carmichael), and parental consultation in particular. That is a long-term anxiety for me, because I am aware of local schools in my constituency that have been subjected to horrific bullying by academy brokers to covert to academies, and I would not wish that replicated anywhere else.

3.45 pm

Despite having been a member of the coalition Government, I have general reservations about the Academies Act 2010, which I consider inferior to Mrs Thatcher's legislation on grant-maintained schools. That gave parents a decisive vote on the destiny of the school. Members may recall that during the passage of the Academies Act, I divided the House, with the help of Mr Ed Balls, to try to get parents a better vote in the decisions on the structure, character and governance of the school. The answer of the House at the time was clearly no—parents were not to have such a voice—and this legislation would serve to further reduce the power of parents. Indeed, some of the witnesses who gave evidence in Committee stated explicitly that parents were not the best judges, or any kind of reasonable judge, of their children's educational destiny.

In the Bill the powers of the local education authority, governors and diocesan authorities are reduced, as well as those of parents. Even interim executives are subject to constraints that they did not have before. Throughout, the common theme is that the powers of the Secretary of State increase, or those of the Secretary of State's agents, the regional school commissioners, do, although those commissioners were something of an afterthought to the academies programme.

In the Bill rights of appeal are diminished, the duties of consultation are tokenistic and not spelled out, and timescales can be telescoped. We have to ask why the Secretary of State needs to accumulate any more power than they already have. It has been pointed out—including by the Secretary of State and in Committee—that the only real restraint left on the Secretary of State is the duty to act reasonably and the fact that they can be challenged under common law. If we ask why this is happening, the main reason is that we are all identifying poor and mediocre education which, it has been argued, requires immediate action. No day should be wasted as it is precious time that pupils will not get again. There is no dispute about that, but immediate remedial action is not the same as immediate academisation, and that is where the Government appear confused.

It is indisputable—I do not think anybody disagrees—that academisation is neither a necessary nor sufficient condition for progress, and as has been agreed across the House, some academy chains are not very good. Some schools get better and improve significantly through effective LEA or diocesan intervention, or some process other than academisation, and many examples were mentioned by those on the Opposition Front Benches.

The Government must be asked why they are such a one-club golfer. One plausible argument might be that despite there being other remedies, the academy route is simply the more probable, or probably effective, way of addressing coasting or failing schools. That is an arguable case if we are going to go by the evidence, but I see no evidence that the Government want to do that. The Prime Minister and the top of the Government give us targets and goals for turning ever more schools into academies, regardless of whether that is appropriate: it must happen.

Let us suppose that we are going to decide policy on the basis of evidence, and that ideology and prejudice will have no serious influence. Nobody—I am sure the Chair of the Education Committee will agree—would dispute that all educational research shows that the biggest factor that influences children's outcomes and their overall educational destiny is the involvement, support and participation of their parents. If the level of consultation, communication and participation declines, it is not only regrettable but, as evidence shows, unproductive. The Government have a case to answer there.

I turn briefly to amendment 11, on grammar schools, tabled by the hon. Member for Altrincham and Sale West (Mr Brady). I went to three grammar schools, two of which were founded round about 1550, and for part of my education I went to the same grammar school as the Minister—Maidstone grammar school in Kent. He started his secondary education there; I finished mine. I have read that he applauds it for its rigor. I have to say it was not always rigorous when I was there. I was taught by a head of French who was going deaf, and bright boys in L stream, as it was called, were encouraged to give up science as quickly as possible in order to concentrate on arts subjects, if that was their bent, so there was evidence of occasional coasting there.

I will not dispute, however, that grammar schools have had an impact on social mobility among the pupils attending them, and I will not dispute that they perform well on all evidential bases. I have another experience, however, apart from the one I share with the Minister. I

started my teaching career in a secondary modern in Bootle which, one year after I started, merged with Bootle grammar school and became a comprehensive school. I taught mixed classes of ex-grammar school pupils and ex-secondary modern school pupils, and I honestly could not always tell the difference in terms of their ability and potential.

In the years before, however, pupils who went to the secondary modern, as opposed to the grammar school, had very different outcomes and saw themselves quite differently. When the comprehensive developed into a high school, it was not an immediate success, as much had been unpicked, and I learned that restructuring was not always wise—when something works in an educational environment, it is best to leave it in place. I am therefore actually pretty agnostic about structures, and I have extensive experience of almost every kind of structure, having also taught for a long period in an independent school. There is good and bad in all types of school. What is crucial in any type of school are leadership, morale and parental support.

Mr Graham Brady: I wholeheartedly agree with the hon. Gentleman on that last point, as I am sure would most Members who take an interest in education, but may I bring him to the precise point of the amendment? As an agnostic on structures, does he accept that if the population distribution changes in an area that is selective, an additional grammar might be needed to maintain the existing balance of selection and not drive existing grammar schools to become more selective?

John Pugh: I will consider the hon. Gentleman's comments carefully. I am certainly happy with the idea of local decision making—I just wish the Government were more comfortable with it—and I think that we as politicians can do little to improve the educational landscape. We can change structures all the time, but they are not what makes a substantial difference: what makes a difference are the things that we normally cannot control or create but which, if we introduce the wrong kind of legislation, we can certainly frustrate.

Louise Haigh (Sheffield, Heeley) (Lab): I rise to speak in favour of my new clauses 4 and 5 and the new clauses and amendments in the names of my hon. Friends on the Front Bench and of my hon. Friend the Member for Gateshead (Ian Mearns).

We need to make a wealth of important changes to the Bill. It is a great honour to follow excellent contributions from hon. Members who are clearly passionate about educational standards. I do not doubt that the Government share that passion, but the problem is that none of the measures in the Bill will improve those standards. The Bill is based on an overriding assumption that academisation will automatically drive up standards and that the centralisation of power is the way to deliver it. Unfortunately, the Government have been simply unable to evidence that assumption at any stage of this Bill.

As such, the Bill before us today is a missed opportunity—a missed opportunity to address the profound teacher recruitment and retention crisis, which my hon. Friend the Member for Cardiff West (Kevin Brennan) outlined, that is predicated on a demoralised, overstretched workforce and a burgeoning young population. It is a missed opportunity to drive up

standards in academies where underperformance stubbornly persists—an issue that the Bill inexplicably excludes. It is a missed opportunity to put parents, teachers, assistants and the local school community at the heart of the agenda. That is why Labour Members were disappointed that the Minister refused to take up any of our sensible amendments in Committee, which would have demonstrated a cross-party willingness to drive up educational standards.

Let me explain the contrasting principles behind my new clauses 4 and 5. First, school improvement simply cannot take place without the consultation and involvement of parents, teachers and the school community. Secondly, we must strengthen the accountability system that is, even in its current form, all too lacking, particularly for academy chains.

New clause 5 would place a new duty on the chief inspector of Ofsted to inspect the overall performance of any academy chain to ascertain whether it is carrying out its functions appropriately; and it would give the Secretary of State power to direct the chief inspector to inspect any academy chain and specify which areas need inspecting. That is particularly important for financial stability, where several academy chains such as E-ACT have come unstuck. The new clause, supported by the chief inspector of Ofsted, will go some way towards opening up the accountability system for academy sponsors, which has not caught up with the rapid expansion of academies generally.

The speed at which schools converted into academies or joined multi-academy trusts has increased at a dramatic rate over the past three years. In 2012-13, the Department opened three times as many sponsored academies as in 2011-12, and by December 2014, 3,062 schools had converted to academy status—far in excess of expectations. This, of course, will continue apace under the Bill, as regional school commissioners scramble to find sponsors in pursuit of centrally set targets.

It is therefore reasonable for systems of accountability to keep pace. That is all the more important because, as we have heard, performance levels among chains still suffer from significant variation. The Sutton Trust concluded in its recent report that the very poor results for pupils of some chains are of urgent concern. These concerns are about what happens not just in the classroom, but in the boardroom. The National Audit Office warned that the inability of Ofsted to inspect academy chains means that there is no independent source of information about the quality of their work, and called on the Government to ensure that the Department has an independent source of information for assessing the quality, capacity and performance of academy sponsors.

The lack of accountability and oversight by an independent body has its consequences—finance, audit and governance systems will suffer without rigorous independent inspections, and in some cases may not exist at all. In particular, the funding arrangements have been found to be open to abuse and conflicts of interests.

Clive Lewis (Norwich South) (Lab): I thank my hon. Friend for giving way. Our hon. Friend the Member for North West Durham (Pat Glass) touched earlier on the issue of transparency. Are you aware of the school in my constituency—the Hewett school, a local authority school—that was handed over to an academy chain called the Inspiration Trust by ministerial fiat against the wishes of the community and the parents of that

school? One problem we have with the Inspiration Trust is that it refuses to publish the individual accounts of individual schools. Instead, it simply publishes very basic group accounts. I think there is a concern about conflicts of interests, which are not being highlighted in the way we would like. Will your new clause be able to challenge that and do something about it?

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I know that the hon. Gentleman means well, but when he says “your” in the Chamber, he is referring to the Chair, and it is clearly not my new clause, but the new clause of the hon. Member for Sheffield, Heeley (Louise Haigh). Perhaps the hon. Gentleman will rephrase what he said.

Clive Lewis: My hon. Friend the Member for Sheffield, Heeley (Louise Haigh) is indeed honourable for giving way. I was wondering whether my hon. Friend’s new clause could tackle the issue I raised.

Louise Haigh: I am very grateful for that intervention. My hon. Friend raises an example—one he has raised on several occasions—that is exactly the kind of example my new clause intends to address.

The Institute of Education reported on the case of the Academy Enterprise Trust, a chain of some 80 academies, which paid nearly £500,000 into the private business interests of trustees and executives, with the payments ranging from project management to consultancy. In all cases, the services had not been put out to competitive tender and the AET’s accounts demonstrated a serious budget deficit.

4 pm

The small network of individuals who operate the relatively small network of academy chains act with little oversight or accountability from an independent body. That has harmed, and will continue to harm, the decision-making process. As my hon. Friend the Member for North West Durham (Pat Glass) mentioned earlier, the Select Committee on Education has said that the funding arrangements lack transparency, because the Education Funding Agency acts as both a regulator and funder, and that they are heavily politicised and prone to favouritism. The report went on to conclude that civil servants in the EFA have become highly politicised and that schools may be given preferential treatment, leaving the EFA itself wide open to conflicts of interest. That is in the context, as we have heard, of an accountability system that goes back directly to the Secretary of State’s using private contract law rather than public law and parliamentary accountability, as applies to maintained schools.

Given that background, it is important to raise another concern: the very widespread involvement of Conservative party donors in a number of academy chains. Indeed, four of the top 12 largest academy chains have links to the Conservative party through donations. David Ross, for instance, has donated over £250,000 to the Conservative party. He runs the David Ross Foundation which has 30 academies, incorporating primary, secondary, grammar and special schools, and is looking to take over more, especially if the Bill goes through. Alan Lewis, a major Conservative donor and vice-chair of Conservatives for Business, was also initially listed as a chairman of the

Kings Science Academy, before that information disappeared from the public domain. The academy chain mentioned by my hon. Friend the Member for Norwich South (Clive Lewis) is run by another Conservative party donor, Theodore Agnew. The trust is looking actively—some would argue aggressively—to take over more schools. Without rehearsing arguments for a different debate, it would be fair to say that there are serious local concerns about its accountability, particularly in reference to Ofsted.

James Berry: Is the hon. Lady seriously criticising these individuals, who are looking to assist in the education of young people, just because they are Conservative party members? If she is, I think this debate has got to a very sad state. I thought, when we were members of the Public Bill Committee, that both our parties were looking to further education opportunities for young people, not simply make cheap party political jibes and pot shots.

Louise Haigh: The Minister made the same point in Committee when I was raising these issues then. This is not an issue of Conservative party membership; this is an issue of transparency and serious conflicts of interest that have been raised by the cross-party Education Committee. It is not a cheap party political jibe, but one that has been seriously raised about parliamentary accountability and transparency, something Conservative Members are supposedly in favour of.

The Harris chain is particularly relevant, because it has sometimes been chosen as a sponsor by the Department against the wishes of staff, parents, and communities who have preferred other high-performing local options. That brings me to the Minister's colleague, Lord Nash, who is another Conservative donor. He sits not only in the other place, but in the Department as Minister for Academies, where he is involved in choosing sponsors despite having been involved in specific academy chains. Frankly, there have been suspicions of political favouritism and intervention in these choices, and there are too few safeguards against them.

The vast majority of academy trusts are staffed by people working hard to address educational underperformance, but it is appropriate to ask, as the Education Committee did, what processes the Minister has in place to guard against certain trusts being given preferential treatment if, as we expect, the Government refuse to allow independent scrutiny. Indeed, the Clarke report, following the so-called Trojan horse affair, made a number of very significant recommendations which it appears the Government have yet to implement fully. Recommendation 7 stated that the Department for Education should consider urgently how best to capture local concerns driving the conversion process and review the brokerage system through which schools are matched with academy sponsors to ensure that the process is transparent and understood by all parties. The Government have previously claimed that all the recommendations have been implemented, but perhaps the Minister could comment on how the Bill fulfils them. What we are hearing from education professionals is that in some cases school leaders will go to the Department with recommendations for a preferred sponsor for their school, only to be overruled by the Department.

That brings me to new clause 4, which is intended to put the voices of parents and the local community at the centre of any decision to choose the identity of an

academy sponsor. Apart from questions about the principle and pace of the academy programme, there will be questions about the identity, values and track record of particular academy sponsors for particular schools. Labour Members simply do not understand what the Government have to fear from the voices of parents, teachers, governors and support staff. We consult those groups constantly, and we value their input extremely highly. Indeed, the head of the National Association of Head Teachers argued, very wisely, in a blog ahead of today's debate, that

“removing the right to consultation and engagement with local communities, in my experience, tends to alienate and promote opposition where previously the local community was neutral.”

Tristram Hunt: As we know, the academic evidence shows that when there is parental support for and buy-in to a school, the results of that school are often better. What we are seeing from the Government, however—whether we are talking about the Charities (Protection and Social Investment) Bill, the Trade Union Bill or this Bill—is a sustained Tory assault on democracy and free speech, on the very anniversary of Magna Carta. I have to say that it fills me with dread.

Louise Haigh: My hon. Friend is absolutely right. Communication and consultation can only be positive, and significantly improve the process of schools' conversion to academy status.

There is another perfectly legitimate reason why parents have a right to be involved in the decision. As we have heard, there is a stark variation between the performances of academy chains. Parents, teachers, local authorities and the school community could be handing a school over to a chain that might perform markedly worse than the existing maintained school.

In a report that is as detailed and comprehensive as any could be found, the much-respected Sutton Trust demonstrated that sponsored academies are twice as likely to be below the floor standards as other mainstream schools. Half the chains examined by the trust did less well than the mainstream school average. Indeed, in 2014, 44% of the academies in the analysis group covered in the report were below the Government's new “coasting level”.

Our education system must be a collaborative effort between parents, pupils and schools, and Labour Members believe that it is the right of parents to have a substantial say in how their children are educated. The Conservative Education Act 1996 set out in law the general principle that

“pupils are to be educated in accordance with the wishes of their parents”.

That has been a principle in law since school attendance became compulsory more than a century ago.

It is strange that the Government's talk of localism and involving service users in decisions does not apply to schools. After the election, the Chancellor of the Exchequer remarked in a speech on devolution that “the old model” of running things from London

“made people feel remote from the decisions that affect their lives. It's not good for our prosperity or for our democracy.”

He will find some agreement among Members on both sides of the House on that general point, but perhaps the Education Secretary failed to get the memo, as she

removed the right of parents and the local school community to have a say in the future of their schools. I ask once again, why are the Government so afraid of the voices of parents and the school communities?

My new clause would go a small way towards repairing the democratic deficit that is opening up as a result of a Bill that puts too much power in the hands of the Secretary of State, and far too little in the hands of our school communities.

Peter Kyle: It is great to be called for the first time under your stewardship, Madam Deputy Speaker. I rise to support new clause 1.

I have already paid tribute to my hon. Friend the Member for Cardiff West (Kevin Brennan); let me now extend my thanks to the Schools Minister, who sat opposite me for the many weeks of the Committee stage, and took my interventions very graciously during that period despite my frequent fumbling breaches of protocol.

No one, in Committee or today, has disputed the need to challenge coasting in any school—least of all me, because I went to a school which, by today's standards, could be deemed to have been coasting. I left with very few qualifications, and, at the age of 25, I had to return to the same state secondary school and take my exams again. I spent a year in a secondary school as a 25-year-old. Anyone who has done that—spent a year with teenagers as a 25-year-old, and had the experience of going through education for the second time—will never, ever allow any other person to go through the same thing, or allow any other person to leave school without the right qualifications. It seems an irony that the school I left and had to return to is in the constituency of Bognor Regis and Littlehampton, because the Minister for Schools is the MP for that constituency. This has therefore come full circle now, and I hope that what was Felpham comprehensive school—I do not know what it is called now, but I presume Felpham community college—is doing much better today than it was doing then.

Nobody disputes the need to tackle coasting wherever it is, least of all me, and nobody disputes that academies are the answer in some cases, but only the Government think they are always the answer. That is the nub of why I support new clause 1.

The Government could not produce a single witness in the witness stage of the Bill to say conversion to an academy was always the answer to coasting. In fact their star witness, Sir Daniel Moynihan, a remarkable man who set up and is chief executive of a fantastic organisation, the Harris Federation, was asked directly by me whether he thought academisation is the only response to coasting. His answer was simple: “No,” and he went on to explain why in more detail.

The sum of that, of the experience there has been, and of the evidence given in writing and in person by experts is that academisation is one tool of many, and is not the only tool. I should make a declaration here: I am chair of governors of an academy that has fundamentally transformed the ability of young people to go through education successfully with fantastic outcomes.

My second point is that the regulatory framework that will underpin schooling as a consequence of this Bill is confused and complicated. Given this Government's

philosophical approach to deregulation, it is extraordinary that schools from different sectors—state maintained, academies and the private sector—are all regulated in different ways. This is absurd and it is becoming a regulatory nightmare which will produce some real absurdities.

For example, as a consequence of this Bill, a school could in future be rated as outstanding by Ofsted yet the Department for Education could deem it as coasting. What are parents going to make of this new world? How will they decide where to send their children?

We will have a regulatory framework where academies that are deemed to be coasting by every other measure are not allowed to be converted to another status. The Bill focuses on organisational status as opposed to what we now know works: a focus on standards and educational outcomes. All the international evidence throughout the world shows that a focus on standards is what drives up educational outcomes, yet this Bill completely ignores all that evidence. It is turning into an ideological Bill, which I fundamentally oppose.

It is extraordinary that someone who comes from my background and has been involved in the conversion from local authority-maintained schools to academies should stand here in such opposition to a Bill that refers to academies.

Mr Gibb: This has been a short, but high-quality, debate, with excellent contributions from Members on both sides of the House.

The Bill is the next step in this Government's drive to change our education system so that every child, from whatever background and in every part of the country, receives the standard of education they need to succeed in a demanding and competitive world, and where every local school is a good school. The Bill builds on the sponsored academies programme, designed to tackle underperformance through new leadership and governance. It builds on the converter academy programme, designed to liberate highly successful state schools to allow them to flourish and spread their proven formula to other schools. It builds on the free schools programme, designed to encourage innovation and provide a break with failed education orthodoxies.

4.15 pm

The Bill also builds on our reforms to the curriculum, pushing up academic standards in English, maths and science in primary schools, our reforms to the teaching of reading and our reforms to GCSEs and A-levels, putting those qualifications on a par with the best in the world. It builds on the measures we have introduced to improve school attendance, to raise the standard of behaviour and to improve the quality of teacher training. All these reforms have been designed to change our schools system so that every child can benefit from a great education. In short, the Bill is about social justice. That is why it now addresses not only failing schools but coasting schools.

Tristram Hunt: In the Minister's list of Government policies, he omitted to mention the policy on free school meals. Will he put on record the Government's commitment to that policy over the course of this Parliament, as set out in his party's manifesto?

Mr Gibb: The hon. Gentleman will know what we achieved in the last Parliament. He will hear later, when the spending review is completed, what we can commit to in the next few years, not only on that issue but on a whole of range of issues across Whitehall that we have to look at in great detail.

A coasting school is one that is not consistently ensuring that children reach their potential. Clause 1 gives the Secretary of State the power to define which schools will be deemed to be coasting and therefore eligible for intervention. To assist scrutiny of the clause, we have already published draft regulations setting out our proposed definition. They provide a clear and transparent data-based definition, based on a school's performance data over three years, rather than on a single Ofsted judgment or a snapshot of a single year's results. Our proposed definition of a coasting school will be based on the new accountability system that comes into place from 2016, but it will be 2018 by the time three years' data are available under the new system. We do not think it acceptable to wait so long before acting on coasting schools so we have also proposed interim measures for 2014 and 2015, based on existing metrics, so that regional schools commissioners can start to take action in 2016.

New clause 1, tabled by the hon. Members for Cardiff West (Kevin Brennan) and for Birmingham, Selly Oak (Steve McCabe), proposes an alternative approach to identifying and addressing schools that fail to ensure children reach their potential. Subsections (1) and (2) of the new clause propose to set out in legislation a new definition and put the decision about which schools are to be regarded as coasting in the hands of Ofsted and the local authority. This would remove all transparency for schools about what would constitute coasting, meaning that a school would have no certainty about whether it might be deemed to be coasting. The new clause proposes an opaque, confusing approach to the definition of a coasting school, in contrast to the clear definition that we have set out in draft regulations.

Subsection (3) of the new clause includes a number of factors that Ofsted would be required to take into account, such as the availability of teachers in the area, the number of pupils, the reliability of performance data, the socio-economic challenges and the gender balance of the pupil population of the school. I am not sure that those factors should be explicitly set out in primary legislation, because to do so would restrict the ability to respond appropriately and flexibly to the individual circumstances of a school. Regional schools commissioners will of course take into account the challenges a school faces from its intake, along with other issues, when they assess a school's performance.

The hon. Member for Cardiff West cited a number of examples of maintained Catholic schools in Bexley that had improved their Ofsted rating without becoming sponsored academies, but he omitted to say that seven Catholic primary schools in the borough had expressed an interest in converting, including St Joseph's, the school that he cited as previously having been judged inadequate. Both the Catholic secondary schools in the borough are already academies, including St Catherine's, the school that he cited as providing effective support for improving the quality of the education at St Joseph's.

Where a school does fall within the coasting definition, the regional schools commissioner's first task will be to see whether the school has the capacity itself to raise

standards. In some cases, the school's own leadership, perhaps a recently appointed new headteacher, may have an effective plan to raise standards. In other cases, more support will be needed. Coasting schools will be able to work with other experienced headteachers, with national leaders of education, with stronger schools in the area and with other relevant experts to raise standards.

Tristram Hunt *rose—*

Mr Gibb: I give way again to the hon. Gentleman. I suspect he is missing his Front-Bench role, given his intervention in this debate.

Tristram Hunt: The whole House is. I am just representing the views of my constituents, which is why I am sent here.

The Minister puts great faith in the role of regional schools commissioners. A number of my local schools in Stoke-on-Trent are in special measures and require improvement. They are not at the coasting stage; things are much more serious than that. The regional schools commissioner has failed to help to improve those schools, so why does the Minister think the RSCs will be able to sort out coasting schools, given that at the moment they cannot even sort out schools that require improvement or are in special measures?

Mr Gibb: Of course the RSCs have been established only recently, and already 60% of all secondary schools in the country have become academies and an increasing number of primary schools are now academies. The transformation of schools from the maintained sector into academisation has been phenomenally rapid. We are now moving a step further forward to ensuring that we do not just tackle failing schools. If this Bill gets through this House—I hope the hon. Gentleman will support it this evening—any failing school, including any school in his constituency that is in special measures, will automatically become an academy, have new leadership and have new sponsorship, driving forward higher standards in that school. He should be supporting the measure.

Having said that, academisation will not always be the default solution for coasting schools, because where it is clear that the existing leadership does have the capacity to improve, they will be given the support and backing to do just that. But having the discretion to make an academy order is important, even for coasting schools, as a backstop provision.

I could cite many examples where becoming a sponsored academy has helped to improve academic standards, but let me highlight just one. In January 2014, Our Lady and St Bede Roman Catholic secondary school in Stockton-on-Tees was judged as requiring improvement by Ofsted. It became an academy sponsored by the Carmel Education Trust. In 2014, only 54% of pupils achieved five or more A* to C GCSEs including English and maths. Under the new sponsorship the headteacher has reported that that figure has risen to 72% this year; which is an increase on last year of 18 percentage points in just 12 months.

Suella Fernandes (Fareham) (Con): I am grateful to the Minister for his work in Committee, where I served, alongside other colleagues in the House. Does he agree that we see that the Opposition's challenge that this is not an evidence-based policy simply does not stack up when we look at the example he has cited and at

academy sponsor trusts such as REAch2, Applegarth, STEP Academy Trust, WISE Academies, which have achieved astonishing turnarounds in a short time? Is this policy not just speeding up what works best?

Mr Gibb: My hon. Friend is absolutely right about that, and I was grateful for her involvement in, and contribution to, our deliberations in Committee. She knows what she is talking about, because she is chair at an extraordinary academy trust, the Michaela community school in Wembley, which was established by the formidable Katherine Birbalsingh. It is now into its second year and I recommend a visit to that school to any hon. Member who is interested in education. They will see a school that serves one of the most deprived parts of London delivering education of a quality that will astonish them. It is an astonishingly good school, and I am looking forward to its first set of GCSE results in three or four years' time.

Peter Kyle: During the evidence session, the hon. Member for Fareham (Suella Fernandes) put the same question to Emma Knights from the National Governors Association. She got this response from an expert who studies this matter day in, day out.

"The main bit of evidence was produced by the National Audit Office last year and it showed that 60% of schools deemed inadequate did improve without any sort of formal intervention because they had exactly that: a school improvement plan, and that worked in 60% of cases. Sponsored academisation worked in 44% of cases".—[*Official Report, Education and Adoption Public Bill Committee*, 31 June 2015; c. 16, Q33.]

I thank the hon. Lady for allowing me to point that out and to add to her experience and also to make worthwhile the night that I spent putting tabs on to my evidence session notes.

Mr Gibb: I thank the hon. Gentleman for that intervention on my hon. Friend the Member for Fareham (Suella Fernandes) via me, but I am delighted to respond. Of course sponsored academies are taking on some of the most challenging schools in the country. Where schools are coasting, we want them to do everything they can with the current leadership to improve, but there must be a fast-track method for dealing with schools that have been put into special measures. Our manifesto was very clear that we wanted to ensure swift, consistent action from day one in every failing school. When a school is failing, it needs, as my hon. Friend the Member for Stroud (Neil Carmichael), who is the Chair of the Education Committee said, strong leadership and effective governance to ensure rapid improvements, which is delivered by academy sponsorship. That is why clause 7 places a duty on the Secretary of State to make an academy order for any maintained school that Ofsted has rated inadequate.

Sponsored academies have been hugely successful in raising standards in what were failing schools. In 2015, primary sponsored academies open for just one academic year have improved by five percentage points—from 66% to 71%—the number of children achieving the expected level in reading, writing and maths. Those open for more than two years have seen their results improve by 10 percentage points since opening. The proportion of pupils that gained five good GCSEs including English and maths was, on average, 6.4 percentage points higher in sponsored secondary academies that

had been open for four years in 2014 than in their predecessor schools. Those are remarkable achievements for some of the most challenging schools in the country.

Kevin Brennan: Will the Minister give the House the figures for maintained schools that have used some of the alternative school improvement approaches that I have outlined and that started off on the same level of achievement as the schools that were converted to academies that he has just quoted? In that way, we can make a proper evidential comparison.

Mr Gibb: As I said in Committee, these figures are significantly higher than the school system as a whole, which shows that these schools are raising standards. I can give some examples. Individual schools across the country have benefited from becoming sponsored academies. For example, Bramford primary school, which Ofsted placed in special measures in 2012, but which, having joined Griffin Schools Trust in 2013, has made huge improvements. In April 2015, Ofsted judged the school to be good, with Ofsted attributing that to the sponsor trust's "good leadership and management."

The hon. Member for Hove (Peter Kyle) quoted Sir Dan Moynihan and his evidence to our proceedings, but he did not quote him when he said:

"Local authorities often do not use the freedoms that they have. There is nothing that we have done in any of our schools that were failing that a local authority could not have done. In every case, the local authority simply did not do it and it had to have someone else take it over and make it better."—[*Official Report, Education and Adoption Public Bill Committee*, 30 June 2015; c. 18, Q38.]

Those are the words of a highly successful chief executive of a highly successful academy chain.

When a school is failing, we need the academy conversion process to be swift. Every day's delay is a day of weak education for the pupils at a failing school, which was acknowledged by the hon. Member for Southport (John Pugh) in his contribution to our debate.

John Pugh: Presumably, the Minister will tell us why the immediate remedy always has to be academisation.

Mr Gibb: It is because for too long they have been languishing as underperforming schools. The authorities and governing bodies that were overseeing them have had their opportunity to improve them over many years. We feel that pupils should not have to waste a single day more in those schools. They need new leadership and new governance, and they need them now.

4.30 pm

That is why clause 8 removes the requirement for consultation by a school's governing body or the proposed sponsor on whether a school should become an academy, in circumstances where the school is judged inadequate by Ofsted or where other interventions have failed to raise standards. That is why clauses 10 and 11 ensure that the local authority and the governing body of a failing school co-operate and help with the conversion process. We have seen too many instances of deliberate procrastination by people ideologically hostile to the academies programme.

Mike Wood (Dudley South) (Con): Does the Minister share my concern that schools that wish to convert to academy status, such as Bromley Pensnett school in my

[Mike Wood]

constituency, are finding a series of obstacles being put in their way by the local authority? Will he ensure that the Bill stops local authorities blocking the improvements that are urgently needed to turn around the schools that need the most support?

Mr Gibb: Where a school is failing, all those blockages will be removed by the provisions in the Bill. Where a school is good and wants to convert to academy status—the governing body wants the freedom to help the school not only to flourish itself, but to start helping other schools—I am afraid that the Bill still requires consultation with the community, because we think that is the right approach.

The Bill recognises that in limited cases there is a need to consult on the future sponsor for schools that are eligible for intervention. In the case of foundation or voluntary aided schools judged inadequate by Ofsted, clause 9 ensures that the Secretary of State must consult the trustees, the foundation and, for religious schools, the appropriate religious body about the identity of the sponsor proposed by the Secretary of State. In the case of a church school, a diocesan or church school-led multi-academy trust will be the solution in the vast majority of cases.

The Government are firmly committed to enabling diocese and church schools to protect and sustain their ethos. For example, where a Church of England diocese lacks the capacity to sponsor a school at the time it needs support, we may, with the involvement of the diocesan board of education, look to a non-church sponsor. In such situations we will ensure that the arrangements that the sponsor enters into will safeguard the religious character and ethos of the school. We will continue to work closely with the Churches on appropriate arrangements. I am grateful to the Second Church Estates Commissioner, my right hon. Friend the Member for Meriden (Mrs Spelman), for our discussions on that issue.

Many of the Opposition's amendments attempt to introduce what I believe to be unnecessary consultations, appeals and processes. Our manifesto was clear that we would be unwavering and swift in tackling failing schools and ensuring an excellent education for all children. By contrast, the amendments would serve only to aid the delaying tactics and obstruction that some ideological opponents of academies attempt to pursue—I assume that is now the whole Labour party, or at least the members who paid £3 to join and now control it.

I turn now to amendment 11, tabled by my hon. Friend the Member for Altrincham and Sale West (Mr Brady) and other right hon. and hon. Friends. It would give the Secretary of State two new powers to extend academic selection. First, when a failing school became an academy under clause 7, the Secretary of State would have an additional power to allow the school, and therefore also the new academy, to select its pupils on the basis of ability, if requested to do so by a local authority or admission forum. Secondly, the amendment proposes to give the Secretary of State the power to make an order allowing selective arrangements in any maintained school, when requested to do so by the relevant local authority or admission forum. It does so by amending section 104 of the School Standards

and Framework Act 1998, which currently prohibits selective grammar schools unless they were already selective before 1997.

Grammar schools have made a remarkable and sustained contribution to education in this country. They provide an exceptional education to their pupils. In 2014, 96.8% of pupils in the 163 grammar schools achieved an average of at least five GCSEs at grades A* to C including English and mathematics, and 87% of pupils at grammar schools were entered for a foreign language GCSE. This strong academic ethos—a rigorous curriculum and the highest expectations for every child—has been at the heart of the Government's reforms. Harold Wilson hoped that a comprehensive education system would create a “grammar school for all”, but as Sir Michael Wilshaw, the chief inspector of schools, has pointed out, the reality was quite different. Several of the grammar schools converted into comprehensives suffered a precipitous decline in standards and, in many cases, a rejection of the value of a strong academic education.

The whole thrust of our education reforms is a determination to ensure that every school delivers the type and standard of education found in the 163 grammar schools. That is why we introduced a new national curriculum, which is more knowledge based and academically rigorous. The new primary curriculum is designed to ensure that every pupil is ready for a more demanding secondary education. For example, pupils are now expected to master times tables to 12 x 12 by the end of year 4, instead of to 10 x 10 by the end of year 6. Punctuation, grammar and spelling are now explicitly taught and tested, and dictation—the art of writing practice—is now part of the statutory national curriculum.

We are reforming GCSEs and A-levels. The new GCSEs are more demanding, and are no longer modular—all exams are taken at the end of a two-year course. Several of these new qualifications are being taught for the first time in schools this academic year. The new maths GCSE places greater emphasis on mathematical fluency and deep understanding, and includes new content to improve progression to A-level—on, for example, rates of change and quadratic functions. For GCSE English literature, pupils will now be required to study a broader range of texts, including at least one Shakespeare play in full and a 19th-century novel. The new history A-level will require students to study topics from a period of at least 200 years. The new science A-level includes strengthened mathematical and quantitative content—for example, understanding standard deviation in biology and the concepts underlying calculus in physics.

In the previous Parliament, we introduced the English baccalaureate performance measure, showing the proportion of pupils in a school entering and achieving a good GCSE in English, maths, science, history or geography, and a foreign language. The result has been a substantial increase in the proportion of young people taking these core academic subjects, from 23% in 2012 to 39% last year. We are going further, with this September's new year 7 the first to be required to study the full combination of EBacc subjects to GCSE.

Kevin Brennan: While we are on this topic, can the Minister confirm to the House that it is still the Government's policy to oppose the further expansion of selection at 11?

Mr Gibb: I shall come to that, if the hon. Gentleman will be patient.

The academies programme is delivering autonomy and freedom from control by local bureaucrats, delivering the change that will help to ensure that the promise of a “grammar school for all” can be delivered. I hope my hon. Friends supporting the amendment are assured that the Government share their commitment to ensuring that opportunity is more widely shared, and that every young person has the academic education they need to fulfil their potential. I believe that this commitment is best delivered by turning around failing schools more swiftly, and making sure that schools that are coasting take urgent action to improve. When combined with our reforms to qualifications and the curriculum, which challenge long-held orthodoxies peddled by the education establishment in the local authorities and university education faculties, I believe these reforms will play a significant role in restoring academic standards, which is what I know my hon. Friends would like to see.

The amendment also proposes to allow the Secretary of State to make an order that any maintained school could become selective, when requested to do so by the local authority or admission forum. I warmly support grammar schools that seek to extend their reach and their capacity by sponsoring other schools and increasing the number of pupils they teach. In the previous Parliament we changed the rules to give schools, including grammar schools, greater flexibility to expand to meet parental demand. As a result, there has been no fall in the proportion of young people in grammar schools under this Government.

Some of the amendments seek to challenge or alter our entire oversight and accountability framework. New clause 2 seeks to alter the accountability and mechanism of the appointment of regional schools commissioners by making them appointees of combined authorities or elected mayors, but the current regional schools commissioners model is working; they are well embedded in their regions and the lines of accountability are clear.

Mr Burrowes: Will the Minister respond to my request for an assurance that there will still be opportunities for continued collaboration and partnership? We heard about the good example of the London challenge, and the Liverpool challenge is coming soon. The Enfield challenge worked because the rapid recovery group involved the excellence that was on its doorstep to ensure that there was rapid improvement.

Mr Gibb: My hon. Friend makes a good point. We want schools to improve, including coasting schools, and we want them to use every method to do so. We want local authorities to use every tool in their toolkit to improve schools under their jurisdiction, and we will encourage and help them to do so. However, when they fail and schools go into special measures, time is up and it is time to take a new direction. If schools are academies, we encourage collaboration between them and maintained schools. We encourage collaboration between academy chains and other academy chains, and within multi-academy trusts.

This is an important Bill that takes our reform programme to the next level to tackle not just failing schools but coasting schools—the complacent schools

that for years believed they were doing well enough but in reality were failing to ensure that every child was reaching his or her full potential. If hon. Members have high expectations for every child in this country, I hope they will give the Government the flexibility we seek to take swift action to tackle failure and to address mediocrity. The amendments tabled by the Opposition would hinder that flexibility. I therefore ask Members to withdraw their amendments or, failing that, the House to reject them resoundingly.

Kevin Brennan: I note that the Minister did not respond to my intervention about amendment 11, tabled by the hon. Member for Altrincham and Sale West (Mr Brady), when I asked whether it is still the Government’s policy to permit further expansion of grammar schools. The Minister tried to hide that in the smokescreen of a discussion about the expansion of the current grammar school sector rather than whether the Government have changed their policy on allowing new grammar schools, which was the whole point of the amendment.

I beg to ask leave to withdraw the clause.

Clause, by leave, withdrawn.

New Clause 3

SCHOOLS CAUSING CONCERN: INVOLVEMENT OF PARENTS

“(1) The Education and Inspections Act 2006 is amended as follows:

(2) After section 59 insert—

“59A Duties of Secretary of State, local authorities, and proprietors to parents when a school is eligible for intervention

When a school is eligible for intervention, the Secretary of State, the local authority, school governing body and proprietor must exercise their functions with a view to involving parents of registered pupils in decisions relating to the school under this Part and the Academies Act 2010.”

(3) In section 59 (Meaning of “maintained school” and “eligible for intervention”)—

(a) in subsection (1) after (c) insert—

“(i) an Academy school”

(b) after subsection (2) insert—

“(3) In this Part, references to the governing body of an Academy school are to be read as references to the proprietor of an Academy school.

(4) If an Academy school is found to be eligible for intervention under this Part, then the school is to be treated as a maintained school for the purposes sections 63 to 69, and the governing body is the proprietor of the Academy school. For the avoidance of doubt, an intervention under sections 63 to 69 takes precedence over any provision of the Academy arrangements made between the Secretary of State and the proprietor.”

(5) In section 60 (Performance standards and safety warning notice) in subsection (6) at end insert—

“(e) the parents of registered pupils”

(5) In section 60A (Teachers’ pay and conditions warning notice) in subsection (6) at end insert—

“(c) the parents of registered pupils” .—(Kevin Brennan.)

This new clause requires parents be involved in decisions about the future of their children’s schools.

Brought up, and read the First time.

Question put, That the clause be read a Second time.

The House divided: Ayes 209, Noes 309.

Division No. 72]

[4.43 pm

AYES

Abrahams, Debbie
 Alexander, Heidi
 Ali, Rushanara
 Allen, Mr Graham
 Anderson, Mr David
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Barron, rh Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Blackman-Woods, Dr Roberta
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Cadbury, Ruth
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Champion, Sarah
 Chapman, Jenny
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 De Piero, Gloria
 Doughty, Stephen
 Dowd, Jim
 Dromey, Jack
 Dugher, Michael
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elliott, Tom
 Ellman, Mrs Louise
 Esterson, Bill
 Evans, Chris
 Fitzpatrick, Jim
 Ffello, Robert
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Gardiner, Barry
 Glass, Pat
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Haigh, Louise
 Hanson, rh Mr David
 Harman, rh Ms Harriet
 Harpham, Harry
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Mr Mark
 Hepburn, Mr Stephen
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hoey, Kate
 Hollern, Kate
 Hopkins, Kelvin
 Howarth, rh Mr George
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Irranca-Davies, Huw
 Jarvis, Dan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham
 Jones, Susan Elan
 Kane, Mike
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Khan, rh Sadiq
 Kinahan, Danny
 Kinnock, Stephen
 Kyle, Peter
 Lammy, rh Mr David
 Lavery, Ian
 Leslie, Chris
 Lewis, Clive
 Lewis, Mr Ivan
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 Mactaggart, rh Fiona
 Madders, Justin
 Malhotra, Seema
 Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonnell, John
 McFadden, rh Mr Pat
 McGinn, Conor

McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 Mearns, Ian
 Miliband, rh Edward
 Moon, Mrs Madeleine
 Morden, Jessica
 Morris, Grahame M.
 Mulholland, Greg
 Murray, Ian
 Nandy, Lisa
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Pound, Stephen
 Powell, Lucy
 Pugh, John
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Mr Jamie
 Reed, Mr Steve
 Rees, Christina
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Marie
 Ritchie, Ms Margaret
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Saville Roberts, Liz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Spellar, rh Mr John
 Stevens, Jo
 Stuart, rh Ms Gisela
 Tami, Mark
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Watson, Mr Tom
 West, Catherine
 Whitehead, Dr Alan
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Ms Rosie
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Ayes:
Bridget Phillipson and
Tom Blenkinsop

NOES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Barwell, Gavin
 Bebb, Guto
 Bellingham, Mr Henry
 Benyon, Richard
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Blackwood, Nicola
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Borwick, Victoria
 Bottomley, Sir Peter
 Bradley, Karen
 Brady, Mr Graham
 Brazier, Mr Julian
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burns, rh Sir Simon
 Burrows, Mr David
 Burt, rh Alistair
 Cairns, Alun
 Carmichael, Neil
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishty, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colville, Oliver
 Costa, Alberto
 Cox, Mr Geoffrey

Crabb, rh Stephen
 Crouch, Tracey
 Davies, Byron
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Dodds, rh Mr Nigel
 Donaldson, rh Mr Jeffrey M.
 Donelan, Michelle
 Double, Steve
 Dowden, Oliver
 Drummond, Mrs Flick
 Duncan Smith, rh Mr Iain
 Ellis, Michael
 Ellison, Jane
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evans, Mr Nigel
 Evennett, rh Mr David
 Fabricant, Michael
 Fallon, rh Michael
 Fernandes, Suella
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Gale, Sir Roger
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Gillan, rh Mrs Cheryl
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Grant, Mrs Helen
 Gray, Mr James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John

Heald, Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hermon, Lady
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Boris
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kirby, Simon
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew

Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas

Solloway, Amanda
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Swire, rh Mr Hugo
 Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 White, Chris
 Whittaker, Craig
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:

**Kris Hopkins and
 Jackie Doyle-Price**

Question accordingly negated.

Clause 13

LOCAL AUTHORITY ADOPTION FUNCTIONS: JOINT
 ARRANGEMENTS

Steve McCabe (Birmingham, Selly Oak) (Lab): I beg to move amendment 19, page 8, line 35, at end insert—

“(3A) The Secretary of State shall lay an annual report before Parliament on the use of the power to give directions under subsection (1), which shall include information on—

(a) how often directions were given;

- (b) the safeguards put in place to ensure that voluntary agencies were not adversely affected by actions of local authorities or agencies complying with directions given and an assessment of the impact of the actions and the effectiveness of the safeguards;
- (c) the impact of the directions on models of care other than adoption for children in the areas covered by the directions; and
- (d) the extent and adequacy of provisions that have been put in place to ensure that post-adoption support, including in respect of mental health, is available for the children and adoptive parents who have dealt with a local authority or agency carrying out the functions within subsection (3) on behalf of a local authority, following directions from the Secretary of State.”

This amendment would require the Secretary of State to lay an annual report before Parliament containing information about how she has exercised the power given to her in Clause 13 and the safeguards she has put in place to protect voluntary agencies, other models of care and the provision of post-adoption support.

In Committee, the Labour Opposition sought to persuade the Minister that it was wrong of the Secretary of State to take executive power that would lead to fundamental changes in the country’s adoption arrangements without further reference to Parliament. Indeed, we sought to persuade him that such power should be subject to parliamentary orders, rather than under the right to give directions conferred by the Bill. I accept that we were defeated on that argument in Committee, so today I want to focus on safeguards.

If the Secretary of State is given unfettered power to intervene in our adoption arrangements, it is surely right that she should report to Parliament annually on the way in which she has sought to exercise that power and on its impact. In particular, she should report on the impact on voluntary adoption agencies, the whole area of children in care and the question of support for adopted children and their parents, especially in relation to mental health issues, which a great many people and child welfare organisations consider a major cause of concern.

Sir Greg Knight (East Yorkshire) (Con): Is this proposal not unnecessarily bureaucratic? If something went seriously wrong, surely the facts would be in the public domain anyway.

5 pm

Steve McCabe: In my experience it is amazing how many facts do not get into the public domain and how many times it is Members of this House who question what happened and ask how a power was used. I am therefore not persuaded by the right hon. Gentleman’s argument.

The Minister said in Committee that it was his intention to change our adoption arrangements by consent and persuasion, and that the powers in the Bill were intended as a backstop to be used sparingly. If that is the case, an annual report to Parliament will not involve too many examples of their use and could hardly be regarded as onerous or unduly bureaucratic. Consequently, I hope that the Minister will have no difficulty in accepting the amendment.

An annual report is important because, although I accept the good intent of the Minister for Children and Families, Ministers and Secretaries of State come and go. The powers that we are granting today are extensive

and it is not right that Parliament should lose all control over a matter that affects such vulnerable young people. We are the people who should ensure that there are safeguards. We need to have confidence that the new adoption arrangements are fit for purpose and improve on the existing arrangements.

We can deduce that in cases where the Secretary of State uses the powers of direction, it will be because she has failed to achieve the consensus and the voluntary arrangements that the Minister says are his ambition. In those circumstances, is it not right that Parliament should know what happened and what persuaded the Secretary of State of the need to exercise her powers? An annual report would give parliamentarians access to that information.

We discussed the role of voluntary adoption agencies extensively in Committee. The Minister gave assurances that he wanted to protect such agencies and that he recognised their expertise, particularly in finding families for what are sometimes called “hard-to-place children”. That might mean children with disabilities or learning disabilities, or it might cover a situation where there are several siblings. For years, small, specialised voluntary adoption agencies in this country have pioneered that kind of work. I do not want new consortiums to be developed by local authorities to protect their interests if it leads to a squeeze on those small, influential agencies. That concern was raised by several witnesses who gave evidence to the Committee. We know that when adoption agencies were reorganised in Wales into five regional groupings, smaller voluntary agencies were the casualties.

The Minister was not able to tell us in Committee what steps he would take to protect the voluntary agencies. It is therefore important that we are able to see, in a report to Parliament, what has happened to the voluntary sector so that we can judge whether the Minister has taken adequate steps to safeguard that vital element of our adoption service. It is also reasonable that the report should comment on the effectiveness of the monitoring and inspection arrangements for any new adoption consortiums.

Bill Esterson (Sefton Central) (Lab): My hon. Friend makes a good point about the importance of protecting specialist services. My wife and I took advantage of one such excellent adoption agency when we adopted our children, so I speak from personal experience. What concerns me slightly is that if we wait for a report to see what has happened, it could be too late. How quickly does he envisage these proposals being implemented? How early would he want the report to be produced, so that it was not too late to protect the high-quality services to which he rightly refers?

Steve McCabe: I concede the danger that if I ask the Minister to report on the operation of the powers, we will only find out after the event what has happened if agencies have got into difficulty. Obviously, I would much prefer the Minister to come forward today with clearer proposals for the steps he will take to protect those agencies, but without some reporting mechanism, how will Parliament hold the Executive to account?

We heard from witnesses during the evidence session that there is concern about the way that contracts can be drawn up by larger local authorities, as that can have

an adverse impact on smaller, voluntary organisations. The British Association for Adoption and Fostering had been going for more than 70 years, but it collapsed during the parliamentary recess with the loss of about 50 jobs—a whole area of expertise wiped out because of the financial climate in some parts of the voluntary sector. The uncertainty created by these proposals is adding to that pressure, so it would be helpful if the Minister demonstrated that he recognised the dire circumstances that much of the voluntary sector is facing.

We must know in an annual report that if the Secretary of State exercises these powers, the expertise of voluntary agencies will not be lost for vulnerable children, that contract arrangements are fair and do not favour larger local authorities, and that they are subject to proper monitoring and inspection. Parliament has a right to such information.

One concern about the Bill is the focus on adoption to the exclusion of all other forms of childcare. In Committee, several Members mentioned special guardianship orders, long-term fostering and kinship care. Many people who work in childcare believe that the Government need to focus more on permanent arrangements, rather than appearing to favour one model of childcare over another.

Richard Burden (Birmingham, Northfield) (Lab): My hon. Friend mentioned special guardianship orders. I have written to the Minister about the case of Tracy Phillips in my constituency as that highlights the ambiguity in the way that SGOs are treated, affecting things such as child maintenance and so on, and how they fit into the child maintenance system. Could the report cover that, or is there some other way for the Minister and Government to tackle some of the ambiguities between SGOs and other adoption arrangements?

Steve McCabe: The Department published a report in August entitled “Impact of the Family Justice Reforms on Front-line Practice Phase Two: Special Guardianship Orders”. I also believe the Minister is planning a more extensive review of SGOs.

The Minister for Children and Families (Edward Timpson)
indicated assent.

Steve McCabe: There are two issues: first, there might be evidence that some local authorities are favouring SGOs in circumstances where they were not originally intended; and secondly, there are financial concerns, particularly for grandparents with SGOs. Local authorities have discretionary powers to provide financial support, but it is inevitably means-tested, meaning that some grandparents, having been persuaded by local authorities, sometimes on the basis of limited information, that SGOs are the best route to go down, and thinking they are doing the right thing by the child or children, could find themselves in dire financial circumstances, with the local authority all too happy to wash its hands of it all. As I said, a report in the summer was illuminating on this subject, and I believe the Minister is planning a further review. I hope he will say a bit more about this problem before the end of the day.

Bill Esterson: I am glad my hon. Friend has raised that point, and I saw the Minister nodding earlier. I have had cases drawn to my attention of kinship carers taking advantage of respite care using foster care, only to say, because of financial hardship, that they are not taking the children back into their family. Does this not highlight how important it is that the Minister address these issues of funding and support, and that adoption is not the only form of permanence addressed in the Bill?

Steve McCabe: I agree. I think it is a mistake to appear to favour one model of childcare over another and that the questions of finance and the use of SGOs need more attention.

We have seen that the courts believe it is the duty of social workers to explore all available options for permanence arrangements when placing children, and that adoption should be favoured only when it is clearly the best option and when it has been weighed against other possibilities. There is an understandable fear that if the Minister creates a new range of Rolls-Royce adoption consortia and we end up with a massive flow of resources to these agencies, adoption will inevitably acquire a new elevated status, especially among social workers and cash-strapped local authorities battling to find permanent solutions with ever-decreasing resources. That would be wrong. It would not be in the best interests of the child, it would fail to recognise the phenomenal success that other models of care can achieve, and it would amount to a form of social engineering that belongs more to a bygone era than to the present day. Parliament will have a right to know what impact the Bill is having on other forms of childcare, so it is only right and proper that there should be a routine report on it.

Perhaps more than anything else, what the House needs to know is that the Government’s measures succeed not only in speeding up adoption and preventing children from languishing in the care system, but in ensuring that the quality of the placements leads to long-term better outcomes for the children.

5.15 pm

I am full of admiration for foster parents and those who adopt children. It takes special people to take on children who have been damaged by early-life experiences and to nurture them to a stage when they are able to come to terms with the past, if not entirely put it behind them, and move on to make something of their lives. It is rarely an easy journey for those who take on that role. It will often mean tantrums, sometimes violence and other aggressive behaviour, sometimes criminality and often mental health problems.

Bill Esterson: At risk of drawing too much on my own experience, my hon. Friend has sadly described some of the things that my wife and I have come across, as I know have many other adoptive parents, foster carers and kinship carers. My hon. Friend started to talk about mental health services. Will he join me in making a plea to the Government to make a dramatic effort to improve the quality of mental health services for children and adolescents? The investment and the effort must be made to recruit and train the dedicated staff who are needed. Adoptive parents and foster

[*Bill Esterson*]

carers cannot on their own give children—who, as my hon. Friend says, are often damaged—the support and care that they require for their psychological development and other needs.

Steve McCabe: I am happy to make that plea, and I hope to say a little more about mental health before I conclude. I say in passing that I certainly welcome the decision of the new Leader of the Opposition to create a Cabinet health post specifically for mental health.

What we need to know is that the Government's ambitions are not just about speeding up adoptions and presenting us with tables showing an increase in numbers. We need to know that the extent of these problems has been properly appreciated and that the need for continuing support for these children and families is built into the fabric of any new adoption arrangements.

The National Society for the Prevention of Cruelty to Children wanted me to table a much broader amendment on children's mental health. Although I am extremely sympathetic to its ambitions, I concluded after discussion and advice that what we had in mind was probably too broad for the scope of the Bill. If you will allow me, Mr Speaker, it is worth taking a moment to share what it had in mind. The NSPCC asks the Minister to consider amending either the Children Act 1989 or the Adoption and Children Act 2002 by placing a duty on local authorities to ensure that a child receives a mental health assessment at the point they enter care, and to provide immediately the necessary support services to meet the identified needs of the child for as long as necessary, with regular monitoring of the child's ongoing need for mental health support.

I want to make it clear that I support counselling and proper intervention to address mental health issues as a key element of securing permanence in placements. It is good that the functions to be transferred under the Bill will include the provision of adoption support services, but what these children and their new adoptive parents need is a guarantee from the Government that the necessary support will be available. Having the right to assessment is not enough; what is needed is a right to the treatment, therapy and support identified by that assessment. It seems strange to me that children currently entering our care system are subject to a routine physical health check, but given the trauma that many of them have experienced prior to entering care are not automatically also given access to a mental health check.

If the Minister really wants to make a difference, he will give a commitment today to make it a requirement that all children entering the care system have access to a mental health assessment, and that any treatment, counselling, therapy or support recommended as a result of that assessment will be theirs as of right, and to include those requirements in any new adoption arrangements he makes with local authorities or other bodies.

Stephen McPartland (Stevenage) (Con): I have a lot of sympathy with the line that the hon. Gentleman is taking. From talking to a number of my constituents, I am concerned that meeting organisations six or seven times a week is seen as support, whereas adoptive families need actual, real support.

Steve McCabe: First, I hope the Minister can see that there is a degree of cross-party consent on this point. I certainly agree that what people want is real, practical help. I meet plenty of foster parents and adoptive parents who say they have begged for help and real support. We do not need anything that falls short of that.

There should be a duty on agencies to focus on the mental health needs of these children, and to ensure that their adoptive parents get the real support they need so they are equipped to cope with the enormous responsibilities they take on.

I have some doubts about the proposed legislation: the focus on adoption, perhaps at the expense of other models of care; the risk that smaller voluntary agencies, which are a vital feature of our current adoption arrangements, might find themselves cast adrift by a large, local authority-driven regional consortium; and an anxiety that the monitoring and inspection arrangements might not be all that they need to be. I have a burning sense that the energy being put into the structures should be matched by efforts to address the children's support and mental health needs.

I hope that for today's purposes the Minister will feel that he can accept our amendment as a guarantee of the Government's good faith that they intend to keep Parliament in touch with the developments and changes arising from the Bill. I hope that, in the not too distant future, the Minister will return to the Dispatch Box with proposals to strengthen overall permanence arrangements for children in care and to tackle the legacy of mental health neglect which often persists for children even after intervention by the state in the form of care proceedings.

I do not doubt the sincerity or decency of the current Minister for Children and Families. I hope his adoption proposals succeed, but I hope he will make renewed efforts to address the concerns that I, and other hon. Members, have raised today. I hope he will find himself able to accept that this straightforward and helpful amendment is designed to strengthen the Bill.

Bill Esterson: May I say how much I agree with what my hon. Friend said, particularly at the end of his speech? I want to see better outcomes for adopted children and I hope the provisions in the Bill will help to achieve that—it is important to say that. As we discussed in Committee, the overall approach to permanence in improving the life outcomes of children, whether they are adopted or in other forms of permanence, must be addressed. I share my hon. Friend's desire to see the Minister back at the Dispatch Box as soon as possible, proposing improvements in permanence in foster care, kinship care, special guardianship arrangements and residential children's care, which, as the Education Committee pointed out in its report last Session, has been a cause of particular concern.

Not the least of the issues that the Minister should address is the desperate need for an improvement in child and adolescent mental health services, which the Leader of the Opposition raised at Prime Minister's Question Time. CAMHS provides vital services. I agree with my hon. Friend the Member for Birmingham, Selly Oak that the psychological needs of children entering the care system should be assessed and supported every bit as much as their physical needs. I was heartened by what the Prime Minister said today about the importance

of addressing people's mental health needs as much as their physical needs, and I hope that that will be the Government's direction of travel in health policy generally.

Mr Burrowes: I am sure that the hon. Gentleman is also concerned about outcomes, particularly in relation to mental health. Is not time one of the key problems? The fact is that 3,000 children are waiting to be matched with parents, and half of them have been in care for more than 18 months. The time factor is having a severe impact on their mental health, which the Bill seeks to address.

Bill Esterson: That is an important point. The delay in a child's being placed permanently, whether through fostering, adoption or any other form of permanence, can certainly contribute to psychological damage, which can be characterised as neglect or in other ways. An improvement in the speed of decision making is essential. We debated that in some detail in Committee. One cause for concern is the problem of delays in the court system, and in the making of decisions on whether or not children should stay with their birth families. I think that professionals, along with the courts, should decide as quickly as possible whether children should stay with their birth families or move into other forms of permanence. The children's long-term needs must always take priority.

I hope that, as a result of the Bill, the shortage of adoptive parents and the difficulty of recruiting them will be addressed. Perhaps that could be included in the report to which the amendment refers. Perhaps the report could include information about how well the agencies that are envisaged are doing in recruiting in general terms, and also about what has happened to children who have been to some of the specialist smaller agencies that were mentioned by my hon. Friend.

It is evident that unless prospective adopters come forward, very little can be done about adoption, and I hope that that will be one of the outcomes of the Government's proposals. Approaches such as concurrent planning and fostering to adopt have succeeded in improving outcomes for children who end up in the care system. However, a danger arises from the fact that adoption has been given so much prominence in this Bill—it is the only form of permanence addressed in the Bill. This concern is reinforced by steps such as the closure of the British Association for Adoption and Fostering and the loss of jobs in the sector, as well as the hard times faced by the voluntary agencies and by local authorities due to the financial constraints they face. We run the risk of moving in the wrong direction and jeopardising having the support in place through a well-trained workforce, and having the right numbers of adopters and foster carers coming forward to look after children who end up in care and who need the stability and long-term support that should be available to them.

5.30 pm

We should bear in mind the numbers of looked-after children who end up in the criminal justice system. If we go into any of our prisons and ask about that, we will find that very high numbers of prisoners were in care as children. Because they have been left down earlier in life, they end up unable to cope with society and turn to crime and end up in prison. It is a very

expensive outcome for society as well as for them personally. It is therefore in all our interests to invest early and to try to solve these problems.

Anything that can be done early helps. Investment in mental health services for children and young people is particularly important, and the Government's comments on that have been encouraging. The all-party group on looked-after children and care leavers—the hon. Member for Enfield, Southgate (Mr Burrowes) is a qualifying member as he came to the inaugural meeting, for which I thank him—has looked in previous Sessions at issues around mental health care, in particular for children and young people in care. No doubt it will do so again, and I hope the Minister will be able to attend an early meeting of that group once it is up and running again, to talk about this Bill as well as other proposals that he might be bringing forward on other forms of permanence.

I would be grateful if the Minister would address in his speech today some of the issues around the workforce, the recruitment of adoptive and foster carers, and support for the profession and the voluntary sector, making sure that the specialisms are retained—a point picked up in the amendment of my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe).

I think there is overwhelming support across all the parties to see success in providing permanence for children who end up in the care system. There are opportunities to make a difference for children who end up being adopted, but I remind the Minister that those children for whom adoption is the right form of permanence are only a small proportion of the children who end up in the care system. We must remember that and make sure we look after all the children who end up in care and do not contribute to a widespread perception that adoption is the gold standard and other forms of permanence are not. We must invest in and support all forms of permanence. I hope the Minister will do that both in the remaining stages of this Bill and in what he does over the coming weeks, months and years.

Edward Timpson: I am grateful to the hon. Members for Birmingham, Selly Oak (Steve McCabe) and for Cardiff West (Kevin Brennan) for tabling their amendment, and for the other informative and constructive contributions from other hon. Members across the House. The amendment raises the important issue of ensuring that the power given to the Secretary of State in clause 13 is used in a transparent way and takes into account the impact of any action on voluntary adoption agencies, other models of care and the provision of post-adoption support by requiring an annual report to be laid before Parliament. I am pleased that the Secretary of State is in the Chamber to hear the views being expressed on this aspect of the Bill.

It is important to state at the outset that I appreciate the intentions behind the amendment. I agree that we need to be clear about how the power is used and the impact that it has. I can assure hon. Members that the process will be open and fair and that decisions will be transparent. I see that as the main thrust of the amendment, which hon. Members have drawn out during the debate. Be that as it may, the laying of an annual report before Parliament on the use of this power would, in our view, be disproportionate, and I shall explain why we take that view.

Mr Burrowes: I should like to take this opportunity to congratulate the Minister on leading the charge towards increasing the number of children who have permanent homes. The record increase in the past year provides the best evidence that we are a party and a Government that support families. In regard to the move towards regional adoption agencies, can he assure me that there will not be a one-size-fits-all approach, and that there will be flexibility in the system? For example, in the borough of Enfield, will there be a cross-over into Hertfordshire as well as into the London boroughs? We need to achieve the necessary efficiencies, but we must also act in the best interests of the children.

Edward Timpson: I am grateful to my hon. Friend for his support, not only for the Bill but for the work that we have been doing in government to improve the adoption system. I can assure him that we will go on to talk about those matters in more detail. This is very much a bottom-up approach to the development of regional adoption agencies. It has purposely been designed to ensure that it has the flexibility that he mentioned, so that local authorities across regions, working closely with voluntary adoption agencies, can come up with the solutions that work best in their areas, based on their collective expertise. Even in the early stages of the process, that is already happening.

Before I set out the reasons why we do not accept the amendment, I want to address the specific issues that have been raised in the debate. At the heart of this has been the way in which adoption fits into the wider routes to permanence for children in the care system. Reforming the adoption system is a key Government priority, but adoption is clearly a solution for only a small group of children who cannot be looked after by their own parents, as the hon. Member for Sefton Central (Bill Esterson) reminded us. That is why, in parallel to improving the adoption system, we have taken—and are determined to continue to take—action in relation to other placement types as well.

The reason that the measures in the Bill refer only to adoption is that the adoption system operates on such a geographical scale that the kind of rationalisation envisaged here makes sense. However, if local authorities want to bring together other permanent services voluntarily, they have the freedom to do so. We are also taking action to improve the outcomes of children who have already left the care system. In the last Parliament, we took many steps to improve the support for children in care, including providing funding of nearly £100 million through the pupil premium plus, allowing targeted individual support to be provided for children in care in schools, introducing a new duty on local authorities to appoint a virtual school head, strengthening quality standards in residential settings to make them safer places for children and young people, and launching a cross-Government strategy for care leavers in 2013.

Bill Esterson: The Minister mentioned the pupil premium plus. I commend him for that, because it has been a very successful initiative in schools, providing support for individual children in care and for former children in care—so adopted children qualify, too. To come back to the point I was making, the problem has been that we do not have the mental health professionals and qualified child psychologists to do the work that is needed in the timely fashion or to the level that is needed—that goes

back to the point made by the hon. Member for Stevenage (Stephen McPartland). That is why we need to recruit and train the qualified professionals in those sectors, so that we can make the most of that investment.

Edward Timpson: The hon. Gentleman makes a fair observation, and I will come on to talk a little more about the need to improve mental health services. The Prime Minister was clear that that was a key Government programme of work that will be taken on over the next five years. To ensure that children are receiving the right type of support when they need it, we need good decision making, good planning for them and an integration of those services around them—that is one of the roles the virtual school head has. This is also why we have embarked on an ambitious programme of reform to social work, making sure that those involved have the key knowledge, skills and practice-based learning to ensure that they are making the good decisions that lead to better placements and better outcomes.

To improve practice where the best permanence option is to remain as a looked-after child, we have also amended regulations in April to introduce long-term foster care as a distinct placement type for the first time. As someone who comes from a family who fostered both short term and long term, I think this is a very welcome step, which gives children who find themselves often for a large part of their childhood in the same placement a sense of family and stability. Together, we have made revisions to the wider statutory framework to ensure that those decisions are made very much in the best interests of those children. I could say much more if more time were available, but a lot of work has been done and will continue to be done in government to ensure that whatever the right permanency placement is for a child from the care system, we have the best system, the best people and the best accountability in place, so that they have the best possible start in life.

The issue of the crossover of adoption into special guardianship orders was raised by the hon. Member for Birmingham, Northfield (Richard Burden). He highlighted a case from his constituency, which he has previously raised with me. It is right to say, in response to the hon. Member for Birmingham, Selly Oak, that we have launched a public review of the legislative and practice framework underpinning special guardianships. It is now a decade since they were introduced by the last Labour Government, and it is time for us to have a close and proper look at the consequences of their introduction. For instance, we have seen a sharp increase, of 64%, in the use of SGOs for children under the age of one, which is not what was originally intended or envisaged when the legislation was introduced. We have also seen, through the court judgments of *Re B* and *Re B-S*, SGOs often now being regarded as a default option when considering a child's long-term future. We also have a disparity in respect of the level of assessment that there is of the potential placement for a child in a special guardianship placement, as opposed to adoption. This review is up and running, and is currently out for consultation. The hon. Member for Birmingham, Northfield may wish to know that he has until this Friday to make any comments to that consultation. We will be working carefully with the expert group that we have set up to make sure that, whether in relation to the decision around an SGO or the subsequent support, we make improvements from where we first started.

Richard Burden: Will the Minister ensure that he discusses this matter with his colleagues in the Department for Work and Pensions, particularly in respect of child maintenance? He will know that the case I raised with him involved two grandparents who ended up getting an SGO but then split up. The grandparent who left ended up with no maintenance responsibility for the child, which he would have had if this had been an adoption. There are arguments on both sides there, but this needs to be sorted out, because the reality in that case is that one grandparent is left with a child with very few means of support. That is clearly something that needs to be sorted out.

Edward Timpson: We are engaging Government Departments right across Whitehall to ensure that the implications of SGOs are being properly considered. In the scenario that has just been set out, we will need to consider whether we understand fully the consequences of these types of orders being made, and I will ensure that that is communicated to the relevant Minister in the Department for Work and Pensions and that it is looked at by officials in both Departments as part of the review.

5.45 pm

We heard a number of contributions on the importance of tackling mental health for children who are adopted and for those from the care system. Clearly, as we see in the parity of esteem in the NHS constitution, that matter has become a much more important and high-profile aspect of the work that needs to be carried out by health providers.

In relation to mental health services for adopted children and children in care, we issued updated guidance in March on promoting the health and wellbeing of children in care, and that emphasised the importance of mental health alongside physical and emotional health. We have also commissioned NICE to produce guidelines on attachment in children, which is often at the core of their inability to find a placement where they feel comfortable. Those guidelines, which will cover both children in care and adopted children, will be published in the autumn.

The children and young people's mental health and wellbeing taskforce met between September 2014 and March 2015. It had a specific task and finish group on vulnerable children, which included looked-after children and adopted children. It looked at how we can best focus services around their needs. On the back of that taskforce, the Government reported, through the Future in Mind report on 17 March, how we can work locally to transform plans that have a clear focus on the needs of vulnerable children when delivering mental health services. We are also working closely with the Department of Health and key organisations to develop detailed plans on how best to implement that vision. My Department is hosting a meeting next month with experts from health, local government and the voluntary sector to consider how to improve mental health support for adopted children.

There is no doubt that, right across this House, there is a palpable feeling that more needs to be done. We have finally made it an issue that has risen to the top of many of our agendas. We need to capture that moment, use the money that has been committed to child and

adolescent mental health services by this Government and ensure that we deliver the types of services for these very vulnerable children at the time that they need them so that the fall-out that we too often see in their lives can be prevented.

Bill Esterson: Will the Minister give way?

Edward Timpson: Very briefly, because I wish to move on to the main thrust of my response.

Bill Esterson: I am grateful to the Minister for giving way. One of the issues that I have raised is the evidence of the prevalence of foetal alcohol spectrum disorders and the very high numbers of looked-after children and adopted children who appear to have that condition. Will he ensure that awareness and support for those caring for those children is part of what he has been talking about?

Edward Timpson: An essential element of all of this work is that anyone who takes on a child who has had trauma in their early life understands what it is. I am talking about not just its presentation but its causes. As part of that, we need to look at foetal alcohol syndrome, and I commend the hon. Gentleman for the work that he and his new all-party group are doing to raise awareness of that issue. I am happy to engage with him on that matter as I indicated in Committee.

As I set out in Committee, the current adoption system is highly fragmented, with around 180 agencies recruiting and matching adopters for only 5,000 children per year. We do not believe that such a localised system can give the best service for some of our most vulnerable children. As well as being inefficient in scale, it also too often leads to ineffective practice across the system. The introduction of regional adoption agencies will help to address those issues in several ways.

The first way is through matching. It still takes an average of eight months between placement order and match. We know that delays are often caused by an unwillingness to seek a family outside a local authority's own group of approved adopters. That is simply not good enough. No child should suffer the lasting harm that we know delays cause because the local authority refuses to look elsewhere for a match. That is why we are making £30 million available to pay the inter-agency fee over 12 months for particular groups of children. That will help to ensure that they are matched quickly in the short term while regional adoption agencies improve things in the long term. Successful matching relies on being able to access a wide range of potential adopters from the very beginning, and regionalising adoption would give adoption workers that choice.

The second way is through recruitment. Although we have adopters approved and waiting to be matched, we have too few who are willing and able to adopt harder to place children, which means certain groups of children wait significantly longer than others to find adoptive families. For example, as at 31 March 2014, disabled children were waiting 7.6 months longer than the average child. The current system is not serving those children well enough, and we cannot just accept that as it is. Regional adoption agencies would be able to take account of the needs of a larger number of children when planning a regional recruitment strategy. Recruitment

[*Edward Timpson*]

could therefore be better targeted, leading to the right adopters being approved and fewer children having to wait.

The third way is through adoption support. In too many cases the specialist support that many adopted children so desperately need, including mental health services, has simply not been available. In many areas, the number of adopted children is so small that local authorities are unable to ensure that the right provision is available. Regional adoption agencies will assess more children's needs and give them a greater understanding of what should be commissioned. Commissioning at a regional scale will allow providers to expand their services, provide better value for money for the taxpayer and help ensure that all adoptive families receive a consistently high quality of assessment and provision. That will build on the adoption support fund that we have set up, which is now running, to the tune of £19.3 million. It is vital that adopted children receive the therapeutic and mental health services they need, which is why we have made that significant investment. Since May it has helped more than 1,400 families and spent £5 million, and all but 10 local authorities have already made a bid to the fund, which demonstrates how essential it is for those children.

I would like to set out what work has already been done to help achieve that regional approach. We want to support and work with local authorities and voluntary adoption agencies to help deliver regional adoption agencies. That is why we are providing £4.5 million of funding this year to support early adopters to accelerate their development and early implementation. I am pleased to tell the House that we have already received 30 expressions of interest for that support, covering every region of the country.

I would also like to assure hon. Members that through this process we are carefully considering the impact that moving to regional adoption agencies will have on voluntary adoption agencies, other models of care and the provision of support, which the hon. Member for Birmingham, Selly Oak rightly raised in his contribution. It is worth noting that voluntary adoption agencies are formally or informally involved with consortia across all regions already. We have been very clear that proposals need to look at how links with other children's services can be maintained and how support functions will be carried out.

We have also been clear that voluntary adoption agencies have an important role to play. In our paper "Regionalising Adoption" we set out that we are particularly keen to consider models that bring together the best of the voluntary and statutory sectors. Proposals for regional adoption agencies that include voluntary adoption agencies will be looked on favourably, even for those that do not see partnership with local authorities as an option for them. The service they provide in recruiting adopters, particularly for some of the most vulnerable and complex children, will still be much needed by the new regional adoption agencies. That is built on our knowledge of the enormous expertise, service quality and excellent outcomes that voluntary adoption agencies have a record of delivering, as well as our desire and determination to ensure that the move to regional adoption agencies

does not adversely impact on them. We will continue to monitor that closely as regional adoption agencies take shape.

Our intention is that, as far as possible, the sector will move to regional adoption agencies by itself. As I said in Committee, this power is simply a backstop measure for those agencies that do not rise to the challenge, as well as allowing the Secretary of State to direct local authorities to have a particular function carried out on their behalf by a voluntary adoption agency if an individual council or regional adoption agency is not doing so effectively.

We are confident that the majority of local authorities will seize this opportunity to deliver their services in new and exciting ways. I am pleased to see how the sector has already responded to the move to regional adoption agencies. The Association of Directors of Children's Services sees this as a sensible development and Carol Homden, chief executive of Coram, stated in her oral evidence that the Bill will help children regarded as harder to place. The move to regional adoption agencies involves real potential to improve the life chances of some of our most vulnerable children, and I believe the majority of those working in adoption will make this a reality.

As I set out earlier, we have already had 30 expressions of interest for the support available this year. It is hugely encouraging that these bids cover all regions and the majority of them involve a voluntary adoption agency. Each expression of interest is currently being fully assessed and funding decisions will be made by the end of the month. It is also important to note that prior to this programme, we had already seen the emergence of some new delivery models for adoption and some growth of consortia and regional collaboration. For example, Wokingham Borough Council, Bracknell Forest Council, West Berkshire Council and the Royal Borough of Windsor and Maidenhead have launched a combined adoption service, known as Adopt Berkshire.

This is a move that is already seen as beneficial and we will build on this impressive momentum. Therefore, as noted by Sir Martin Narey in his oral evidence, we expect to use this power rarely, if at all. I can reassure the hon. Member for Birmingham, Selly Oak that if the power is required, the decision to use it will be made following extensive and detailed discussions with the agencies involved. These discussions will cover a range of areas, including the role of voluntary adoption agencies, the provision of support and the link with other care options. In addition, I listened carefully to the suggestions made by the hon. Gentleman in Committee, and before making any final decision we will write to any relevant local authority seeking its views and requesting supporting evidence. I can therefore reassure the House that all those involved will have a chance to comment on the proposal before a final decision is taken.

There is no requirement for the Secretary of State to lay an annual report before Parliament about directions issued to local authorities when the direction, as here, is to arrange for another body to exercise a wide range of functions on behalf of the local authority. As such, a more proportionate approach than laying an annual report before Parliament is to discuss directly the use of the power and its impact with those charged with delivering adoption services. We will work with both individual agencies and through the Adoption Leadership

Board and regional adoption boards to ensure the effectiveness of this joined-up approach. As a consequence, I hope the hon. Member for Birmingham, Selly Oak will withdraw the amendment.

This has been a good and helpful debate which has drawn out some of the issues that surround adoption, not just what is in the Bill. I will endeavour, of course, to continue to work hard for all children in care, whatever their route to adult life happens to be. This is an important step in making sure that adoption and the adoption services function better, more quickly and in the best interests of every child for whom it is the right future.

Steve McCabe: I am sure we will return to many of these issues in the days and months ahead. For the time being, as a sign of my good faith, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Third Reading

5.59 pm

The Secretary of State for Education (Nicky Morgan): I beg to move, That the Bill be now read the Third time.

First, let me welcome the new shadow Secretary of State, the hon. Member for Manchester Central (Lucy Powell), to her position. I hope she has now had that face-to-face conversation with the leader of her party about her party's policies. I was intrigued to discover on reading her biography that she and I share the same birthday. I was less happy to discover that she is two years younger than me. All I can say to her about those two years is that I hope she accrues grey hairs at a slower rate than I have done.

I pay tribute to the hon. Lady's predecessor, the hon. Member for Stoke-on-Trent Central (Tristram Hunt), who is in his place. It might be fair to say that he and I did not always see eye to eye on everything, not least because he is several inches taller than me. It is also fair to say, however, that we shared a belief in the life-transforming power of a great education and a desire to give every child the best start in life. While he will be a loss to the Opposition Front Bench, he is, as we have already heard today, not one to shy away from offering his opinions on education in the months and years ahead. *[Interruption.]* I warn shadow Front Benchers that he has just promised to do so on a range of issues, so I shall leave it to them to debate what that might mean.

Nothing better demonstrates this Government's commitment to delivering real social justice than our approach to education. This Bill has one central principle at its heart: that every child deserves an excellent education; an education that opens their minds and allows them to unlock every ounce of their potential. The Bill makes it clear that we are not only intolerant of failure where it occurs but will not settle for mediocrity either. It is the next step of our ambitious reform programme, started under Andrew Adonis and new Labour, who recognised that the most effective method of transforming failing schools is to put in place strong leadership and to give those leaders the freedom to turn a school around. That programme was turbo-charged in the last Parliament, based on the knowledge that heads and teachers—I should include governors too—know best how to run

their schools, not bureaucrats wedded to a one-size-fits-all approach. As a result, 5,000 schools are now benefiting from the freedom to tailor the education they provide to the young people they serve.

These reforms, along with the significant changes that we have made to raise standards, restore rigour to the curriculum and improve the quality of teaching—all issues that have been debated during the passage of the Bill in this Chamber and in Committee—are delivering strong results. The number of young people leaving primary school unable to read, write and add up properly has fallen from one in three under the previous Labour Government to one in five today. The gap between disadvantaged pupils and their peers is closing. The percentage of 16 to 18-year-olds not in education, employment or training has fallen to 7.3%—the lowest figure since records began. A million more pupils are in schools rated good or outstanding by Ofsted, and that is a million more pupils getting a better start in life. But none of this should give us cause to stand still. Our work will not be complete until every school in every part of the country is providing its pupils with an excellent education. This is the vision that lies at the heart of this Government's one nation agenda.

That is in stark contrast to what we now hear from the Opposition Benches, where we see a Labour party that has turned its back on the cause of education reform and instead wants to return to the failed approaches of the past. Rather than trusting teachers and heads, the new old Labour party would seize power back for bureaucrats and politicians, denying parents choice, condemning schools to languish in failure, and trampling on the life chances of our most disadvantaged young people. It seems that whereas innovation, creativity and progress were the watchwords of the Adonis reforms, in today's Labour party they are taboo. I sincerely hope that Labour Members will prove me wrong by joining us in the Lobby in support of this Bill, but I do not hold my breath.

As the Labour party has turned its back on the aspirations of parents and children, we will be their champion, ensuring that every family has the security that a good education brings, and that is exactly what the Bill will do by delivering on our manifesto commitment to turn every failing school into an academy. As we have heard, the measures will ensure that failing schools receive the support and challenge they need to improve from day one. It will remove the bureaucratic legal hurdles so often exploited by those with ideological objections to school freedoms, which have meant that pupils typically have to spend over a year in a failing school before academy conversion takes place.

This is not about waving a magic wand to change the name and structure of a school and assuming that improvement will inevitably follow. Instead, it is about recognising strong leaders who, with the support of expert sponsors, are best placed to bring about the changes their schools need.

The Bill goes further than simply addressing failure; it tackles inadequate progress too, making it plain that simply treading water is not an option and that just good enough is not enough for anyone's child. The Bill introduces new measures that will allow us to target coasting schools—schools that are achieving results that clear the floor but that are not enabling every child to make the progress of which they are

[Nicky Morgan]

capable, and schools that are failing to stretch the most able or to adequately support those who are struggling.

Coasting schools will be put on immediate notice to produce an action plan for improvement, with local regional schools commissioners deciding what support is needed to turn those schools around. Let me be clear that, as the Minister for Schools said earlier, not all coasting schools will be required to become academies. Some might have the capacity to improve on their own, and for others the short-term support of a national leader of education might be required, but we think it is absolutely right that when a school is not consistently ensuring children reach their potential—whether it is in the inner city, a coastal town or a leafy suburb—we should have the power to intervene.

The Bill is also concerned with improving the adoption system so that some of our most vulnerable children find loving homes as quickly as possible. The current adoption system is highly fragmented with about 180 agencies recruiting and matching adopters for only 5,000 children a year. Such a localised system does not give the best service for those children. It currently takes an average of eight months between placement order and match and that is too long for any child to wait. The adoption measures in the Bill will help speed that up by supporting the introduction of regional adoption agencies. We are committed to supporting the sector to deliver regional adoption agencies voluntarily in the first instance. That is why we are providing £4.5 million of support this year for councils that lead the way in regional adoption agencies.

Before I conclude, let me thank all Members on both sides of the House who served on the Public Bill Committee and all those who provided oral and written evidence. It is also only right and proper for me to pay tribute to the Minister for Schools and the Minister for Children and Families for skilfully steering the Bill through this House. I also thank my Parliamentary Private Secretary, my hon. Friend the Member for Worcester (Mr Walker), and the Committee's Whip, my hon. Friend the Member for Stourbridge (Margot James), as well as officials in the Department and here in the House for their support.

The education that young people receive will determine the course of the rest of their life. It has the power to be a great life transformer, to unlock hidden gifts and to develop unique talents. Getting that right is fundamental because for most young people this is the one chance they will get. Everything in the Bill has been written with that simple truth in mind. It is about tackling failure, being intolerant of mediocrity, and speeding up the transition to a loving home. Simply put, it is about giving every child the best start in life. I ask hon. Members to support it tonight.

3.9 pm

Lucy Powell (Manchester Central) (Lab/Co-op): I thank the Secretary of State for her kind words of welcome. It is a pleasure to be the new shadow Secretary of State for Education, a role that I am passionate about. I am sure that she will agree that Secretary of State for Education is one of the great offices of state,

and it is great to see two women in these roles today. I was, however, less comfortable with one aspect of being offered this job. Unfortunately, given that I am an October-born, bossy politician who studied chemistry at Somerville, the parallels between Margaret Thatcher and me take another step forward. I very much hope that that is as far as they go.

I pay tribute to my predecessor, my hon. Friend the Member for Stoke-on-Trent Central (Tristram Hunt). He has been a passionate campaigner for education and it is an honour to follow in his footsteps. I also pay tribute to my hon. Friends the Members for Cardiff West (Kevin Brennan) and for Birmingham, Selly Oak (Steve McCabe) for all their hard work on the Bill, and to my hon. Friend the Member for Hyndburn (Graham Jones), who has served as the Whip on the Bill and who, I am sad to say, will leave the Whips Office after today. I also thank the many colleagues who served on the Committee and contributed to the debate.

For me, education is personal as well as political. With children at secondary, primary and nursery school, I see at first hand the immense value of an excellent education. It truly is the best investment any country can make. Coming from a family of teachers and headteachers, I have the highest regard for all those in education, who do amazing jobs, often in challenging circumstances.

Education is our route to a successful, rich, vibrant, tolerant and inclusive society and economy, but with globalisation, the digital age, emerging economies with high skills and a shrinking number of low-skilled jobs, we need to ensure that we continue to meet the needs of the next generation.

Labour is committed to excellence in state education, to raising aspirations for all children and to continued increases in standards. We also want an accountable system with strong local oversight, collaboration and support. That should apply equally to all schools, whether or not they are an academy, free school or local authority school. We cannot support this Bill, because it does nothing to meet those challenges and it takes school oversight, parental involvement and support for headteachers backwards. Yet again, the Government seem to want to apply these measures only to local authority schools instead of addressing failure across the system.

The sponsored academy programme of the last Labour Government brought new resources, leadership, partnerships and higher standards to some of the most disadvantaged schools and it was very successful. However, what we have seen from this Government is the wholesale academisation of schools, with little evidence to show that that in and of itself raises standards. Indeed, Ofsted has raised concerns that the academisation of schools can often be a detrimental distraction for school leaders when they could be focusing on other interventions. What is more, the Bill fails to address the very real concerns about whether the Secretary of State is best placed to offer the oversight and support that the majority of schools require, and it does nothing to address failure in academies or academy chains. No parent wants their child to be in a failing, inadequate or coasting school. We should all be intolerant of failure in our school system, but I am far from being convinced that the Bill's measures will deal with those issues.

As my hon. Friend the Member for Birmingham, Selly Oak has said, we support many of the Bill's adoption measures, although we have raised concerns about the threat to specialised adoption agencies.

I shall focus the remainder of my remarks on the schools element of the Bill, which has a number of serious flaws. As my hon. Friend the Member for Cardiff West has said, the very narrow definition of coasting schools, which is purely a data exercise, is flawed. It gives no recourse to other information from Ofsted or elsewhere. It could also have serious unintended consequences.

Children not achieving their potential or not being stretched, which may lead one to think that the school is coasting, has long been an issue, but the Bill's crude measure will potentially exclude many schools that require intervention and include some that do not. That is a major flaw. It also sets up a parallel judgment of schools outside, and often in competition with, the Ofsted framework.

The Bill also fails to devolve powers of oversight and intervention from the Secretary of State; indeed, it concentrates further powers into her hands. Regional schools commissioners are nowhere near an adequate response to that growing problem, which is widely recognised. Although devolution is rightly the agenda of so much public policy, education is going in exactly the opposite direction under this Government and with this Bill.

Another of the Bill's failings is the exclusion of academy schools and academy chains from required interventions. Many examples have been given, especially by my hon. Friend the Member for Sheffield, Heeley (Louise Haigh). The Bill deals only with local authority maintained schools. There is no parallel requirement on the Secretary of State to take equivalent action against a failing academy.

The Bill's focus on forced academisation is only justified if the evidence supporting academy status as a path to improvement is overwhelming and unchallenged. In fact, there is no such evidence. The Tory majority on the Education Committee was unable to find any convincing evidence that academy status itself led to school improvement, but the Secretary of State continues to maintain that, rather than a useful targeted intervention in appropriate circumstances, academy status is the single magic bullet that will lead to improvement. We all know that it is much more complex than that, and the Bill does nothing to strengthen and speed up other interventions that we know work.

The views of local stakeholders, particularly those of parents, will be completely removed by the Bill. That is the wrong direction of travel, and we cannot support it. It also fails to address major challenges in our education system, such as the growing teacher shortage as recruitment and retention collapses, and it does nothing to solve the crisis in school places.

The Government should develop policy based on evidence and proper analysis. When using individual examples, I am always mindful of the fact that we can all find those that make our point one way or another. On reading the Secretary of State's speech on Second Reading, I noticed that she gave two or three examples of school improvement to justify the Bill. One such case, that of the Manchester Enterprise academy, stuck

out for me because I know that school well and, dare I say, better than the Secretary of State. She cited the school as a clear demonstration of why academising a failing school works, but the situation is much more complex. I do not want to politicise the school, but it is important further to draw out what is happening there because it highlights all the issues we are debating.

First, given the Secretary of State's clear belief that local authorities cannot be part of the solution in supporting and turning round poor schools, I was surprised that she chose a school whose sponsor is none other than the local authority, in partnership with Manchester airport. The city council has had a great deal to do with the recent success of the school, as indeed it has with all schools across Manchester, in which standards have risen significantly in recent years. She and her Government seem to think that local authorities can never be part of school improvement, but I beg to differ—as her own example shows.

Mike Kane (Wythenshawe and Sale East) (Lab): I, too, welcome my hon. Friend to her new position at the Dispatch Box. The school she mentions is in my constituency. It was academised under the previous Labour Government, sponsored by Manchester City Council—a Labour council—as well as Manchester airport and the local Wythenshawe community housing group. It has been transformed under the leadership of James Eldon. The Secretary of State spoke about the Manchester Enterprise academy on Second Reading, so I challenge her to come and see how a local authority has got to grips with turning around such a school.

Lucy Powell: My hon. Friend is absolutely right to highlight such issues, particularly the important role played by the city council. Manchester is at the vanguard of the right hon. Lady's Government's programme for devolution. Indeed, some might argue that the leaders of Greater Manchester are closer in outlook to the Chancellor than she is. Why is she not part of that agenda? Instead she is taking education in the opposite direction.

Secondly, had the Secretary of State looked further into the history of the Manchester Enterprise academy, she would have found out what any local representative, such as my hon. Friend, or education professional in the city could have told her—that it took many years after academisation for the school to be turned around. There were leadership changes, financial problems and low attainment for many years after it became an academy. It was not academisation in and of itself that improved the school, but a range of interventions, many of which have been more recent than its academisation.

Thirdly, as the Secretary of State cited this example on Second Reading, I wonder whether she is aware of the school's results this year. Through no fault of its own—indeed, the school continues to go from strength to strength—its GCSE results this year dropped by 9%. As she may be aware, as in many deprived and challenging parts of the country, the new system of comparative results means that no matter how hard the school works and how excellent the teaching is, results can fall as grade boundaries change, making the gap impossible to close. That comparative results system, with its constantly changing grade boundaries, may result in excellent schools, such as the Manchester Enterprise

[Lucy Powell]

academy, being labelled as coasting. Has she considered the consequences of that? She will also be aware that schools face a crisis in teacher recruitment and retention, particularly in maths and science. That, too, could affect a school's results through no fault of its own.

The Secretary of State's example highlights my bigger point. Despite having a whole Department working on her speech and sourcing examples, no one brought the real situation of the academy to her attention. Local representatives could have told her about it. That only highlights the difficult job that she has in being solely responsible for thousands of schools. This Bill and the Secretary of State miss the most fundamental point: we need to devolve oversight for all schools to a level where support, collaboration and accountability can happen effectively. The Bill rejects that and her regional schools commissioners fall well short.

Sir Edward Leigh (Gainsborough) (Con): There are 2,024 maintained Catholic schools in England and 386 Catholic academies. As the hon. Lady is speaking on behalf of the new Labour Front-Bench team, may I ask her to pay tribute to our faith schools and assure us that the Labour party is fully committed to their continued existence? In the context of the Bill, will she commit her party to ensuring that if, sadly, an interim executive board has to be appointed, the religious nature of such a school will be preserved?

Lucy Powell: I thank the hon. Gentleman for his intervention. I reiterate the Labour party's commitment to faith schools. As he raises the input of Catholic schools, he may be interested to hear that they are opposed to many aspects of the Bill, as we highlighted in Committee. In particular, they are very much opposed to clause 7.

I will spend the coming months listening, responding and developing and setting a course for an ambitious vision for education in this country—something that the Bill fails in. The Bill takes school oversight and parental involvement backwards, and further demonises local authority schools. That is why we will oppose it. It is also a huge missed opportunity for a newly returned majority Government. The Secretary of State has the best and most important job in this country. Is this Bill the best she can do? If I had any doubt as to why the Bill is before us this evening, I do not after reading her interview in *The Daily Telegraph* this morning. It is clear that the Secretary of State's primary interest is not raising standards and supporting pupils, parents and teachers; it is narrow political tactics aimed at the Labour party. I am afraid that that is quite a sad and pathetic development.

6.22 pm

Tristram Hunt: I congratulate my hon. Friend the Member for Manchester Central (Lucy Powell), the shadow Secretary of State for Education, on her excellent and passionate speech, and thank the Secretary of State for her kind words.

In a former life, before I joined what Engels would have described as the breezy heights of the Back Benches, I tabled a reasoned amendment to the Bill on Second Reading. I tried to develop, on behalf of the Labour

party, some common ground with the Government, because we all share a passion for improvement in our schools and adoption system. However, as my hon. Friend the Member for Cardiff West (Kevin Brennan) revealed, the Government turned down every single one of our amendments in Committee, which shows that they have no interest in the kind of one nation, consensual government we were told they were interested in developing. That is why it is absolutely right that the Opposition Front Benchers will lead us to vote against the Bill tonight.

As my hon. Friend the Member for Manchester Central said, there are huge challenges in education today. A recent report by the World Economic Forum puts us 27th out of 30 advanced economies in providing access to learning. As she said, there are immediate challenges in the retention and recruitment of teachers; in improving the quality of teaching, day in, day out, across our schools; in providing more school places in areas where they are needed, as a result both of the baby boom and the Government's immigration policy; and in retaining a broad curriculum when the Government are cutting school budgets by 10% over the course of this Parliament, which will limit pupil choice as teachers are laid off and courses curtailed.

Broader challenges are facing education across the UK. We must tackle inequality in the early years by supporting parenting, attachment, and early years investment, and we must promote the collaboration, partnership and challenge that we need in an era of school autonomy. It is great that my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg) has revealed the Liverpool challenge, which is beginning to take his work forward across the country. We must reform the upper-secondary curriculum, and develop a consensus to steer us away from the tired, GCSE model and towards a 14-to-19 baccalaureate model. We must attract high-quality teachers into low-income communities, because that is where they will make a real difference.

Nothing in this Bill—this Government's first legislative Act in education policy—goes anywhere near addressing those critical challenges for our country. It is, as has been said, a tired, highly political and partisan piece of work and, with great respect to those in the civil servants Box, it has been drawn together rather shoddily over the summer and does not deserve our support. It seeks to resuscitate debates of a decade ago, and I find it sad that Tory thinking on education—which has been rather vibrant in recent years—has now been shown to be dead.

On Second Reading we set out some much needed improvements: action on coasting and underperforming academies and—crucially—academy chains; a quality threshold for new academy sponsors; devolution of power from the Secretary of State to combined authorities; and the end of the assault on free speech among parents. At the heart of this Bill lies dogma. The Secretary of State complained about a one-size-fits-all policy, but what she has brought to the House today is the idea that the answer to every educational challenge is academisation. That is a fallacy. What makes the difference in education is high-quality teaching, strong leadership, a faculty committed to change, and supportive parenting. In many situations a change of structure can afford that, and that was the original vision behind the Labour

party sponsored academy programme. However, the debate has moved on, and as the Education Committee recently reported:

“Academisation is not...the only proven alternative for a struggling school.”

It also stated that there is

“no convincing evidence of the impact of academy status on attainment in primary schools”.

It is right to oppose this Bill as it does nothing to challenge coasting academy schools, thereby letting down tens of thousands of schoolchildren on the altar of political ideology. We know what can raise standards in coasting schools: strong systems of partnership and challenge between and among schools; the professional development of teachers, week in, week out; strong leadership by heads. Instead we have blanket academisation, as if that is the only answer.

The Bill fails to address poor academy sponsors. Too many children have been let down in my constituency and those of my hon. Friends by the Department for Education’s “pile ‘em high” approach to academy sponsors. There has been a massive over-expansion in academy chains, and once again children are paying the price. There is an absence of good-quality academy sponsors, and nothing to show that forced academisation will improve quality. I remain of the view that Ofsted should inspect academy chains, just as it should inspect a local authority.

The Bill continues the remarkable programme to concentrate power in education in the hands of Whitehall. Steve Hilton, who used to be a guru for the Prime Minister, recently criticised the Government for their “soviet” command and control approach to education. The Secretary of State rails against bureaucrats, yet she gives more power to bureaucrats at the Education Funding Agency and Whitehall. The Labour party believes in devolution, which is why our amendments to hand real power to combined authorities in education and devolving schools policy were such a good idea. The middle tier is a real problem with the Government’s approach to education. Their vision of regional schools commissioners being able to solve every problem for academies has been shown to be completely wrong, and there is little evidence they are delivering the sustained improvements we need in schools.

Finally, the Bill launches a terrible assault on civil society. We need power closer to communities, but the Bill wrenches it from the hands of communities and once again gives control to Ministers. The Bill must be seen alongside the charities gagging Bill, the attack on trade unions in the Trade Union Bill and the assault on the free speech of the BBC. Time and again, we see an assault on free speech by the Government. It strikes me as wholly wrong not to allow parents to be involved in the conversation about the education of their children.

We generously gave the Government the benefit of the doubt on Second Reading, but they abused that trust in Committee by rejecting amendment after amendment. They have decided to begin this Parliament as they ended the last one, with a stale and tired debate about school structure, when our education system so desperately needs an inspiring, challenging and equitable programme for the future. It is right that we oppose the Bill.

Question put, That the Bill be now read the Third time.

The House divided: Ayes 300, Noes 200.

Division No. 73]

[6.31 pm

AYES

Adams, Nigel	Djanogly, Mr Jonathan
Afriyie, Adam	Dodds, rh Mr Nigel
Aldous, Peter	Donaldson, rh Mr Jeffrey M.
Allan, Lucy	Donelan, Michelle
Allen, Heidi	Double, Steve
Amess, Sir David	Dowden, Oliver
Andrew, Stuart	Drax, Richard
Ansell, Caroline	Drummond, Mrs Flick
Argar, Edward	Duncan Smith, rh Mr Iain
Atkins, Victoria	Ellis, Michael
Bacon, Mr Richard	Ellison, Jane
Baker, Mr Steve	Ellwood, Mr Tobias
Baldwin, Harriett	Elphicke, Charlie
Barclay, Stephen	Eustice, George
Barwell, Gavin	Evans, Graham
Bebb, Guto	Evans, Mr Nigel
Bellingham, Mr Henry	Evennett, rh Mr David
Benyon, Richard	Fabricant, Michael
Beresford, Sir Paul	Fallon, rh Michael
Berry, Jake	Fernandes, Suella
Berry, James	Field, rh Mark
Bingham, Andrew	Foster, Kevin
Blackman, Bob	Fox, rh Dr Liam
Blackwood, Nicola	Francois, rh Mr Mark
Blunt, Crispin	Frazer, Lucy
Boles, Nick	Freeman, George
Bone, Mr Peter	Freer, Mike
Borwick, Victoria	Fuller, Richard
Bottomley, Sir Peter	Fysh, Marcus
Bradley, Karen	Gale, Sir Roger
Brady, Mr Graham	Garnier, rh Sir Edward
Brazier, Mr Julian	Garnier, Mark
Bridgen, Andrew	Gauke, Mr David
Brine, Steve	Ghani, Nusrat
Brokenshire, rh James	Gibb, Mr Nick
Bruce, Fiona	Gillan, rh Mrs Cheryl
Buckland, Robert	Glen, John
Burns, Conor	Goldsmith, Zac
Burns, rh Sir Simon	Goodwill, Mr Robert
Burrowes, Mr David	Gove, rh Michael
Burt, rh Alistair	Grant, Mrs Helen
Cairns, Alun	Gray, Mr James
Carmichael, Neil	Grayling, rh Chris
Cartlidge, James	Green, Chris
Cash, Sir William	Green, rh Damian
Caulfield, Maria	Greening, rh Justine
Chalk, Alex	Grieve, rh Mr Dominic
Chishti, Rehman	Griffiths, Andrew
Churchill, Jo	Gummer, Ben
Clark, rh Greg	Gyimah, Mr Sam
Cleverly, James	Halfon, rh Robert
Clifton-Brown, Geoffrey	Hall, Luke
Coffey, Dr Thérèse	Hammond, Stephen
Collins, Damian	Hancock, rh Matthew
Colville, Oliver	Hands, rh Greg
Costa, Alberto	Harper, rh Mr Mark
Cox, Mr Geoffrey	Harrington, Richard
Crabb, rh Stephen	Harris, Rebecca
Crouch, Tracey	Hart, Simon
Davies, Byron	Haselhurst, rh Sir Alan
Davies, Chris	Hayes, rh Mr John
Davies, David T. C.	Heald, Sir Oliver
Davies, Glyn	Heapey, James
Davies, Dr James	Heaton-Harris, Chris
Davies, Mims	Heaton-Jones, Peter
Davies, Philip	Henderson, Gordon
Dinenage, Caroline	Herbert, rh Nick

Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Boris
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kirby, Simon
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 Menzies, Mark
 Mercer, Johnny
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Mundell, rh David
 Murray, Mrs Sheryll

Murrison, Dr Andrew
 Neill, Robert
 Nokes, Caroline
 Nuttall, Mr David
 Offord, Dr Matthew
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Phillips, Stephen
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Swire, rh Mr Hugo
 Syms, Mr Robert
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vaizey, Mr Edward

Vara, Mr Shailesh
 Vickers, Martin
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 White, Chris
 Whittaker, Craig

Abrahams, Debbie
 Alexander, Heidi
 Ali, Rushanara
 Allen, Mr Graham
 Anderson, Mr David
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brennan, Kevin
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Byrne, rh Liam
 Cadbury, Ruth
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carmichael, rh Mr Alistair
 Chapman, Jenny
 Clwyd, rh Ann
 Coffey, Ann
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 De Piero, Gloria
 Doughty, Stephen
 Dowd, Jim
 Dromey, Jack
 Dugher, Michael
 Eagle, Ms Angela
 Eagle, Maria
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Esterson, Bill

Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
Guy Opperman and
Jackie Doyle-Price

NOES

Evans, Chris
 Farron, Tim
 Fitzpatrick, Jim
 Ffello, Robert
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Gardiner, Barry
 Glass, Pat
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Haigh, Louise
 Hanson, rh Mr David
 Harman, rh Ms Harriet
 Harpham, Harry
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Mr Mark
 Hepburn, Mr Stephen
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hoey, Kate
 Hopkins, Kelvin
 Howarth, rh Mr George
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Irranca-Davies, Huw
 Jarvis, Dan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham
 Jones, Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Khan, rh Sadiq
 Kinnock, Stephen
 Kyle, Peter
 Lammy, rh Mr David
 Lavery, Ian
 Leslie, Chris
 Lewis, Clive
 Lewis, Mr Ivan
 Long Bailey, Rebecca
 Lucas, Caroline

Lucas, Ian C.
 Lynch, Holly
 Mactaggart, rh Fiona
 Madders, Justin
 Malhotra, Seema
 Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonnell, John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 Mearns, Ian
 Miliband, rh Edward
 Moon, Mrs Madeleine
 Morden, Jessica
 Morris, Grahame M.
 Mulholland, Greg
 Murray, Ian
 Nandy, Lisa
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pound, Stephen
 Powell, Lucy
 Pugh, John
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Mr Jamie
 Reed, Mr Steve
 Rees, Christina
 Reynolds, Emma
 Reynolds, Jonathan

Rimmer, Marie
 Rotheram, Steve
 Saville Roberts, Liz
 Sharma, Mr Virendra
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Spellar, rh Mr John
 Starmer, Keir
 Stevens, Jo
 Stuart, rh Ms Gisela
 Tami, Mark
 Thomas-Symonds, Nick
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Watson, Mr Tom
 West, Catherine
 Whitehead, Dr Alan
 Williams, Mr Mark
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Ms Rosie
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Noes:
 Nic Dakin and
 Tom Blenkinsop

Question accordingly agreed to.

Bill read the Third time and passed.

Business without Debate

DELEGATED LEGISLATION

Madam Deputy Speaker (Natascha Engel): With the leave of the House, we shall take motions 4, 5 and 6 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

MERCHANT SHIPPING

That the draft Merchant Shipping (Alcohol) (Prescribed Limits Amendment) Regulations 2015, which were laid before this House on 22 June, be approved.

INSURANCE

That the draft Flood Reinsurance (Scheme and Scheme Administrator Designation) Regulations 2015, which were laid before this House on 1 July, be approved.

That the draft Flood Reinsurance (Scheme Funding and Administration) Regulations 2015, which were laid before this House on 1 July, be approved.—(*Margot James.*)

Question agreed to.

COMMITTEES

Ordered,

JOINT COMMITTEE ON THE PALACE OF WESTMINSTER

That Ms Angela Eagle be discharged from the Joint Committee on the Palace of Westminster and Chris Bryant be added.—(*Margot James.*)

PETITIONS

Overseas doctors and nurses

6.45 pm

Robert Ffello (Stoke-on-Trent South) (Lab): A few weeks ago, Mrs Patricia Watson came to see me. She was very concerned about the waste of money, the waste of valuable nursing resources, and the appalling way in which the nursing profession was being treated. She has valiantly gone around and put together a petition with more than 1,000 signatures, in a very short period of time. The local health organisations agree with the petition. The Government really need to think again.

The petition states:

The petition of the people of Stoke-on-Trent,

Declares that we object to overseas doctors and nurses being forced to leave the UK after a six year period if their pay is below the amount stipulated by the government given that we the taxpayers have paid for additional training for these doctors and nurses and our NHS is at risk of collapse through staff shortages.

The petitioners therefore urge the House of Commons to reverse this policy.

And the Petitioners remain, etc.

[P001543]

Muslim burial services in Birmingham

6.47 pm

Liam Byrne (Birmingham, Hodge Hill) (Lab): I rise to present a petition on behalf of my constituents who are receiving second-class burial services. They often have to wait days on end for the bodies of their loved ones to be released. I particularly thank the Zia Ul Quran Mosque in St Saviours Road, as well as Councillors Ansar Ali Khan, Mohammed Idrees and Mariam Khan, along with Mohammed Rasib, for helping me to collect more than 1,500 signatures. The petition states:

The petition of residents of the Birmingham Hodge Hill constituency,

Declares that there are too often delays in allowing burials within 24 hours in Birmingham; further that other cities have much better facilities; further that Birmingham has one of Britain's biggest Muslim communities and therefore should have better services...

The petitioners therefore request that the House of Commons urges

Birmingham City Council and the Government to work together

to improve burial services in Birmingham, including providing 24/7 access to coroners...health professionals

and registrars

access to MRI scanners to expedite post mortem procedures where necessary and a review of rising burial costs in Birmingham with a view to reducing charges.

[Liam Byrne]

Following is the full text of the petition:

[The petition of residents of the Birmingham Hodge Hill constituency,

Declares that there are too often delays in allowing burials within 24 hours in Birmingham; further that other cities have much better facilities; further that Birmingham has one of Britain's biggest Muslim communities and therefore should have better services; and further that a local petition on this matter was signed by 1,572 individuals.

The petitioners therefore request that the House of Commons urges the Government to improve burial services in Birmingham, including providing 24/7 access to coroners and health professionals who can certify and register deaths, access to MRI scanners to expedite post mortem procedures where necessary and a review of rising burial costs in Birmingham with a view to reducing charges.

And the Petitioners remain, etc.]

[P001544]

Stockton to Darlington Railway

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

6.48 pm

Phil Wilson (Sedgefield) (Lab): The Stockton and Darlington railway opened for business 190 years ago on 27 September 1825, but it is 190 years ago to the very day that George Stephenson assembled Locomotion No. 1 at Heighington Crossing in my constituency, on the corner of what is now Hitachi Rail Europe's new train-building factory in Newton Aycliffe, at the start of the Stockton and Darlington railway. There is a pub there which is now called, strangely enough, the Locomotion No. 1. The pub consists of the world's first ticket office and waiting room,

I want to describe what happened on that day. I am grateful to Chris Lloyd, the deputy editor of *The Northern Echo*, who is a local history expert, for his description of the day, and of the official opening of the line nine days later.

On September 16, 1825, a curious crowd gathered on the edge of today's Merchant Park, in Newton Aycliffe, and watched as the future was unloaded before their eyes. Robert Stephenson and Company had made the world's first passenger steam engine, Locomotion No. 1, at its works at Forth Street, Newcastle. They had loaded it in pieces on to three low wagons and horses belonging to a Mr Pickersgill and dragged it along 30 muddy miles to Aycliffe village. In the centre of Aycliffe village, the horses turned west and pulled their heavy loads along the lane towards Heighington. Where the lane crossed the new track bed of the Stockton and Darlington railway, the wagons stopped. Small boys and strong men unloaded the 5 tonnes of bits, and George Stephenson assembled them into a strange-looking contraption that—although even he did not know it at the time—was the first of the first generation of passenger engines. Together, they somehow hauled or hoisted Locomotion No. 1 on to the rails for the first time, and thought about getting it going. Its boiler was filled with water. Wood and coals were placed ready for ignition to boil the water into steam, but no one had a light. It was not until April 1827 that Stockton's John Walker announced to the world that he had invented the friction match.

Frustrated by the unnecessary delay, George Stephenson had to send a messenger to Aycliffe to collect a lighted lantern. As the messenger left, navy Robert Metcalf of Church Street, Darlington, stepped forward. He always carried a "burning glass"—a piece of glass like a magnifier—through which he focused the sun's rays so he could light his pipe. He offered the glass to Stephenson and by the time the messenger returned with the lantern, No 1's boiler was alight and smoke was rising from its chimney. So began trial runs with the world's first passenger engine pulling the world's first railway passengers in the world's first passenger coach called the Experiment, which was basically a shed attached to some wheels.

Alex Cunningham (Stockton North) (Lab): I congratulate my hon. Friend on securing this important debate and I hope he will be here in 10 years for the 200th anniversary.

My hon. Friend the Member for Darlington (Jenny Chapman) and I have a friendly rivalry over the name of this railway, and I am glad the Order Paper has the

correct name: the Stockton to Darlington railway. Not only was Stockton the starting point for the first ever passenger railway journey, but I would say—this may contradict what my hon. Friend the Member for Sedgefield (Phil Wilson) says—we have got the first ticket office in Bridge Road. Does my hon. Friend agree, however, that regardless of all these differences, we need all our organisations to come together so that in 10 years' time we can have the sort of celebrations our communities deserve?

Phil Wilson: I agree with my hon. Friend. He may have the first ticket office and waiting room, however, but the first one used was at Heighington Crossing.

The train run was successful enough for the Stockton and Darlington railway to open nine days later, on September 25. On that inaugural run from Shildon to Darlington and then Stockton, Locomotion No. 1 pulled the first train—full of coal, bands and people—along the track which today is on the boundary of the new Hitachi factory.

Jenny Chapman (Darlington) (Lab): Further to the intervention of my hon. Friend the Member for Stockton North (Alex Cunningham), I would like to make it clear that we have the first passenger railway station at North Road in Darlington. Although the name of the line is “Stockton to Darlington”, it should be noted that it was the people of Darlington who raised the money and paid for the line. All but £1,000 was raised in Darlington.

Phil Wilson: Everything my hon. Friend said is absolutely right and I understand that the railway tavern is still used. It is the longest-used railway tavern in the world.

The 600 or so passengers on board—the directors sitting in the luxury of the Experiment while the world's first railway enthusiasts clung to the sides of the coal trucks—could not believe their eyes as hedges and trees flashed by at unbelievable speeds. Now, the Hitachi Rail Europe factory had its official opening on 3 September this year, bringing 730 jobs, thousands more in the supply chain and train building literally full circle back to where it started. The new trains will enter the rail network by joining the exact route used by George Stephenson's Locomotion No. 1, and where it was test driven to the outstanding speed of 15 mph.

The new inter-city trains will be a lot faster and more comfortable, but we must salute the energy, drive and ambition of the early rail pioneers. On 16 September 1825, Locomotion No. 1 did not just pull one railway train; it pulled the world into the mass transport era of the railway age. Such is the pride of the people of the north-east in the importance of the Stockton and Darlington railway that 50, 100 and 150 years after 1825, the opportunity to celebrate this gift to the world has been celebrated with processions, fairs, gatherings of locomotions and exhibitions. These anniversaries have been marked with major celebrations, with the casting of special medals and with great spectacle.

In 2025, the Stockton and Darlington railway will be 200 years old, and work has already commenced to ensure that local communities and visitors from around the world can visit and appreciate the surviving monuments, buildings and track bed of the line. This has already attracted action from Durham, Darlington and Stockton councils, engaged local people through a new charitable

body, the Friends of the Stockton and Darlington Railway, and received initial funding from the Heritage Lottery Fund and Historic England.

The Stockton and Darlington railway was important to the economic success of the north-east and to community pride in 1825, and with the right support and action, this world-class heritage site can be as important again. Work has already begun, with huge community support, to rescue the remains of the 1825 line and give it the international recognition it deserves. Over the next 10 years, culminating in the bicentenary of 2025, there are aspirations to create a long-distance walking route along the original line. This will link up a number of excellent museums and provide heritage-led economic regeneration for the area. In that same year, 2025, the Tees Valley hopes to be awarded the capital of culture accolade. The case will also be made to ensure that the surviving elements of the Stockton and Darlington railway have appropriate statutory protection through designation either as a scheduled monument or as listed buildings. A case is also to be researched and made to seek the inscription of the 1825 line to ensure that it can become a world heritage site through UNESCO.

I hope that the Minister will recognise the great legacy of British engineering and enterprise that is exemplified by the Stockton and Darlington railway, and that she will offer Government support for our aspiration to seek appropriate status and conservation for the line. I also hope that she will join me in offering support to those community and public bodies seeking to protect the railway's remains and use them to inspire heritage-led economic regeneration for the area, and to inspire the young of the region to seek careers in engineering and manufacturing.

On 17 June, I spoke at a conference held at Locomotion, the National Railway Museum, in Shildon in the constituency of my hon. Friend the Member for Bishop Auckland (Helen Goodman). The conference was organised by Durham County Council, Darlington Borough Council, Stockton Borough Council and the National Railway Museum. It was also lottery funded. The conference looked at how best to preserve the 26-mile route of the Stockton and Darlington railway. It is our ambition to submit a bid for world heritage status for the line because of its significance as part of the country's industrial heritage.

The last time a bid was submitted to the Department for Culture, Media and Sport was back in 2010. A number of railway and wagon-way sites from the dawn of the railway era were collected into the bid by a committee chaired by Sir Neil Cossons, formerly the director of the Science Museum and then chairman of English Heritage. The sites included: the Causey Arch; the Tanfield railway; the Wylam wagon-way and Stephenson birthplace; the Stephenson locomotive works in Newcastle; the Bowes railway; the Liverpool Road station site; and the Stockton and Darlington railway between Etherley and Darlington.

The application, entitled “The Birth of the Railway Age: genesis of modern transport”, was submitted to DCMS in competition with 37 other bids. Although it was rejected in 2011, I understand that DCMS and the heritage agencies were requested to undertake a study to consider whether it would be possible to address the concerns that had been identified. However, no such study has been undertaken. Can the Minister say whether

[Phil Wilson]

such a study could be undertaken now, because of the clear importance of maintaining these early examples of the country's railway infrastructure? I know that UNESCO and DCMS place a lot of weight on community engagement, so will she also join me in thanking the community groups in south Durham and the Teesside area—including the Friends of the Stockton and Darlington Railway and the local authorities—that have engaged in maintaining the Stockton and Darlington railway route as best they can?

What advice can the Minister give, and what more can she do to ensure a successful bid for world heritage status for the Stockton and Darlington railway, either through a single bid or as part of a joint bid with other railway lines and wagon-ways?

As she knows, the heritage industry is an asset to the UK economy. Recent analysis shows that cultural heritage-based tourism accounts for £5 billion in GDP and some 134,000 jobs. When indirect effects are included, the figures rise to at least £14 billion and 393,000 jobs. I want some of that for Durham and the Tees Valley. I want to end by asking the Minister to come and see for herself the potential of the route and infrastructure of the Stockton and Darlington railway in heritage terms. It is only right that we protect the first of the railways as best we can. So please, Minister, visit us at any time.

7 pm

Motion lapsed (Standing Order No. 9(3)).

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

Helen Goodman (Bishop Auckland) (Lab): Before I come to the claims of my constituency for the things we were first in, let me say that the invention of the railways was the most significant technological development in the past 250 years. It ranks with the invention of printing in the way it transformed human life and human culture, because it brought together people who had previously been separated if they had been living more than 20 miles apart, it sped up economic development, and it had a massive impact on the level of trade and, consequently, on the industrial revolution.

I am extremely proud that Shildon in my constituency has a long-standing tradition of railway making. My hon. Friend the Member for Sedgefield (Phil Wilson) rightly said that the first train was made by George Stephenson, but he could not make the engines work and they kept breaking down. The person who could make them work was Timothy Hackworth, who lived in my constituency. Had he not had the engineering skills that he did, the Stockton to Darlington railway could not have run. The train making in the Shildon shops continued right up until 1983, when they were closed by the then Tory Government because it was claimed that the Shildon shops were a barony of engineers—if only we had baronies of engineers today!

We are delighted with all the work my hon. Friend and Durham County Council has done, and with the good sense of our right hon. Friend Lord Adonis in securing the inward investment of Hitachi. It is going to be an incredible boost to our local economy, because it will create not only 800 jobs in the factory, but a further 800 in the supply line. The fact that we cherish the

Stockton to Darlington line and all the history that goes with it was shown in my constituency this summer when we had our annual walk along the Etherley incline. The incline is very interesting because one reason why the steam engines and the railway lines were developed was to get the coal from the Durham coalfields to the coast and around the whole country, in order to boost up and provide the energy for the industrial revolution. The steam engine on the incline did not move but it powered the movement of the coal—this was before we even got to passenger trains, ticket offices and all those marvellous inventions.

Following the closure of the Shildon shops, my predecessor, now Lord Foster of Bishop Auckland, had a fantastic initiative to get the National Railway Museum to open a branch in Shildon called Locomotion. That has been very successful, with about 200,000 people a year visiting it. It is particularly popular with local people and people from our region. One good thing it does is have apprenticeships, so that people can learn engineering skills alongside viewing the old technology. As a continuation of that work, the Friends of the Stockton and Darlington Railway have put together their successful project to celebrate the anniversary. I congratulate them and Councillor Trish Pemberton, who has been a driving force behind this piece of work. As my hon. Friend said, they have a medium-term plan to secure world heritage status. We are looking for support from the Department for Culture, Media and Sport on this. We want to develop a long-distance walking and cycling route as well as new exhibitions in Shildon on the history of the line.

People do not usually think of Durham as a holiday destination, but they are making a mistake. We have another world heritage site in the cathedral. In the previous Parliament, the DCMS provided help to my constituency to develop Auckland castle. We will do more on the Stockton to Darlington line. All Members of this House should come to Durham for a long weekend, as they will have a great time.

7.5 pm

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): I thank the hon. Member for Sedgefield (Phil Wilson) for tabling this debate and his colleagues, the hon. Members for Stockton North (Alex Cunningham), for Darlington (Jenny Chapman), and for Bishop Auckland (Helen Goodman), for their contributions. I did think for a nanosecond that I was going to have to employ my referee qualifications to intervene on who did what first and when.

I cannot tell you, Madam Deputy Speaker, how excited I was when I learned that I was answering this debate. I think that my officials thought that I was slightly mad. They were definitely rather surprised by my reaction. The fact is that it is two excellent topics—trains and heritage—combined into one debate. That is a perfect excuse for me to sit on the sofa on a rainy Sunday, dust off the Bradshaw's, fish out the "Great British Railway Journeys" box set and cheerfully brand it work. If Members have not seen the particular episode on the Stockton to Darlington railway, they should do so because it is really interesting.

I do not need a book or a DVD to tell me that we should not underestimate the role of our early railways and their pioneers in developing Britain's

industry, paving the way for the industrial revolution. It is right that we should celebrate this vital aspect of our national heritage.

Preserving our railway heritage is extremely important. People have deep attachments to their local railway, as evidenced by the crowds greeting the Queen when she recently reopened the historic Borders to Edinburgh railway. Railways clearly continue to be as important to growth today—demonstrated by the Government's plans to support the northern powerhouse—as they were two centuries ago. Today, we are able to celebrate not only the anniversary of the opening of the Stockton and Darlington railway, but the 190th anniversary of the Locomotion No. 1 engine leaving George Stephenson's works in Newcastle on its way to Darlington. Rail lines had been in use previously, but this line was the first locomotive rail line not just in England but in the world. Stephenson was convinced steam was the future, and he was right. Steam was initially designed for freight, but then passengers, undeterred that it took two hours to do 12 miles, became integral to its future. Put simply, this line, with Locomotion No. 1, revolutionised the railway industry.

The engine, which is on display at the local Head of Steam museum, looks amazing. In the episode of "Great British Railway Journeys", Michael Portillo looked incredibly excited to see it. If I ever get the opportunity to slip away from this place, I would be delighted to make it all the way up to the north-east.

Jenny Chapman: The Minister would be very welcome at the Head of Steam museum in my constituency, which is within the first passenger railway station. It is a good museum, but, unlike the National Railway Museum in York and the site in Shildon, it is not a free museum. I feel that the site would benefit enormously by being included in that scheme, and it is worthy of that status. I would be grateful if she could give that matter some thought.

Tracey Crouch: That matter is not within my remit, but I will pass it on to the Minister, my hon. Friend the Member for Wantage (Mr Vaizey), who is responsible for museums. I have a confession to make. In the mid-1990s, he worked for the Conservative Member for Stockton South, and so is very familiar with not just the line, which goes through Yarm and Eaglescliffe, but some of the local museums. I am sure that officials will draw the Minister's attention to the hon. Lady's comments.

Railway museums, including the National Railway Museum's "Locomotion" site at nearby Shildon, have a key role in preserving and promoting railway heritage, so I am pleased that they will be playing an important part in the celebrations.

Interestingly, a local holiday was declared for the opening of the Stockton and Darlington railway on 27 September 1825. Whether or not the crowds who took part in that first historic journey, which reached dizzy speeds of up to 15 mph, realised that it was the advent of a trailblazing technology that would soon carry thousands of passengers across the country is unclear. However, the railway and Stephenson's new engines were at the forefront of the development of industry and passenger travel nationally and around the world.

Throughout the anniversary we should celebrate the development of our railways and their continued connection to industry in Britain. It is appropriate that at the beginning of this month, as the hon. Member for Sedgefield mentioned, the Prime Minister, the Chancellor and the Transport Secretary opened the new Hitachi factory at Newton Aycliffe, which was once on a branch line of the Stockton and Darlington railway. The factory will create more than 700 direct jobs and support thousands more indirectly, giving a huge boost to the local area.

One of the local projects commemorating the 190th anniversary is the HLF-funded Sharing Heritage project. Its aims include the training of 40 volunteers in heritage skills, such as recording the historic site, giving talks and delivering guided tours for visitors. As with all the best projects, it will encourage local people to engage in this important aspect of their heritage. Interestingly, research on participation in heritage projects has found that Heritage Lottery Fund volunteers report levels of mental health and wellbeing that are higher than those of the general population. For example, one in three heritage volunteers report an increase in self-esteem and confidence in their abilities, so it is a fact: heritage really does make people happy.

We have heard about the aim to achieve world heritage status for the railway site. I would like to talk a little bit about the process. It is great that so many local people are engaged with this fantastic site and realise that it may well have importance far beyond their local community. They aspire for the site to achieve international recognition. A key part of demonstrating why any site should be awarded world heritage status is the gathering of evidence to demonstrate its outstanding universal value. The conference on the railway that took place in June was an excellent tool in starting to gather that evidence and hear the case.

Those involved will also need to consider whether they wish to develop the bid just for this site or as part of a "birth of the railway age" nomination in conjunction with other sites, such as Stephenson's locomotive works in Newcastle. If they decide upon the latter, the support of other local authorities and key stakeholders, such as the Science Museum and National Rail, will be crucial to developing a successful bid.

Another key element of any potential nomination is demonstrating how well the site is managed and protected. Effective management can be achieved only through full understanding of the site, for example through the preparation of conservation management plans. The current project to record the railway line, which I understand Historic England is also working on, is a good step in that direction.

The nomination process is lengthy, due to the necessary evaluations and checks to ensure that only the most significant sites are nominated. The UK is currently undertaking a round of technical evaluations for sites on the UK tentative list. That list contains several sites that have not yet been fully considered for nomination and that will go through the process over the next few years. The tentative list is therefore unlikely to be reviewed any sooner than 2019.

Helen Goodman: The Minister is making a very helpful and interesting speech. She may not have the list in front of her, but will she look at the extent to which potential new world heritage sites are related to the

[Helen Goodman]

industrial revolution? There has been a pattern of not giving the industrial sites the same status as other sites. The industrial sites are of interest not just to British people, but to people in other parts of the world whose industrial revolution was taking place at around the same time.

Tracey Crouch: I do not have that information with me, but we can certainly look into it. If that information is available, I am sure we can share it with the hon. Lady. It is important that inspiration is taken from other world heritage sites. Other sites celebrate the development of railways worldwide—for example, the Semmering railway in Austria, which is an amazing feat of engineering constructed between 1848 and 1854 over 41 km of high mountains and involving a series of tunnels and viaducts. I understand there is another site in India that similarly celebrates railways. I do not have the dates, but we can look at those heritage sites. Our own Forth bridge, which was inscribed in July, was the world's earliest multi-span cantilever bridge, and is still one of the longest. That, too, has been celebrated. So there are examples out there of celebrating industry and engineering. If the Stockton and Darlington railway is to become a world heritage site, we need to decide

whether to pursue an individual nomination process or to take a broader and more co-ordinated approach celebrating rail heritage and the industrial revolution.

I understand that the members of the Friends of Stockton and Darlington railway group have already been in touch with Historic England and the UK National Commission for UNESCO on this issue. Colleagues from each of these organisations are happy to provide further advice on the matter. It is appropriate that I join hon. Members who have contributed to the debate in congratulating the Friends group on all the work that they have been doing. They sound fantastic.

In conclusion, from the advent of the Stockton and Darlington railway to high-speed rail, for nearly 200 years the railways have been an integral part of our nation. I congratulate all those involved with the 190th anniversary of the Stockton and Darlington railway and wish them every success with their efforts to celebrate, preserve and promote this important aspect of our national story. I also look forward to supporting the hon. Member for Sedgefield and his colleagues in 10 years' time in a debate for the 200th anniversary.

Question put and agreed to.

7.18 pm

House adjourned.

Westminster Hall

Wednesday 16 September 2015

[SIR ROGER GALE *in the Chair*]

Midland Main Line (Electrification)

9.30 am

Harry Harpham (Sheffield, Brightside and Hillsborough) (Lab): I beg to move,

That this House has considered electrification of the Midland Main Line.

There is no doubting the critical need for the country to keep its rail network up to date. Over the past 20 years, passenger numbers have doubled. Between 1997 and 2010, the number of inter-city trains went up from 580 per day to 1,228 per day. Current growth in use stands at 4%, and total movement of freight by rail is rising by 2.5% per year. With demand growing as it is, it is entirely understandable that there is cross-party consensus on the need for bold and ambitious upgrade works.

On the midland main line specifically, Leicester, Nottingham and Derby are all experiencing passenger growth at rates above the national average, and demand for rail in the east midlands as a whole is expected to rise by 16% by 2019. Coupled with that is the chronic lack of investment in the line over the past two decades when compared with other routes.

From anyone's perspective, electrification is the next logical step for the rail network. Compared with a traditional service, an electrified line is more cost efficient, greener, thanks to reduced carbon emissions, and served by better rolling stock. There are also benefits in terms of reliability, connectivity, capacity and economic growth.

To take the midland main line as a specific example, electrifying the line from Bedford to Sheffield could cut carbon emissions by 13,000 tonnes per year. The project would also provide the higher W10 gauge clearance along the whole route, making it more accessible for freight, so there would be a further indirect environmental benefit, as the growing demand for freight could be met, taking more lorries off the roads. To give a rough idea of that benefit, on a traditional service a gallon of diesel will carry 1 tonne of freight 246 miles by rail as opposed to 88 miles by road; on an electrified line, of course, the environmental benefits would be even greater.

As for the economic benefits, it has been estimated that by cutting the costs of rolling stock, energy, track access and maintenance, electrification will cut rail industry costs by over £60 million per year, reducing the cost of the railway to the taxpayer. The midland main line serves one of the fastest growing areas of England, and a report prepared for east midlands councils and the South Yorkshire Passenger Transport Executive by the consultancy firm Arup estimated that electrification would generate £450 million-worth of wider economic benefits. If the Government want to get serious about growing our economic potential outside the south-east and giving the northern powerhouse brand some substance, as a starting point they will have to commit to funding the midland main line project, as well as the TransPennine route upgrade.

Lack of investment in infrastructure has been one of the key restraints on growth outside London. In 2013-14 expenditure per head on transport capital was £166 in the north, whereas in London it was £332. Treasury figures published earlier in the year show that planned infrastructure expenditure on transport in real terms from 2015-16 is £2,604 per head in London, but only £391 per head in Yorkshire and the Humber, and just £346 per head in the east midlands. The lack of transport investment means that cities and towns in the north cannot link up into a single economy. Instead, we are still operating as single units and are not able to build up the economic scale and weight that would allow us to play to our strengths and compete globally.

The midland main line might feature only as a footnote in most discussions of the northern powerhouse, if it features at all—and I certainly do not want to get into a debate about what counts as “the north”, which might keep us all here a lot longer than we would like—but it is a vital link in the chain that will help with the Government's stated objective of rebalancing the north-south divide. Without it, Sheffield and Nottingham will be left as the only core cities without a direct electrified connection to London.

In fact, the midland main line has the best business case of any major electrification scheme, including the Great Western main line. The Department for Transport's own figures show a benefit-cost ratio of between 4.7:1 and 7.2:1 for the midland main line,

“dependent on train length and train type”,

compared with a ratio of 2.36:1 for the Great Western main line.

Mr Clive Betts (Sheffield South East) (Lab): Does my hon. Friend think there is a slight irony in the fact that, as he says quite rightly, the midland main line has a better business case than the Great Western main line—and arguably than some of the works on the west coast main line over the years—but electrification of the line has been paused as a direct result of the overspend on the Great Western main line?

Harry Harpham: I agree 100%. My hon. Friend makes an important point; the midland main line work is paused not because of the business case for the line, which everyone agrees is probably the best of the lot, but because of overspend in other areas.

Mr Peter Bone (Wellingborough) (Con): I congratulate the hon. Gentleman on securing a debate on this extremely important cross-party issue. Is not one of the problems—the hon. Member for Sheffield South East (Mr Betts) alluded to this—the fact that because we are in the east midlands we are always forgotten about? We have one of the lowest amounts of public expenditure per head of population in the whole country, not just on rail but across all infrastructure.

Harry Harpham: Again I agree wholeheartedly; I could not have put it better myself. When I go about meeting business leaders, council leaders and civic leaders across the east midlands and Yorkshire, and right up into the north, that point is made constantly.

By now, we are used to hearing about Ministers' ambition for the north and for the electrification of the rail network, but in reality, in both cases there is a lack

[Harry Harpham]

of drive to push through the work needed if that ambition is ever to amount to anything. That is why Labour has been calling on the Government to recommence the suspended work on the midland main line and TransPennine routes. Last month, *Rail Business Intelligence* reported that the Government had instructed Network Rail to “unpause” the electrification of the TransPennine route. As far as I am aware, that is just a rumour, but I would be grateful if the Minister provided some clarification. If true, it would be a welcome development, but of course it raises a question for the Minister: why not the midland main line too?

By calling the suspension “a pause”, the Secretary of State is trying to downplay the potential consequences. The word implies that it will be only a brief time before everything gets going again, and that work will resume as if nothing had happened. In reality, delays in large infrastructure projects always have cost implications—just look at Crossrail. The same story is beginning to play out in this case, too. Philip Rutnam, the permanent secretary at the Department for Transport, told the Transport Committee in July that the principal issue that led to the suspension of work on the midland main line was cost. Network Rail’s initial estimate, in 2013, for the cost of electrifying the midland main line was £540 million. By December 2014, that figure was £1.3 billion. When the work was paused, £250 million had already been spent on contracts for ancillary works, such as rebuilding bridges. Some of Network Rail’s resources have already been transferred to other projects, making it harder and more expensive for the work to get going again. Further delays will only increase the bill.

There are knock-on effects, too. The doubt the suspension has thrown up has led to questions about what rolling stock will operate on the line. There are worries that, assuming electrification does go ahead, the current 1970s-vintage InterCity 125 trains will be replaced by transferred east coast class 91 locomotives, which have poor acceleration; in fact, with those trains, some long distance journeys would take longer than they do at present. So far, the Department for Transport has made no public statement about the specification of the rolling stock that will be used on the midland main line, and I hope the Minister will be able to rectify that.

Mr Betts: I apologise, because I will have to leave before the end of the debate, as I have explained to the Chair. On timing, is it not crucial that the high-speed trains on the midland main line are replaced by 2020 because of issues over disability? Equally, Stagecoach’s franchise has just been extended to 2018, but there will have to be certainty about whether electrification goes ahead, because, as my hon. Friend says, that will affect the future rolling stock for the new franchise.

Harry Harpham: Once again, my hon. Friend is absolutely right.

The recent invitations to tender for the Northern and TransPennine Express franchises have been framed to ensure that they cater for Sheffield’s economic growth requirements. However, it will be possible to meet those needs only with additional diesel-powered rolling stock made available from recently electrified routes.

The ongoing uncertainty over the future of the midland main line work is putting other projects in jeopardy. Those projects go beyond just the midland main line electrification. Some involve improvement works, which are to be delivered alongside electrification. Some £200 million has been set aside for improvements such as the remodelling of Derby station, the straightening of the curve through Market Harborough station and the four-tracking of the line from Bedford to Kettering and Corby. The Secretary of State has suggested that those works could go ahead independently of electrification, but the Department has failed to clarify whether they are still to happen.

There is one final side effect of the suspension. Skills providers have been gearing up to provide apprenticeships associated with the upgrade work, but those are now in doubt too. When the Select Committee asked the Secretary of State about that, he said that, although he was not able to give a precise number for those affected, he felt it was a key point, and he hoped to be in a better position to answer the next time he appeared before the Committee. I do not wish to usurp the Committee’s role, but is the Minister aware of any progress that has been made in quantifying the impact?

I do not wish to rake over the next point, but it is worth repeating that the Secretary of State had plenty of warning that the electrification projects were likely to run into substantial difficulties. As early as June last year, Network Rail told the South Yorkshire Passenger Transport Executive that there would be difficulties in getting the midland main line work done to the relevant timescale. Last year, as a matter of urgency, the Secretary of State commissioned a report on the state of Network Rail’s electrification programme, which he received in September. The Department has refused to publish the report, so we can only assume that it contained warnings of future problems.

In November, Network Rail began to compile a list of the projects at risk. In January, the Select Committee gave an explicit warning about projects being announced without a clear idea of where the funding would come from. It is vital that the Government get a grip on the situation. The Secretary of State has said he is waiting for Sir Peter Hendy’s review, but while he waits for it to give him a solution, the problem is getting worse. He needs to provide a clear commitment to restart work on the midland main line as soon as possible, and that should be backed by a clear timetable under which the project will resume. Otherwise, the uncertainty will mount, and, for all the talk of ambition, the very real fear will remain that the pause will turn into a cancellation.

We need only look at the Hendy review’s terms of reference to see that that is not scaremongering. The review states:

“work that cannot be afforded, or is not deliverable, between 2014 and 2019 is profiled for delivery beyond 2019”—

and then, the key phrase—

“pending availability of funding”.

Taken by itself, that might be dismissed as back covering, but taken with the Department’s recent letter to Network Rail, preparing it for further Treasury-mandated budget cuts of potentially £1.5 billion, it suggests that the ground is being quietly prepared for cancellation. Assuming the rumours about work on TransPennine restarting are true, I am left wondering whether that project has been

saved to provide talk about the northern powerhouse with some credibility, while the midland main line is to be ditched as too costly.

Several hon. Members *rose*—

Sir Roger Gale (in the Chair): Order. Five or six people who wish to speak have already submitted their names to the Speaker's office. I will not impose a formal time limit, but if hon. Members confine their remarks to about five minutes, we should be able to accommodate everybody who has applied and maybe one or two who have not.

9.45 am

Pauline Latham (Mid Derbyshire) (Con): I am delighted to serve under your chairmanship again, Sir Roger. I am pleased to be able to contribute to the debate, and I congratulate the hon. Member for Sheffield, Brightside and Hillsborough (Harry Harpham) on securing it. I was interested that he covered the costs involved in pausing work on the midland main line route, as well as the environmental aspects. I was also pleased that the hon. Member for Sheffield South East (Mr Betts) mentioned the extension of the East Midlands Trains franchise, which is very welcome. That is good news for the service and it will provide a lot of continuity.

The outcome of the Hendy review into Network Rail spending will have real consequences for my constituents. The line is essential for business and leisure travellers. We are keen to promote tourism in the area, but it will be affected if the service is not as good as it could be.

When it became clear that Network Rail's programme for railway upgrades was behind schedule, I supported the Secretary of State's decision to take action to get it back on track and to ensure that it delivered, in a financially responsible way, the improvements passengers want.

Much of the work that is needed on our railways should have been done decades ago. Governments of all hues have let the railway system down. It is a shame it has taken so long to focus on electrifying the majority of Britain's railways—something that was started in the 18th century.

I agreed that bonuses to Network Rail's executive directors should be suspended after the organisation failed to meet targets. That went some way to making up for previous years, when the company paid out £1 million in bonuses at the same time as being fined £53 million by the Office of Rail Regulation for failing to meet train punctuality targets. I have to say that, on Monday, every other train was cancelled because of rather poor signalling, which caused a lot of disruption for a lot of people.

With that in mind, I am waiting to see what Dame Colette Bowe's review says later this month. Later today, like many other Members in the room, I will be meeting representatives of the East Midlands chamber of commerce, as well as local economic partnerships and councils from across the region, to discuss the paused electrification and the potential outcomes of the Hendy review.

In Derby, we have the largest rail forum in Europe, and the business community is understandably nervous about what the review will say about not just the electrification of the midland main line, but the other proposed upgrade projects. While the pausing of the

midland main line electrification was disappointing for those of us looking for that long overdue project to get under way, it should not prevent other improvements from being made to the main line, because those can and must be undertaken.

In his statement on Network Rail's performance before the House on 25 June, the Secretary of State said that better services can be delivered on the midland main line before electrification. Those include a four-track railway line from Bedford to Kettering, which will create a six-path on the midland main line, so more trains will be able to use it—something we desperately need.

Our trains are a victim of their own success, because they are pretty full most of the time. In addition, changing the layout of the tracks at Derby train station to separate the Birmingham and Leicester routes will make a big difference. The only problem I have with it is that we will never go into platform 1—the easiest one from which to get out of the station—again. However, that pales into insignificance against the fact that we will not always have to wait outside the station, which is the only one on the way up from London to Derby where trains wait outside and people cannot get off until they go in.

Mr Betts: The hon. Lady is demonstrating that we are mounting a cross-party argument today, with everyone behind it. She is right to mention the other works that are planned. Over the last few years, the journey time to Sheffield has been cut by 10 minutes for less than £100 million—great value. Will the Minister give a commitment today that the other improvement works will continue while the pause in electrification is in effect?

Pauline Latham: The hon. Gentleman is absolutely right: this is a cross-party issue that is important to all of us. It is important for businesses across the whole of the east midlands that there should be a much better service.

The proposals can clearly help to increase capacity on the main line route and provide economic benefits to the businesses that rely on them. I hope the Minister can inform us whether a clear green light to proceed will be given in the Hendy review. That will allow businesses and investors to make plans about investing in the necessary skills and capabilities needed to implement the improvements, without any concern that the rug might be pulled out from underneath them at a later date.

The business case for the upgrades and electrification remains strong. As well as creating an expected £450 million of economic benefits, the quicker and more reliable service would cut journey times by up to 15 minutes and improve freight access to the network. Numbers on the midland main line have increased by more than 130% over the last 15 years. A further 30% rise is expected in the next 10 years. All of us who travel on the trains will know that it is much harder to get a seat at peak times now.

I am hopeful that the Hendy review will give a clear answer about when electrification will be given the go-ahead again. A lot of companies in the supply chain part of the rail forum in Derby are waiting for the announcement. They need certainty to be able to plan, and so as not to have to reduce their workforce. The less ambiguous the answer, the better, because a lot of work

[*Pauline Latham*]

has already gone into the electrification plans—for example, on the advanced design work for electrification and the re-building of a number of bridges. The longer we delay, however, the more uncertainty builds and the higher the costs will be if we decide to go ahead at a later date.

I am happy to continue working with the large number of stakeholders, including our local rail forum, who are looking to see the main line improvement go forward. Pausing it was the right thing to do, but I do not want this to be another project that is kicked into the long grass. I hope the Minister can inform us of when we will know for certain which projects are to be given the green light and what factors are being taken into consideration to determine that.

9.53 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): It is a pleasure to serve under your chairmanship, Sir Roger. I congratulate the hon. Member for Sheffield, Brightside and Hillsborough (Harry Harpham) on securing this important debate.

As well as being the transport group leader for the Scottish National party in Westminster, I also represent the constituency of Inverness, Nairn, Badenoch and Strathspey, which is quite a distance from the midlands, but that does not mean that I do not share the hon. Gentleman's disappointment at the Government's U-turn. When the news broke, people were quick to share their disappointment on Twitter, with the verdict that it was much less northern powerhouse than #northernpowercut. That was people showing how they feel when, as the hon. Member for Mid Derbyshire (Pauline Latham) said, the rug is pulled from under their feet. When vows are broken, it is always with a casual disregard for the people who based choices on them. In my view, the UK Government should reinstate plans to electrify the midland main line—and, for that matter, the trans-Pennine route.

The foundation on which a prosperous economy is built is its infrastructure and transport connections. That is as true in Scotland as it is in the north of England. That is why the SNP Scottish Government have already committed to a substantial rolling programme of electrification. They are keeping to what they said they would deliver for the people—a sharp contrast to what is being discussed here. In Scotland, more than 441 miles of track have already been electrified and 2016 will see the completion of the Glasgow-Edinburgh rail link. All that is happening in spite of the fact that the capital budget for Scotland was cut by 25% by the coalition Government. Indeed, there can be no doubt that in Scotland the electrification of the railways has a firm place in the Scottish Government's blended transport strategy, as it should in the UK Government's strategies for the north and south. I understand that, on making the announcement about pausing the projects, the Department for Transport shared its intention to pursue bigger and better solutions to increase capacity and reduce delays on the routes.

Mr Bone: I am listening carefully to the hon. Gentleman, and I think he is saying that the Government should reinstate this important project, which I agree with.

However, does he agree with me that his constituents in Scotland have £2,000 more per person spent on them than those in the east midlands? Would he like Scotland to give some money back, so that we can have our line upgraded?

Drew Hendry: As on previous occasions, the hon. Gentleman will realise that I do not agree with him. I would be happy to have a separate debate to go through, line by line, why I do not agree, but I do not believe we have time for that today.

The north does not need a solution pushed out for the next political cycle, but instead a proper, continuing strategy. The Government hide behind the idea that they will sort things out for “the long term”—I heard the phrase used yesterday in this very Chamber. Well, the people are pretty fed up with being considered as commodities, to be told that they will be dealt with when the more important stuff is done. They were made promises and they want them carried out. They want a solution that satisfies current infrastructure needs and issues, as well as meeting the longer-term challenges and opportunities for the region.

We must have sympathy for those using current services. They would have put up with the teething problems of new services, but they are being asked, day in, day out, to cope with a diminishing service. It is not acceptable that thousands of passengers travelling on the routes in question spend the entire journey standing. Passenger numbers have already doubled since 1997, as the hon. Member for Sheffield, Brightside and Hillsborough said, and they are set to rise even further. The problem is not going away. Furthermore, the electrification of the routes is vital for improving transport connectivity. It is and will remain an integral part of the growing economy in the region.

Yesterday I had the great pleasure of chairing a meeting of the Westminster transport forum. When I asked one of the speakers, from the ports sector, what the biggest challenge to his industry was, he answered without hesitation that it was the railways. The investment that his company is making in northern ports will not be profitable or sustainable if there is not much improvement in railway infrastructure. The two must go hand in hand. The pause is not what was promised. There is concern and scepticism, rightly, about jam tomorrow; in fact, without greater rail investment, jams on the roads tomorrow are more likely.

We all remember the Chancellor's visit to Manchester armed with a big commitment to rebalance the economy. Investment in the north was a top priority prior to the election; afterwards, there was no longer any money in the pot. That is simply not acceptable. It is understandable when people call what is happening yet another chapter in the story of the north losing out to the south. Surely the UK Government do not wish to perpetuate that feeling by failing in their promises yet again. More than 80% of transport infrastructure spending happens in the south, and people notice that it is not big ticket projects such as Crossrail that lose out. Without a serious shift in spending to give the north the investment it needs, the growth needed for competitiveness will simply not happen. The current poorly integrated and underfunded transport network is detrimental to business, commuters and freight movement and will certainly not deliver a prosperous economy.

In conclusion, without a swift assurance of Government's commitment to the northern economy through the reinstatement of this project, there will be little credibility left to the northern powerhouse agenda. The Government should honour the promises that they made about electrification.

9.59 am

Iain Stewart (Milton Keynes South) (Con): As ever, it is a pleasure to serve under your chairmanship, Sir Roger, and I congratulate the hon. Member for Sheffield, Brightside and Hillsborough (Harry Harpham) on securing this important debate.

I certainly support the electrification of the midland main line, for reasons that many speakers have outlined. I will not waste minutes by rehearsing them; rather, I want to make a specific point about a project that is connected with the midland main line but stands alone from it. That project is the east-west rail line, which will connect Bedford on the midland main line through my constituency of Milton Keynes to Oxford and into the great western network. The project is well advanced; construction is under way. It will unlock huge benefits, including around 12,000 new jobs and a £38 million annual increase to regional GDP. It will improve the environment, and there will also be all the other benefits that we will get from that rail line.

Significantly, the project it will also be a valuable addition to the whole national network and provide important connectivity for towns and cities on the midland main line through my constituency and into the south-west. To give an indication of the benefits that it may unlock, my local football team, MK Dons, plays in the same division as Sheffield Wednesday, Derby County and Nottingham Forest. If fans from those cities wish to come and see their teams lose in Milton Keynes, they will be able to do so very easily by rail, because Bletchley station is a short walk from Stadium mk. For that and many other reasons, the east-west project will be very significant.

I would like the Minister, first, to confirm that the basic east-west project, which is not an electrified line, will very much proceed as planned. Secondly, it was envisaged that the east-west line would be electrified as well, which will enhance the project, and not just for environmental reasons. Critically, as the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) said, that will add significantly to the national freight network, providing an electrified connection from the southern ports and western ports through the midlands to the north. I would be grateful if the Minister said something about how she envisages the electrification of east-west rail, as part of the consideration of the midland main line electrification.

10.2 am

Mr Clive Betts (Sheffield South East) (Lab): As I have said, Sir Roger, I have to leave before the end of the debate, as I have a prior engagement, so I apologise to my hon. Friend the Member for Sheffield, Brightside and Hillsborough (Harry Harpham), to the Minister and to you. I will not take up too much time—I understand that other hon. Members want to speak—but I want to re-emphasise some points that I made in interventions.

I remember, when I was first elected back in 1992—a long time ago now—going in the cab of a train down to London and being shown all the problems on the midland main line compared with the straighter and quicker routes on the east coast lines, and eventually, the west coast lines. All the curves and bends prevented the trains from going at maximum speed. Ten years later, I remember going to a conference with Network Rail to talk about how we might deal with the problems on the line; and, another 10 years later, we finally got the upgrade. It was a long time in coming, but, as I said in an intervention, for less than £100 million, we cut 10 minutes off the journey time to Sheffield. When we consider how many billions were spent achieving not much more than that on the west coast line, we can see what good value the midland main line offers when improvements to it are carried out.

That is a good starting point, and it leads on to the point that my hon. Friend has made very eloquently. The business case for electrification of the midland main line is very strong indeed. It is one of the strongest—stronger than that of the great western line, so we have to ask why it was put behind the great western line. Maybe the question of having to replace the rolling stock on the great western line drove that decision and put it ahead in the queue, but it was certainly not the strength of the business case.

That leads me on to issues for the future. Given that we have already delivered track improvements on the midland main line and have progressively, over the years, brought the journey time to Sheffield down to two hours—a long-term objective that we have now achieved—why can we not have a serious commitment from the Minister now that, irrespective of the electrification pause, we can get on with the other track improvements? As I understand it, they will take another 10 minutes off the journey time to Sheffield and mean reductions in the journey time to the stations in between. The Government can do that. They have not announced a pause on those, so can we have clarification that those other improvements will go ahead? Of course we want electrification as well, but this commitment can be given ahead of any decision on electrification. The Minister can do it today.

There are two drivers of this. We have some challenges coming up, the first of which leads back to my point that perhaps a driver of the great western line electrification was the issue of rolling stock. My hon. Friend has already referred to the fact that if we get electrification, we will need the new Hitachi trains to run on the track, because only they will give time improvements with electrification, not the discarded, heavy trains that are currently running on the east coast line. However, the problem is that the HSTs on the route are old, out-of-date and not friendly for disabled people and will have to be replaced because of disability legislation by 2020. Indeed, the HSTs we have are themselves second-hand and discarded previously from other train lines. They were not new trains—most of them—when they came on the midland main line in the first place. There is therefore a big decision to be made. If the rolling stock is to be replaced, what will it be replaced with? The HSTs will have to be replaced because of disability issues, and in my view it will be nonsense to replace them with more diesel trains, thereby effectively locking out electrification for the foreseeable future.

[Mr Clive Betts]

We also have the franchise issue. The hon. Member for Mid Derbyshire (Pauline Latham) referred to the good news, which has just been announced in the last few hours, about the extension of the Stagecoach franchise to 2018. That means we will have a new franchise from 2018, but will it be for an electrified service or a diesel service? Again, the franchisee will have to indicate what rolling stock they will use on the line. They are going to need clarification about the future of the line and electrification in order to make a sensible decision.

For all those reasons, it really requires the Minister to say yes to the track improvements now and to give a clear timetable for the decision on electrification, so that these other factors can be taken into account as part of that.

10.6 am

Amanda Solloway (Derby North) (Con): It is a pleasure to serve under your chairmanship, Sir Roger, and I thank the hon. Member for Sheffield, Brightside and Hillsborough (Harry Harpham) for securing this important debate.

Network Rail has said that it is committed to providing faster, more reliable trains on the midland main line and that investment will continue prior to electrification to improve performance and meet the growing demand from rail users in the east midlands. However, the Transport Secretary announced recently that work on the project had been paused. Network Rail has missed its targets and greatly overspent on the work that has been carried out. Sir Peter Hendy has since been appointed to review the failings of Network Rail. I hope his report will contribute to getting the proposed plans back on track as soon as possible.

The announcement of the pause has been met with much disappointment from businesses and constituents, not only in Derby North but in the east midlands as a region. The midland main line carries more than 13 million passengers a year. However, in recent years, when £12 billion has been spent on the rail network, only £200 million has been spent on the midland main line. We need to consider the fact that the midland main line network connects four of the largest cities in England: Derby, Nottingham, Leicester and Sheffield—although that might be just for football matches, as my hon. Friend the Member for Milton Keynes South (Iain Stewart) said. Those cities are contributing to one of the fastest growing regions in the country. In fact, our region has been outlined to be Britain's engine for growth. However, I am concerned that that will be more difficult if we do not complete the electrification of this line.

The electrification of the midland main line will provide modern, cost-effective and reliable transport, and it will support the growth and competitiveness of the east midlands as a region.

Tom Pursglove (Corby) (Con): It is important to point out that this is not just about economic growth, but about housing growth. In north Northamptonshire we are seeing huge developments; Corby is, in fact, the fastest-growing town in the country. Does my hon. Friend agree that we need to look at this issue through that prism, too, and that areas that are taking growth

need to be rewarded when it comes to infrastructure to meet not only existing need, but the need of people coming to the area?

Amanda Solloway: I absolutely agree with my hon. Friend. One thing that we are very conscious of in this region is the growth we are having in housing and the need for the infrastructure that goes with that.

Despite all that I have described, I do not think we have had enough investment in the midland main line. I would also like to point out that the trans-Pennine network, like the midland main line, has also been paused. Although it will play an important role in the northern powerhouse, there is stronger case—certainly a stronger business case—for electrification of the midland main line to take priority. It is estimated the scheme would generate over £450 million of economic benefits a year for the midlands, as a result of quicker, reliable services between the four major cities that I have mentioned. Designs have already been submitted in some areas and bridges have already been built to accommodate the line. We now need clarity on when we can expect the project to begin again. If we are to keep growing the midlands economy, we cannot continue to have the slowest inter-city line. We need investment, we need improvement and we need the electrification process to be restarted as soon as possible.

10.10 am

Paul Blomfield (Sheffield Central) (Lab): It is a pleasure to make a contribution under your chairmanship, Sir Roger. I congratulate my hon. Friend the Member for Sheffield, Brightside and Hillsborough (Harry Harpham) on securing this debate. I am delighted to follow the hon. Member for Derby North (Amanda Solloway), my friend and colleague on the Select Committee on Business, Innovation and Skills. Her contribution and the others we have heard this morning underline the cross-party unity on and concern about this issue.

Let us cast our minds back to 2009, when Network Rail published a study of the electrification options for the UK network. It identified the midland main line as having the best business case for electrification of any route in the country, with the great western line second. The great western work is going ahead, but the work on the midland main line has been paused. Colleagues have made comments about pausing, and I always understood a pause to have a start point and an end point. Clarification about the end point would be helpful, for all the reasons that hon. Members have given—to provide certainty and confidence that the process will not simply be ended.

I understand the concern about cost escalation across the network as a whole that led the Government to decide to pause, but the line with the worst cost escalation overall is the great western line—up £700 million, from £1 billion. The cost escalation on the midland main line is comparatively low. Within the framework of the decision that was made, it therefore does not make sense to have paused the work on the midland main line.

My hon. Friend the Member for Sheffield, Brightside and Hillsborough made a clear case for the benefits of electrification: the cost savings in revenue terms and the environmental benefits, such as lower CO₂ emissions and pollutants. Others have made the point about the

ability to have new trains—clearly most new trains are electric—and, in the long run, the work will have to be done to ensure compatibility with HS2. However, as others have pointed out, electrification is only one part of the discussion. It is important to continue to press for electrification, but we need to look at other line improvements, and there are clearly a number of places on the midland main line where work is required.

The Bedford to Kettering line needs additional track to be laid alongside the existing track to allow more trains to run and to speed up journeys to Sheffield and other points along the route. The single track on the Kettering to Corby line needs a second track. The speed restriction south of Leicester needs to be eliminated. The work that has been mentioned at Derby needs to be done and speeds between Derby and Chesterfield need to be raised. There is also the work at Market Harborough—I have worked closely with the right hon. Member for Loughborough (Nicky Morgan) on this issue, and I know that, were she not engaged in her responsibilities as Secretary of State for Education, she would be making this point—where the track needs to be straightened for about one and half miles to raise speeds from 60 mph to 90 mph and to allow the station to be rebuilt.

The overall cost of all that work is significantly less than the cost of electrification. We have seen two thirds of the investment in the midland main line—the electrification—paused. It would be an outrage if the remaining third—the track improvements and all the related infrastructure work—was also delayed. I am looking to the Minister this morning to provide unambiguous confirmation that the funding will be available to proceed on all those points.

On the Market Harborough campaign, we reached the point before the general election where £24 million had been allocated by Network Rail, with a further £13 million allocated from the local growth fund, through a unique coming-together of the three local enterprise partnerships: Sheffield City Region, D2N2—Derby, Derbyshire, Nottingham and Nottinghamshire—and Leicester and Leicestershire. However, there was a small gap in the remaining funding, which we were assured before the general election would be resolved. That assurance is what a number of us, on both sides of the Chamber, are looking for this morning.

When the Secretary of State made his statement on pausing back on 25 June, he told the right hon. and learned Member for Harborough (Sir Edward Garnier):

“We will press on with the rebuilding to speed up and straighten the track at Market Harborough... That will mean faster services soon”.—[*Official Report*, 25 June 2015; Vol. 597, c. 1073.]

We need to know when “soon” is. The Secretary of State also reaffirmed that commitment in an answer to me on the same date. Given that this issue has been well aired, I am assuming with some confidence that it will not be too difficult for the Minister to give a cast-iron guarantee this morning that that work will happen and that the money is available or to provide a date.

10.16 am

Nigel Mills (Amber Valley) (Con): Thank you for calling me to speak, Sir Roger. I join other hon. Members who have called strongly for the electrification of the midland main line to be unpaused as soon as possible,

so that we can have it as close as possible to the original 2020 deadline. I also congratulate the hon. Member for Sheffield, Brightside and Hillsborough (Harry Harpham) on securing this important debate.

Let me say at the start that I understand why the Government felt a need to pause a scheme when they thought costs were spiralling out of control. Those of us who care about the responsible use of public money accept that if things are going wrong and costs are escalating, we have to get them under control and try to get the best value from the amount of money we can spend on such improvements. I therefore do not object to a brief pause to reset Network Rail’s capacity to understand what it is doing, but I do object if that brief pause becomes indefinite and starts to look like a cancellation to those of us who want the line electrified, with electric trains running on it.

As all the other speakers have said, there is a strong business case for electrifying the line, which has suffered from under-investment probably for the whole length of its history. The two competing lines—one to the east and one to the west—have dramatically faster journey times. If I travelled from Tamworth rather than Derby, I could get to London in one hour, rather than an hour and a half. If I choose to go from Newark or Grantham, rather than Nottingham, I can get a journey time of about one hour, rather than one hour and 40 minutes. Those who live east of Nottingham or west of Derby do not use the midline main line, because of the historic under-investment and much slower journey times. There is a clear need for investment in the line to get a service that is comparable to those around it and to give the important cities of Sheffield, Nottingham, Derby and Leicester the sort of rail service they need to attract the economic investment that the area so desperately wants and needs.

As other Members have said, that is a key point for the future of the line. We need to know by 2019 what rolling stock we are buying, because if we end up investing in the long term in diesel rolling stock, it will be much harder to make the case later for electrifying the line. The Government would then be faced with the question of whether to invest in dual-power trains to allow for possible future electrification. That would not be a sensible use of money.

My vision is for brand-new electric trains, built by Bombardier in Derby, operating on this line—I am not sure about those Hitachi things that the hon. Member for Sheffield South East (Mr Betts) mentioned—but if we do not get the decision right now, we could find, when the next franchise is let in 2018-19, that this will have been a long-term decision not to electrify the line, and that would be a very bad decision. If we want the east midlands to be the powerhouse of growth, I want the engine room to be electric, not diesel.

I have another little request. The original plan to electrify the line missed out a couple of stations on a bit of the line through Langley Mill and Alfreton, which is on the Nottingham to Sheffield stretch. It seemed bizarre to electrify most of the line and then miss out a bit. I am not sure what that would do for services from Sheffield to Nottingham. I cannot see that it would do much for the direct trains to London from Langley Mill and Nottingham, which are so valued by my constituents. I therefore say this to my hon. Friend the Minister: as we

[*Nigel Mills*]

are looking to unpause this, let us actually do the whole line, not most of the line, and get that little branch line added into the programme.

It is already proving quite hard to sell HS2 to my constituents as a great idea because of the pretty low return on the investment—it is certainly much lower than for electrification of the midland main line. If we have to go to people and say, “Look, a return of £4 for every pound that’s spent isn’t enough. We can’t justify spending this money electrifying this line where you could have nice new clean and faster electric trains and faster journey times somewhere in the early 2020s”—I hope—they will probably not understand why we can spend a hell of a lot more money trying to get a line that would be a bit quicker sometime in the 2030s.

We must be consistent in how we evaluate investment in rail infrastructure. If we cannot afford this project—if we cannot justify it—then those of us who do support HS2 will have a much harder job of trying to understand and explain why we are still doing that. I think all our constituents up this line would say, “We would rather have this scheme and these improvements sooner than wait and hope that we might get an HS2 in 15 or 20 years’ time.” The Minister should be aware that we have to be consistent and clear in giving explanations, especially if rail investment is going through the east midlands up to Sheffield. We cannot have a nice grand project that we struggle to sell while we are not investing in the short-term stuff that we really need.

Mr Betts: The hon. Gentleman is making a very important point, and I support HS2 strongly as well. The Government have said repeatedly to people, “Don’t worry about HS2. It will not affect the investment in the rest of the railway.” Are people not likely to conclude that if electrification does not go ahead on the midland main line, that promise of no impact from HS2 is not being kept?

Nigel Mills: I think that would be the conclusion. People would see money being spent on rail improvements and think that it was all being sucked into HS2 and we were missing out on a much quicker and much more effective scheme, with a much higher rate of return. They would think that that was a somewhat strange decision, at a time when the Government are trying to get more value for money from public spending.

This is a very important scheme. It has a very strong business case. I think that it ought to go ahead. Let us get the pause done, get this re-energised, get a new timetable, which I hope would show completion in the early 2020s, and get the other improvements done. Let us get moving; let us get Network Rail under control, but this scheme should not be cancelled.

10.22 am

Robert Jenrick (Newark) (Con): I thank the hon. Member for Sheffield, Brightside and Hillsborough (Harry Harpham) for organising the debate. I represent the town of Newark, which has some of the best rail links in the east midlands. We are very fortunate, as a small market town, to be on the east coast main line. I can get to and from London in an hour and 10 minutes. There has been some good news for us recently, thanks to

some Government investment. Our east-west rail links have improved. The Castle line, which takes us from Lincoln through to Newark and into Nottingham, has been upgraded, although I have to add that I have seen an election manifesto for my predecessor but three, from 1975, promising that he would upgrade the Castle line, so transport investments do take a long time. We are also hopeful that the Government will deliver the upgrade of another, smaller line—the Robin Hood line, in the constituency of my neighbour, my hon. Friend the Member for Sherwood (Mark Spencer)—which, equally, would provide an opportunity to unlock economic growth in an ex-coalfield community.

None the less, I cannot hide my constituents’ disappointment that the electrification has been paused, not because it affects Newark a great deal, but because it affects the large number of my constituents who commute into Nottingham and whose livelihoods rely on the economic success and vibrancy of that city, which, as has already been said, has comparatively extremely poor transport links. I can get to London in an hour and 10 minutes from Newark or in less time from Grantham, but for constituents taking the train from Nottingham, it will take two hours. That is clearly an absurd situation for a major city such as Nottingham versus a market town such as Newark.

I completely understand the Government’s reasons for the pause. As my hon. Friend the Member for Amber Valley (Nigel Mills) said, Conservative Members are the first to support sensible use of public funds. The pause seems entirely sensible as long as it is a pause and is not for too long. That is the overriding message from today.

I would like to make a few observations about Railtrack that have partly come out of my discussions with the Newark Business Club, which is one of the best business clubs in the east midlands and has a number of passionate campaigners for improvements in rail links not just for the Newark area, but for the whole of Lincolnshire and Nottinghamshire. None of us is an apologist for Network Rail, but I would like to make three points that might help people understand why we got into this situation, and to ask the Government to take them seriously in the future.

The first point, of course, is that in the history of Railtrack, as it then was, it was the darling of the City when it was first launched, but it quickly became apparent that the company had committed the cardinal sin of failing to invest in its own assets. Ever since its creation, and under a series of Governments, there has been a chronic failure to invest in projects such as this, which has led us to the present day. We need to correct that. One corollary of that failure to invest has been a severe lack of skills in the industry. It is undoubtedly true that if the Government do not do more electrification projects, we will not have more skilled workers who know how to do electrification projects, more projects will run over budget and more bad decisions will be made, because there will be fewer and fewer skilled workers in this country to do what can be quite difficult projects. If we want more projects to be delivered on time and more sensible decisions to be made, we need to do more of them and invest more in electrification.

Decision making is done in Network Rail, but also, inevitably, in the Government and in the Department for Transport, because Network Rail is guided by the

Department when prioritising. That has been one of the main themes that we have heard this morning. Prioritisation of projects is, at best, surprising at times. It would be good if, in future, with the arrival of Sir Peter Hendy, he was given sufficient freedom to apply his very good judgment and experience to judge which projects make the most sense to deliver at any one time.

There are two elements to that. One is the assessment of how difficult projects are. I am not an engineer, but the engineers I have spoken to make it clear that not all electrification projects are technically difficult. Some are; some are not. Indeed, some of the projects that we have seen are basically simple civil engineering projects, which require a great deal less than specialist railway engineering skills. Examples are the upgrade of the infrastructure at Doncaster and grade separation at Newark.

A number of projects would not be especially difficult to achieve. It is surprising that several of those projects are being put on the back burner when more difficult projects have been given the green light. One of my constituents, who was part of the team who delivered it, raised with me the electrification of 200 miles of line between Crewe and Glasgow over three years, on time and on budget, in the early 1970s. That shows that we can do electrification projects as long as we pick and choose and prioritise the ones that do not require such technical skill. In contrast, some projects that have been given the go-ahead are very technically difficult and it is little wonder that they have ended up being delayed and over budget.

I would therefore like the Minister and the Government to give Sir Peter Hendy, whose arrival I welcome wholeheartedly, the discretion to try to improve decision making in Network Rail about the choice of projects, and for there to be less meddling in those decisions, so that projects with very compelling business cases, such as this one, are prioritised and there is better assessment of which projects are expensive to deliver and technically difficult, as opposed to those that could be given the green light straightaway.

My next point is with regard to the direct award to East Midlands Trains. Despite our concern about electrification of the line, that presents a great opportunity for my constituents and those of many other hon. Members in this room. I remember when the south-west got news of major improvements in its infrastructure due to its recent grant award. The Minister might like to tell us something of what she knows about those improvements, because it is a big opportunity to see upgrades of stations, services and rolling stock, regardless of the pause in electrifying the midland main line.

My last point concerns the depressing feeling that the east midlands always loses out. At an event two days ago in London, I met a number of people from across the country, none of whom lives in the east midlands but whose analysis of the reason why the Government have paused the project was that of all areas, the east midlands would give the Government the least aggro. I do not think that that is the case, but that is the perception across the country, within Government and among my constituents. It is all the more important that we MPs—there are not as many MPs here today as perhaps there should be—work together on a cross-party basis to give the east midlands as strong a lead in Government as we possibly can.

Mr Bone: A number of other MPs would have liked to be here—I know that my hon. Friend the Member for Kettering (Mr Hollobone) is among them—but there are three East Midlands Trains events today. I believe that we will see all those Members at some time today.

Robert Jenrick: I thank my hon. Friend for that remark. The east midlands consistently loses out across a whole range of areas, which include funding for our schools, our police service, our fire authorities, our local councils and, indeed, rail investment and our LEAs. Part of the blame for that must rest on us as Members of Parliament, because we need to be better at putting forward a consistent and intelligent approach. I look forward to the Government's taking the east midlands more seriously in the years to come.

Sir Roger Gale (in the Chair): Order. Mr Hendry, I called you earlier because I wanted to make absolutely certain that you had sufficient time to make your remarks. As a Front-Bench spokesman, if you wish to make any additional brief remarks now, you may do so.

Drew Hendry: Thank you for offering me the opportunity to make additional remarks, Sir Roger, but I do not need to do so.

10.31 am

Richard Burden (Birmingham, Northfield) (Lab): It is always a pleasure to serve under your chairmanship, Sir Roger. I always seem to do so in debates about infrastructure, and today is no exception. I congratulate my hon. Friend the Member for Sheffield, Brightside and Hillsborough (Harry Harpham) on securing this important and timely debate, which is his first in Westminster Hall. He introduced the subject skilfully and his arguments had great force. He has been a constant champion of public transport for many years, both on Sheffield City Council and since his election to this place.

It is four months or so since the publication of the Conservative party's general election manifesto. Let us remind ourselves of what it said:

“We will back business by...electrifying the Midland Main Line from St Pancras to Sheffield”.

That is all very good. A decision to support electrification was made some three years ago, which was welcomed by passengers, local authorities and hon. Members of all parties. The midland main line has been the Cinderella of Britain's main lines. As hon. Members have mentioned, the campaign to electrify the route goes back to the '70s and '80s, when British Rail said that doing so was “a first priority”, until the Conservative Government of the day withdrew their support. There is a distinct sense of history repeating itself. Nobody can fail to appreciate the strength of feeling that still exists on the issue in all parts of the House and all parties, and I am sure that passengers up and down the route will welcome the contributions of hon. Members on both sides of the Chamber.

The case for electrifying the midland main line is compelling. A Network Rail assessment in 2009 found that the project's benefit-cost ratio was “technically infinite”, as my hon. Friend the Member for Sheffield Central (Paul Blomfield) has said. More recent figures

[Richard Burden]

published by the Department show that the benefit-cost ratio of the project is superior to those of other major projects that are proceeding. Network Rail has said that the project is

“critical to delivering a reliable and sustainable railway and tackling overcrowding.”

In 2012, the Government talked about an “electric spine” that would convey passengers and freight from Southampton to Sheffield, which was, again, described as a first priority in terms of rail investment.

Rail investment in the north of England, including Yorkshire, falls notoriously short compared with the funding made available to other regions. According to the Department’s own figures, rail investment per head is lower in the east midlands than in any other English region. That point has been emphasised by hon. Members from the region; I am sure that the Minister will agree that they have been giving her “aggro” about that, to quote the hon. Member for Newark (Robert Jenrick). The electrification of the midland main line would have gone some way towards addressing the inequalities.

Electrification is not the only problem, however. Some of the trains on the route date back to the 1970s. Although they have performed admirably over the years, they must be withdrawn or upgraded at significant cost by 2020 to comply with the Disability Discrimination Acts, as my hon. Friend the Member for Sheffield South East (Mr Betts) has pointed out. The clear aspiration was that the rolling stock would be replaced by superior electric trains, but that, too, has been thrown into doubt.

I will return to electrification in a moment, but it is important to set out that the upgrade package also contained significant speed improvements. Indeed, when the Secretary of State announced his decision to “pause” the electrification programme, he said:

“We will press on with the rebuilding to speed up and straighten the track at Market Harborough, and with the rebuilding of the Derby track layout. That will mean faster services soon, and it will enable us to make the most of the electrification and new trains that will result from future franchises.”—[*Official Report*, 25 June 2015; Vol. 597, c. 1073.]

That point has been made by several hon. Members. The problem is that as far as we can tell, there is still a £9 million funding gap for the Market Harborough project, and there has been no clarity from the Department about whether and how that gap will be filled. Worse still, there are worrying rumours and reports—most recently in *Construction News*—that the Hendy review has concluded that only a fraction of Network Rail’s control period 5 schemes are affordable. That throws into further doubt some of the things that the Government have been saying, so I hope that the Minister can provide some clarity today. It has been reported in *The Sunday Times* and *Passenger Transport* that on top of escalating costs, Network Rail’s budget may be cut further in the comprehensive spending review, threatening not only improvement projects, but essential maintenance.

That is a world away from what we were told in April, when the Chancellor said:

“Spending review will set out improvements to rail travel in East Mids including electrifying Midland Main Line from Bedford to Sheffield”.

Let us not pretend that that has nothing to do with the choices that the Government have made, and nothing to do with the fact that different choices are announced before and after an election when marginal seats are at stake. Ministers have adopted a policy of implausible deniability on the matter, but let us recap some of the facts. We first raised concerns about cost overruns on the great western main line in May 2014, just weeks into the new investment period. Last October, the then shadow Secretary of State, my hon. Friend the Member for Wakefield (Mary Creagh), asked the Transport Secretary to say

“which electrification projects will be delayed or cancelled”—[*Official Report*, 23 October 2014; Vol. 586, c. 1030.]

as a consequence of cost overruns. The Secretary of State was apparently so concerned about those matters that he ordered an “urgent” review of Network Rail’s projects, which he received in September. He has refused to publish it, so we can only speculate on its contents. The Transport Committee warned in January:

“We are concerned that key rail enhancement projects...have been announced by Ministers without Network Rail having a clear estimate of what the projects will cost, leading to uncertainty about whether the projects will be delivered on time, or at all.”

The Committee stated:

“Electrification of lines in the North West, the North trans-Pennine line, and the Midland Main Line, should not be put at risk due to the projected overspend on the Great Western Main Line.”

Crucially, we now know, thanks to documents obtained by Labour under the Freedom of Information Act, that in March, Network Rail’s board agreed to

“decisions required jointly with the DfT re enhancement deferrals from June”.

Unnamed sources in the Department initially denied to the BBC that there was any knowledge of these discussions before the election. However, Network Rail’s chief executive subsequently confirmed that:

“In mid-March 2015, Network Rail informed DfT that decisions may need to be made in the coming months about the deferral of certain schemes.”

Are we now asked to believe that Ministers really had no knowledge? I have previously described the midland main line as something of a Cinderella route, and to believe what the Government have been saying about the route is a bit like believing in fairy stories, which always seem to end with a silver carriage turning into a pumpkin.

Voters heard promises to deliver the electrification of the midland main line in the best of faith. The only people who did not know that the investment programme was collapsing, apparently, were Ministers in the Department for Transport. Will the Minister address that today? It is a straightforward question, but her Department has refused to answer it until now. When Network Rail told the Department in March that decisions may be required on the deferral of major rail projects, were Ministers in the Department informed?

The Parliamentary Under-Secretary of State for Transport (Claire Perry): I am happy to put to rest once and for all the conspiracy theory that the hon. Gentleman knows better than to perpetrate. My boss, the Secretary of State for Transport, has stated unequivocally on multiple occasions that the first time he received advice that either of these projects should be paused was on 15 June 2015.

Richard Burden: The Minister has been very clear. She will have to answer my next set of questions, and I hope she will when she sums up. Were her officials therefore not telling her what they were being told by Network Rail, or was the chief executive of Network Rail telling porkies?

Looking ahead, it is not clear what remains of the Government's much-heralded "biggest programme of rail investment since the Victorians." It now looks as if the much-heralded northern powerhouse has had the power turned off, the midlands engine has been left to rust and the electric spine has been broken. There is enormous anger in the north of England about the northern powerhouse, of which the midland main line project is a part.

Mr Bone: I was not going to intervene, but I thought this debate had been constructive and useful on both sides of the Chamber. The shadow Minister's political rant is out of place. I could easily ask, "How many miles of railway did Labour build in 13 years?" This is not the place for that debate.

Richard Burden: I have made it clear that there is cross-party anger about the delays to this project, and I think that anger is genuine from Government Members. I imagine that they are as concerned as Opposition Members about why something that was promised as recently as April has since been removed and about the discrepancies that appear to exist about what happened.

Mr Bone: Thirteen years.

Richard Burden: If the hon. Gentleman wants to talk about the record of the last Labour Government, I am happy to do so. There is not a lot of time.

Sir Roger Gale (in the Chair): Order. The shadow Minister might be happy to do so, but the Chairman is not.

Richard Burden: I will simply say that Labour invested more in the railways in real terms than any previous Government.

I hope the Minister is able to confirm today that, whatever happened in the past, Cinderella will finally get to the ball. Ultimately, passengers in that part of the country need to know whether the full speed improvements package will go ahead, as planned. I even hope that she is able to tell us that electrification of the midland main line will go ahead under a reasonable timetable, as promised. When will that announcement be made?

This has been happening not for years but for decades. Passengers deserve clarity, and the Government are the only people who can give that clarity. I hope the Minister will do that today.

10.44 am

The Parliamentary Under-Secretary of State for Transport (Claire Perry): It is always a pleasure to serve under your chairmanship, Sir Roger. I have many questions to answer, and I will do my best to answer them. If I do not answer Members' questions, I will be extremely happy to write with any specifics.

I will start by restoring what I agree with my hon. Friend the Member for Wellingborough (Mr Bone) was an important, factual and consensual debate that raised some extremely important questions about this vital infrastructure. I congratulate the hon. Member for Sheffield, Brightside and Hillsborough (Harry Harpham) on securing this debate, and I am delighted that it is his first debate—I still remember mine. He has big shoes and four paws to fill, and I hope he will personally pass my best wishes to his predecessor, with whom I worked and for whom I have the greatest respect.

It is great to see such a strong cross-party turnout for, and to hear such excellent contributions to, today's important debate. I will address a couple of issues that came up. The first is the importance of investment in railways to drive economic growth on a local, regional and national basis, as the hon. Gentleman said in his opening speech.

I am delighted—I suspect this has something to do with some of his jobs in a former life—with the hon. Gentleman's reference to freight, which is often not considered when we talk about improvements to the railways and which is vital to the economic prosperity of such regions that export and manufacture. Indeed, I have visited several upgrade projects across the region, such as the Great Northern Great Eastern line, that have been specifically designed and delivered to improve freight paths for manufacturers in the region. Investment in transport across the UK is vital if the economy is to grow. I am happy to give what should be not a cast-iron guarantee but a stainless-steel guarantee that £38 billion of investment will be spent on British railways over the next few years, which is the biggest spend in generations—since Brunel's time.

My hon. Friend the Member for Wellingborough asked how many miles of track the last Labour Government electrified in 13 years, and the answer is nine. The shadow Minister, with whom I work frequently, is embarrassed to talk about that because we have finally woken up, on a cross-party basis, to the vital role of rail infrastructure investment in driving economic growth and better journeys for people using the railway.

I am happy to confirm that £38 billion is being spent. Successive Governments have not spent the right amount or invested enough in the railways. If we roll back the clock more than 10 years to 2003-04, when the last deals for the northern and TransPennine Express franchises were being negotiated, was there any conversation about replacing the clapped-out Pacers? There was none. The TPE and northern routes, which provide some services to the constituency of the hon. Member for Sheffield, Brightside and Hillsborough, will transform passenger services in the north of England. It cannot come too soon.

I will quickly cover a couple of other things. The first is the Sheffield city region, of which the hon. Gentleman is a great supporter. The city is working across parties, across business and across political boundaries, and it is working closely with Transport for the North, an organisation that my Government have funded to the tune of £30 million and is designed to pull such decisions about the right form of transport investment as close as possible to the region's people and wealth creators. It is not enough for officials at Network Rail or in my Department to sit and plan what improvements should

[*Claire Perry*]

take place; those improvements have to deliver the maximum benefit for people and businesses using the railways.

Sheffield has been a strong supporter of the proposals to enhance east-west connectivity and to maximise the potential and benefit of High Speed 2, and I am delighted that we still have cross-party consensus on the importance of the HS2 route, despite the voting record of the new Leader of the Opposition—that is a cheap shot, but I could not resist. I am delighted that the Labour party is completely committed to going ahead with HS2.

The deal for Sheffield gives more control over local transport schemes. It enables Sheffield to work directly with Network Rail to support the delivery of the Sheffield to Rotherham tram-train project, and it improves the vital co-ordination between Sheffield, Network Rail and Highways England to ensure that investment is pulled through by local economic priorities. I thank Members who have championed the Sheffield devolution deal.

My second point is on the TPE and northern franchises. I will not be drawn on several things, including the debate on where “the north” starts and the prediction of football results, although I am disappointed that there was no mention of the Leicester Foxes, of whom I have been a lifelong supporter. But I can assure Members that the current franchise negotiations for the northern and TPE routes will be transformational for passengers in the north.

Train capacity into major cities will increase by 30%. There will be brand-new trains, not the Pacers and not reworked tube rolling stock. Existing trains will be fully modernised. There will be £30 million of northern station investment funds. I could go on. The franchise negotiations will transform travel in the north and change passenger experiences from among the worst to some of the best in the country.

As I have been asked many questions about the midland main line, I want to discuss it in detail. I emphasise that a pause is a pause. For me—I think my hon. Friend the Member for Mid Derbyshire (Pauline Latham) said this—when an organisation such as Network Rail has been given an unprecedented burden, because it has never been asked to do this much investment in the railway before, and there is evidence that some of the work is starting to go wrong and that promises will not be delivered on, one can either carry on and then not deliver or say, “We must get this right.”

We have to deliver these improvements. We understand the economic case for delivering them. We have to find someone, who in this case was Sir Peter Hendy—a railway man to his fingertips—who can take the organisation to a point where it can offer cast-iron guarantees about delivery dates. Network Rail is tasked with delivering the improvements. We are relying on Hendy and his team to come back and set out exactly what that delivery programme looks like. He will shortly deliver a plan that will outline the delivery of the upgrades and set out specific clarity around the electrification projects.

Many hon. Members have asked me what all this means for projects that are already happening. If one travels from Corby to Kettering, one can see that the

four-track work is going ahead. It is being delivered and tens of millions of pounds are being spent on the track-doubling project. We are removing the long-standing bottleneck at Derby station to speed up both Midland Mainline and CrossCountry services. We are improving the line speed south of Leicester station, between Derby and Chesterfield and at Market Harborough. Station-lengthening work is going on right across the network to enable longer trains to run, and we are adding capacity between Bedford and Kettering.

I want to mention freight, because the hon. Member for Sheffield, Brightside and Hillsborough shares my interest in it. The promised freight gauge clearance schemes, which are vital to allow more freight on these lines, are going ahead, so additional freight services will be run.

Paul Blomfield: Before the Minister moves on—I appreciate that she is trying to answer all the questions—I want to be absolutely clear on Market Harborough, which she mentioned in passing and skipped over. Is it guaranteed that the full funding—the money topped up from that provided through the local growth fund and identified by Network Rail—will be available for the full necessary works at Market Harborough?

Claire Perry: The hon. Gentleman refers to the £9 million shortfall. I need to investigate that further and will write to him. I believe that efforts are being made by several organisations to fill that important funding gap.

The hon. Gentleman has prompted me to answer his important rolling stock question regarding electrification and the cascade, on which he is absolutely right to focus. It will be the case that when preparation work starts for the new franchise, which will be let in 2018, all the questions around rolling stock specification and the requirement for new trains will be put into it. When we invited tenders for the TPE franchise, we gave bidders an option and set out what we knew about improvement works.

By the way, there is this idea that we are somehow not investing in the north, but has the hon. Member for Birmingham, Northfield (Richard Burden) travelled on the new electric trains that run between Manchester and Liverpool and Liverpool and Wigan? Electrification has come to that part of the UK for the first time. I hope that he will join me in celebrating the fact that those cities now have new electric trains, which were delivered by this Government, as promised. We are 100% committed to ensuring that the £38 billion unprecedented investment in the railways happens right across the UK, not including HS2, which, as my hon. Friends pointed out, is vital to speed up journey times to and from the north and to pull wealth out of the south-east. We will also continue—[*Interruption.*] Did the hon. Gentleman want to celebrate and welcome that electrification?

Richard Burden: There have been reports—I mentioned the one in *Construction News*—that say that the Hendy review has already concluded that only a fraction of the control period 5 projects are financially sustainable. Does the Minister have those reports as well? If so, how does she square them with what she has just said?

Claire Perry: If I had heeded all the reports, I would have been letting the East Coast franchise to a French company instead of a fine Scottish and English company that is delivering unprecedented improvements for passengers on the east coast main line. I want to see the facts. I do not want to speculate, which can damage business confidence. We must be absolutely clear about what has been delivered, and I will wait for Peter Hendy's report and my Department's response. I am always happy to work on a cross-party basis with Members who pay so much attention to these vital improvements. As we go forward with the investment programme, that will help us to understand where the most important connections need to be made.

I want to mention today's franchise announcement, about which I have already spoken in public. Although this direct award has fewer than two and a half years to run, we have negotiated some pretty significant improvements for passengers. I hope that hon. Members will agree that East Midlands Trains is a good operator. Its punctuality record is good. It has won multiple awards and ranks pretty highly in terms of passenger satisfaction, so we have allowed it to continue operating the service. From today, there will be 22 extra services between Nottingham and Newark Castle. As my hon. Friend the Member for Newark (Robert Jenrick) mentioned, 24 new services were already delivered earlier this year. Timetable improvements will mean faster journey times and more services between Lincoln and Nottingham. Crucially, there will also be a pause—a freeze—on fares, so anytime fares on the route will not go up at all in the next two years. That is a company commitment.

Tom Pursglove: In light of what the Minister has just said, has consideration been given to increasing the number of services, both northbound and southbound, from Corby? There is currently a real appetite for that, and it would be welcome for the reasons of growth that I suggested earlier.

Claire Perry: I thank my hon. Friend for pointing out the crucial link between a growing local economy and transport. I encourage him, and all Members here, to submit such proposals to the franchising consultation and planning process, which will be starting in the next few months. It is vital that we get these important routes right.

The freeze on fares—we will be paying the same in 2017 as we do now—is in addition to the Government's cap on any rail fare increase above inflation for the next five years, which is a substantial commitment to ensuring that rail fares are appropriately priced for the travelling public. In addition, 15 more automatic ticket machines are being installed, along with better accessibility information and better customer information. There is an improved compensation scheme to ensure that if there are delays, such as those earlier this week mentioned by my hon. Friend the Member for Mid Derbyshire, passengers can quickly and easily get the compensation to which they are entitled in cash or bank transfer, not railway vouchers. We made that change earlier this year. Improved wi-fi across the service has already been delivered to ensure that people can work effectively on the train.

I talked about some of the schemes that are going ahead. They are tangible and can be seen as one travels along the line. I have discussed today's announcement, which will deliver some substantial improvements for passengers, despite the direct award only having a short time to run. I reassure Members across the House about the seriousness and determination with which the Government and my Department take the improvements. We have to deliver on what we promise. That is the purpose of the Hendy re-plan, which means that we will have a deliverable and affordable set of improvements. I invite all Members to work together to develop the proposals as we go into the new franchise. When we get the Hendy re-plan and confirmation of the work, I ask Members to work with me and constituents to ensure that people are fully aware of what is going on.

In conclusion, I never interpret enthusiastic, honest and fact-filled debates and submissions from hon. Members or broader groups as "aggro". I am happy to keep working and to be as open, honest and transparent as I can. I thank hon. Members and people right across the country for realising that a rail renaissance is taking place in Britain. It is vital that we get it right and that we deliver right across this great country.

Question put and agreed to.

Resolved,

That this House has considered electrification of the Midland Main Line.

Magistrates Courts: Suffolk

11 am

Peter Aldous (Waveney) (Con): I beg to move,

That this House has considered magistrates courts in Suffolk.

Sir Roger, it is a pleasure to serve under your chairmanship.

I am pleased to have secured this debate on the future of magistrates courts in Suffolk, following the publication of the Government's proposals to close two of the remaining three courts in Suffolk: the court at Lowestoft, which is in my Waveney constituency, and the court in Bury St Edmunds, which is in the constituency of my hon. Friend the Member for Bury St Edmunds (Jo Churchill). Sir Roger, with your approval and that of the Minister, I propose to speak for the majority of the time for this debate, and my hon. Friend will say a few words about the situation in Bury St Edmunds.

I am grateful to the Minister for the time that he has already given to me to listen to my concerns about the proposed closure of Lowestoft magistrates court. He has answered my questions in the Chamber and he and his officials have met Lowestoft solicitors and me.

There is no argument about the need to reform the justice system. However, any changes must not be at the expense of local access to justice. My concern is that the current proposals will imperil that. There is a need for a long-term vision of the future of our justice system, and it is important that local concerns and local knowledge are properly taken into account in the consultation that is now taking place.

There is a widespread view in Suffolk that the current proposals short-change Suffolk and that we have got a raw deal compared with other counties. The police and crime commissioner has expressed his concern, as have the temporary chief constable, the former superintendent in charge of the Lowestoft sector, the Police Federation, and the Suffolk and North Essex Law Society, as well as Lowestoft solicitors, who are working up an alternative proposal for Lowestoft. The *East Anglian Daily Times* has launched its "Justice for Suffolk" campaign and *The Lowestoft Journal* has launched a "Keep Justice Local" campaign.

In the early 1990s, there were 12 magistrates courts in Suffolk. If the Government's current proposals go ahead, only one will remain, in Ipswich. Although Ipswich is the county town, it is located at the southern end of the county, and it is a long way from and inaccessible to much of the rest of the county, in particular—from my perspective—north-east Suffolk, including the Waveney constituency and Lowestoft. In Ministry of Justice questions last week, I highlighted the fact that under the current proposals Suffolk would be one of only six English counties with just one magistrates court. That contrasts with the three courts being proposed for Norfolk and the four that would remain in Essex.

Moreover, under the current proposals Suffolk would be the worst English county for the number of magistrates courts per square mile, with one for every 1,466 square miles, compared with one for every 692 square miles in neighbouring Norfolk, one for every 355 square miles in Essex and one for every 655 square miles in Cambridgeshire. In response to my question last week, the Minister referred to Suffolk's being a very "law-abiding" county.

That is true, but by no stretch of the imagination can Suffolk be described as twice as law-abiding as Norfolk, the neighbouring county, which has a very similar demography and geography.

In its consultation document, the Ministry of Justice stated that if its proposals are implemented across the country 95% of citizens will be able to reach their required court within one hour by car. If Lowestoft magistrates court closes, that will not be the case for many people in north Suffolk, whether they are urban or rural dwellers. Travel times from Lowestoft to Ipswich are approximately 90 minutes, whether by car or train, and there is no direct bus service. Journeys to Great Yarmouth and Norwich are by no means straightforward either. The position in Norfolk is very different, as Norwich is more centrally located in Norfolk than Ipswich is in Suffolk, with all the main roads to the different corners of Norfolk radiating out of the city.

Lowestoft magistrates court is a relatively modern building, which has the advantage of occupying a readily accessible location adjoining the police station. It is also close to the new shared offices of the national probation service and the community rehabilitation company, as well as the town centre, and within walking distance of both the bus and railway stations. There is also an adjacent car park, which is underutilised. The court's concourse goes straight on to the pavement and there are lifts to the cells.

Any changes to the court estate must ensure that this strategically placed community asset continues to be used. The building is not expensive to run. Moreover, it has operated extremely efficiently over the years, outperforming other courts in Suffolk and Norfolk in terms of administering justice both promptly and fairly. It has been underutilised in recent years, although this is as a result of a reduction in the number of hearings scheduled for Lowestoft. Custodies have moved elsewhere, motoring offences have gone to Ipswich, and family proceedings also now take place in Ipswich. The magistrates court in Lowestoft sits less often than it used to, but that is not due to a lack of either magistrates or staff. The cynical might say that there has been a deliberate redirection of work away from Lowestoft, with fewer sittings taking place there so as to tie in with the agenda of Her Majesty's Courts and Tribunals Service rather than to provide a service to the local citizens, whose needs the court—and us—should meet.

There is also a concern that the analysis of costs on which the Ministry of Justice is basing its decision to close Lowestoft magistrates court is incorrect. That analysis shows 31 staff working from the court. It would appear that that number includes those administrative staff who work on the first floor in the fines collection department. They cover the whole of East Anglia and will continue to be employed if the court closes. Therefore, it is not appropriate to include their costs in those of running Lowestoft magistrates court. In addition, a further advantage of the court remaining open is that the cost of upheaval and relocation of its staff would be avoided.

The closure of Lowestoft magistrates court would make it very difficult for many people in north-east Suffolk to access justice. If court work is transferred to Great Yarmouth, Norwich and Ipswich, many people in Lowestoft, in the market towns of Beccles and Bungay

and in the surrounding rural areas could not reach the relevant court in one hour by public transport. They would face significant travel costs in an area where wages are generally low, with the poorest and most vulnerable being most at risk.

The feedback that I am receiving is that the very thought of having to attend a court hearing away from Lowestoft, whether as a victim, a defendant or a witness, could put off many people from attending. There is a worry that there could be more failed trials, due to the difficulties in getting defendants and witnesses to court. With a local court such as Lowestoft, it is relatively easy for the local police to find those people who fail to appear in court quickly.

There are also concerns about domestic violence cases, and there is a strong view that such cases should be listed locally in the first instance. There would be problems in getting both support staff and victims to court if such cases are not heard locally. There is also a real worry that victims, witnesses and defendants in domestic violence cases could all find themselves on the same train or bus to another court. It might even be the case that the magistrate would be on the same train or bus.

The feedback from those hearings that already take place away from Lowestoft is not encouraging. Private family cases have their first hearing in Ipswich. That means more expensive travel, which adds to the trauma of going a long way to consider what are often complicated and highly emotional issues, such as child arrangement orders. If the case goes on for two or three days, the parties who live in Lowestoft will have to travel to Ipswich daily. Ipswich family court is already at capacity and is not coping. Consequently, some cases have been redirected to Chelmsford, which is a very long way from Lowestoft. With a 9 am start for hearings, there is a real challenge for people to get to court on time. Also, if social workers have to attend, they are in effect unable to do any other work for the remainder of the day.

The Government are placing great stock on increased use of information technology extending the use of “virtual courts”, with victims, witnesses and defendants appearing on screen. There is a place for that, but the feedback that I am receiving locally is that where it is being used, there are “teething difficulties”, with what was previously being done in a morning in Lowestoft court now taking the whole day.

There is also a worry that some of the pilots that are being carried out are in metropolitan areas, which are completely different to shire counties such as Suffolk. The single justice procedure pathfinder court, which commenced in mid-May, is taking place in south-west London. The “make a plea online” service is being piloted in Manchester. The rota online pilot is taking place in Hampshire and in south-west London. There is a view that if we rush to close courts on the premise that digital services will step smoothly into the shoes of magistrates courts, courthouses will have to be reopened if the new arrangements do not work, and where the courthouses have been sold or are no longer available, new ones will have to be built.

James Carlidge (South Suffolk) (Con): I congratulate my hon. Friend on securing the debate and on making a brilliant and passionate speech on a subject that is important both for his constituents and for mine in

South Suffolk. On information technology, do we not have to factor in broadband speed in areas that might be expected to use the services?

Peter Aldous: My hon. Friend is correct. In the context of going from 12 courts in the 1990s to the one that is proposed now, one hoped that traditional forms of communication—road and rail—and also broadband would have improved dramatically. They are moving in the right direction, but I do not think that they have improved to such an extent.

In family court and domestic violence cases there is a role for video links in safeguarding victims. In certain circumstances they are extremely appropriate and necessary, but solicitors emphasise to me the importance of personal interaction in reaching the right verdict. There is a fear that the whole process could be dehumanised, with serious implications for the fair administration of justice.

The great advantage of magistrates courts is that magistrates are drawn from the local area. They know their patch and can set cases in the right context, which is important in administering local justice. Such localism could be lost if courts were closed and their jurisdiction transferred to others 30 to 40 miles away—for example Ipswich, which is not easy to get to from Lowestoft. Any review of the court system should look closely at the scope of the work being carried out in magistrates courts.

With digitalisation, Sir Brian Leveson’s review and the Government’s proposed changes, the role and work of magistrates will change. As part of that, the Government should seriously consider changing the jurisdiction of and extending the range of cases considered by magistrates. That would enable justice to be delivered more locally, closer to communities. It could also help victims, because magistrates courts are less intimidating than Crown courts, and cases would also be dealt with more promptly. Moreover, research shows that significant financial savings would be achieved. Such a reinvigorating of magistrates courts and local justice can readily take place by enacting sections 154, 280 and 281 of the Criminal Justice Act 2003. The Minister has confirmed to me that such a review is taking place, but it should not be carried out in a vacuum; it should form part of the consultation.

Work in local magistrates courts underpins the legal profession in a town such as Lowestoft. Like magistrates, local solicitors know and understand the area in which they work, and they are immediately on hand, available at all hours to provide advice and guidance to their clients. They very much take on the role of a trusted adviser, gaining the respect and confidence of their clients who know them and know that they will do their best in representing them during what can be a harrowing and traumatic experience.

There is a worry that, without local courts, local solicitors firms could struggle to survive and local people would have to obtain advice from solicitors offices miles away from where they live. It is vital in Lowestoft that we continue to have a wide range of independent solicitor practices in the town.

In response to the consultation, Lowestoft solicitors will come forward with an alternative proposal for the Minister to consider. I urge him to give it his full consideration, as it will have been produced with the benefit of local knowledge, taking into account the concerns that I have raised.

[Peter Aldous]

Sir Roger, I am grateful to you for listening to me. I now hand over to my hon. Friend the Member for Bury St Edmunds and look forward to listening to the Minister's response.

11.14 am

Jo Churchill (Bury St Edmunds) (Con): I do not wish to repeat what my hon. Friend the Member for Waveney (Peter Aldous) has said, but so many of his points apply to my constituents too. Ensuring that the vulnerable are not in vehicles with people with whom they would rather not spend the hour before going to court is hugely important. We have a paucity of broadband, but we have a paucity of buses and railways also. Physically getting around our county is difficult enough, so we cannot put up with the removal of vital services.

Suffolk is one of England's 48 ceremonial counties and the eighth largest by area, but conversely it is ranked 32nd by population size. Should the proposals to close Bury and Lowestoft courts succeed, we will have, as my hon. Friend has said, the worst court-to-square-mile ratio, and be one of only six counties to operate a single court, based, in our case, far to the east in Ipswich.

Ironically, it is perhaps because of our size and relative sparseness that the magistrates court in Bury St Edmunds is under threat. I agree, however, that some change may be right and proper. Government figures have put utilisation of Bury court at 39%, with parts of it not used at all. Additionally, the accommodation in the current building is inadequate, and its annual running cost of more than £250,000 is undoubtedly high. Closing the service at its current location will save the taxpayer £206,000, recoverable in seven months, but one cannot put a price on local access to justice. In a system that claims to guarantee legal rights, access to justice sits at its foundations, for all the reasons my hon. Friend the Member for Waveney mentioned. That is the most basic requirement, and indeed it was the cornerstone of the Magna Carta which, incidentally, was planned by the barons in 1214 in Bury St Edmunds. One can see, therefore, why we are a little incensed.

I urge that due consideration be given to the effect on the justices of the peace, who do sterling work. As they have said to me, they know their communities. They save the legal system a great deal and add enormously to the effectiveness of local justice. What my constituents demand, as do local law professionals, the police and crime commissioner, the high sheriff, the lord lieutenant, and numerous other stakeholders, is local access to justice. It is neither feasible nor reasonable to ask the people of Suffolk—the people in my constituency—to travel 45 miles on the A14, which is often blocked solid by traffic and accidents, to access justice in Ipswich. Because of local transport cuts and the rural nature of our community, that is exactly what will be asked of them and I worry that it will be impossible for the poorest and the most vulnerable, the exact people who need justice the most.

Economically, the arguments for closing the magistrates court are compelling, and I accept that changes can be made, but we must keep a court in Bury. A superb opportunity exists, if the Ministry of Justice were to feel inclined, to use Bury as a trial and have a more peripatetic

approach to justice that would allow it to come back into our communities. The consultation allows for that kind of approach to making the necessary improvements and savings, and the Ministry has stressed to me, during our many conversations, that it is looking for good ideas.

Integrating the court into the public service village in Bury could provide it with improved accommodation that could be shared when not in use, thereby delivering more cost-efficient services across the board. Such new ideas can be developed, with fines and other services being provided online, integrated for vulnerable people who do not have broadband access—I reiterate that I have villages with streets with no access. That suggestion is completely in line with the Cabinet Office's One Public Estate programme. However, when one Department is in the process of advocating and advancing such a programme it seems counterproductive for another to cause panic by stating that it proposes to close a service that is so patently suitable for inclusion in the programme, instead suggesting that it relocate it to a town some 26 miles away. It appears, not for the first time, that we need better joined-up government, and not just between our local authorities and services. Such a move would keep access to justice local. It would locate the court adjacent to the NHS and social services, which will, it is anticipated, take up residence. Consequently, constituents—particularly those who are vulnerable—would have all the support they needed when using the court.

The design of the next phase of development is still being formulated. Specific requirements such as cells and van docks could be incorporated at the start, rather than retrospectively fitted. To that end, I and other colleagues in Suffolk have strongly urged the Justice Secretary in an open letter to look favourably on any such proposal and to keep justice local.

11.20 am

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): As always, it is a great pleasure to serve under your chairmanship this morning, Sir Roger. I thank my three hon. Friends for their contributions today. I particularly thank my hon. Friend the Member for Waveney (Peter Aldous) for securing this important debate, but I also thank my hon. Friend the Member for Bury St Edmunds (Jo Churchill) for her contribution and my hon. Friend the Member for South Suffolk (James Cartlidge) for his intervention.

Let me make one thing absolutely clear. There is no doubt that all three Members have been diligent and conscientious in how they have spoken up for their constituents. They have corresponded with me and met me. Indeed, they have enforced the point by having this debate. I have to say that I have learned a lesson. I tried to jest a little in oral questions when I told my hon. Friend the Member for Waveney that the figures he cited reflected the low levels of crime in Suffolk. I had the last word in the Chamber, but that has rebounded, because he has been able to come back to me this morning. Nevertheless, he has eloquently put forward the arguments for his constituents, as have the other Members.

I again emphasise that the consultation on the reform of the court system in England and Wales is genuine. Indeed, the consultation asks people to make submissions

if they can suggest alternative places where the court can sit. There is this notion of the majesty of the court building as we have all known it for centuries and decades, but the 21st century has brought about enormous changes, and with those changes we must recognise that the traditional court building can also change. That is why I have specifically asked for contributions from members of the public and the legal profession if they can suggest alternative venues, such as town halls or other civic buildings, where we might not need to sit for five days a week, but where we could sit simply for a day or two.

James Cartlidge: I accept the Minister's point; we all support the overall principle of trying to achieve efficiency savings in public services and so on, but does he appreciate that if there is no alternative, it is about having a minimum level of access to justice and the concern that we might be going beyond that? If that is the case, we should accept that we may simply have to preserve the current building, for example in Lowestoft.

Mr Vara: I hear loud and clear what my hon. Friend says, but I will come on to what access really means in the 21st century shortly, if he bears with me. I make clear that any proposals from the consultation will be seriously considered by me and my officials. I take on board the figures that have been mentioned for the number of courts in Suffolk and the surrounding areas and the concerns expressed on the physical building being in Suffolk.

I also take on board what my hon. Friends say on travel times, but I turn to what precisely "access to justice" means. Access to justice in 21st-century Britain is different from what it has meant in centuries and decades before. Before, it meant proximity—the ability to go physically to a court, with all the majesty that goes with it—but the world has changed. People now work online. They do things from the comfort of their sitting room. People can now sit on a Saturday evening in the comfort of their armchair and, by use of their mobile phone, go online and plead guilty to low-level offences in a magistrates court, such as low-level traffic offences or the avoidance of payment of a TV licence. Likewise, people will be able, by use of their mobile phones, to pay any fines that may be imposed.

In like manner, access to justice can mean that victims and witnesses, particularly those who are vulnerable, do not have to go to a court and experience all the stress that goes with that. They can go to a room in their locality and, through video conferencing, access a court located elsewhere. Solicitors and barristers no longer have to go to court and hang around for two or three

hours to have a five or 10-minute hearing before a judge. They can arrange a telephone conference. Lawyers on both sides of the case can sit in the comfort of their offices and a judge can sit in the comfort of his chambers, and at a given time the three of them can teleconference. That is happening. That is access to justice without moving, from people's homes and offices.

James Cartlidge: Will the Minister give way?

Mr Vara: I am mindful of time. If my hon. Friend will bear with me—

James Cartlidge: What if people have no broadband?

Mr Vara: I am coming to modern technology. I appreciate the difficulties of broadband. I appreciate the IT teething problems that my hon. Friend the Member for Waveney mentioned. The Ministry of Justice is spending £130 million to ensure that the Courts and Tribunals Service will have an efficient communications system, fit for the 21st century. Of course there will be problems. Nothing will ever be perfect, but that is not to say that when we encounter a problem, we step back. Judiciaries and legal systems across the rest of the world are moving on. If Britain is to stay as a global legal player, we must move and recognise the way that access to justice, technology and the legal process now operate. We are working on the IT problems.

My hon. Friend spoke of his concern that the trials were being carried out only in metropolitan areas and said that that reflected badly on the service that people get in rural areas. Let me be absolutely clear: the service that people receive throughout England and Wales will be uniform. The pilots are carried out in metropolitan areas to ensure that the technology is tested against a whole range of cases, and that is more available in metropolitan areas than in rural areas, where volumes tend to be lower.

In the limited time remaining, which is about 90 seconds, I hope I can sum up by saying that the consultation is genuine. I welcome alternative proposals, whether they are on the siting of courts, the use of video conferencing or other measures that we may not even have thought of. I reassure my hon. Friend that this is a genuine consultation. I have taken on board all that he and my other hon. Friends have said, and I again commend him for having taken the trouble to secure this debate. I hope that I have given him some comfort that I will reflect carefully on all that he and my hon. Friends have to say.

Question put and agreed to.

11.29 am

Sitting suspended.

Sgt Alexander Blackman (Marine A)

[MARK PRITCHARD *in the Chair*]

2.30 pm

Richard Drax (South Dorset) (Con): I beg to move,

That this House has considered the case of Sgt Alexander Blackman (Marine A).

It is a pleasure to serve under your chairmanship for what I believe is the first time, Mr Pritchard. Before I start, I welcome my hon. Friends the Members for Eastleigh (Mims Davies), for Taunton Deane (Rebecca Pow), for Plymouth, Moor View (Johnny Mercer), for Wells (James Heapey), and for Elmet and Rothwell (Alec Shelbrooke), along with our colleague, the hon. Member for Strangford (Jim Shannon). I thank them for coming to this debate. I also welcome Sergeant Blackman's family, friends and relations, and the four members of the Royal Marines who are also here to listen.

We shall be debating an incident that took place thousands of miles away in one of the most hostile environments on earth; in fact, it is so hostile that 454 of our finest servicemen and woman have been killed there, and thousands more wounded. Lance Corporal Cassidy Little is one of those wounded men. He served with Sergeant Blackman during the fateful tour and is present today to support the debate. On behalf of us all, I thank him and his colleagues for their bravery, courage and devotion.

In Afghanistan, the enemy were clever, motivated, difficult to identify, ruthless and cruel. Torture and death faced those who fell into their hands. It was into this hellhole that Alexander Blackman and his fellow Royal Marines from 42 Commando were pitched in 2011. Sergeant Blackman was a 15-year veteran of six operational tours: one in Northern Ireland and three in Iraq, and he was on his second in Afghanistan. There is nothing that this former Royal Marine has not seen. In each tour he had served his country and his corps with great distinction and courage. He was that most valued member of the Royal Marines, the elite's elite—a senior non-commissioned officer—and he had been recommended for promotion, but then came his last tour in Helmand province, the toughest of his military career.

Sergeant Blackman was posted to the remote command post Omar, with 15 younger Royal Marines under his command. They lived for more than six months in a small mud enclosure, in appalling conditions of physical discomfort. Daily, they patrolled on foot for up to 10 hours in a large hostile area where the Taliban were most active. IEDs, or improvised explosive devices, the roadside landmines favoured by the Taliban, were a constant threat, to the extent that the squad seldom used their vulnerable Jackal vehicle, preferring to patrol on foot instead. They were aware that hundreds of their comrades had already been killed or maimed by IEDs. The psychological impact was devastating. Firefights with the Taliban were common. So, too, were deaths and life-threatening injuries. Overall, 42 Commando lost seven men, and a further 45 were injured, many of them very seriously indeed.

On 28 May 2011, several Marines from Sergeant Blackman's troop were tasked with establishing a new base in an area known as the badlands. During the

operation, Corporal Little was caught in the same blast that killed Sergeant Blackman's troop commander, Lieutenant Ollie Augustin, and Marine Sam Alexander, who had won a Military Cross on a previous tour. The blast also badly wounded Lance Corporal JJ Chalmers. Later that day, the Royal Marines discovered body parts hanging mockingly in a tree. We can all imagine the effect of such an incident on hard-pressed, very young troops.

While holding it together in such atrocious conditions, Sergeant Blackman's frequent complaints to headquarters about the impossibility of performing his assigned tasks with such a small number of men for a period far longer than the recommended tour of duty went unanswered. He had one sole visit from his commanding officer, which shows how stretched 42 Commando was. For month after month, the huge weight of responsibility bore down on him as he tried to maintain morale, but a combination of factors were taking their toll.

Bob Stewart (Beckenham) (Con): When my hon. Friend says six months, does that mean Sergeant Blackman had no R and R?

Richard Drax: I welcome my gallant colleague to the debate. He did have two weeks for R and R.

Those factors taking their toll included: the inadequacy of the accommodation, equipment and supplies; Sergeant Blackman's inability to sleep; the almost total lack of supervision; the general isolation; the recent death of his father; the ever-present fear of death or injury; exhaustion; and the strain of keeping the young men under his command alive, in itself an awesome responsibility.

On 15 September 2011, towards the end of their fraught tour, Sergeant Blackman and his patrol were directed to an insurgent who had been fatally wounded by gunfire from an Apache helicopter. Horribly exposed in a known hotspot for enemy activity, they knew that other insurgents were in the area. They dragged the fatally wounded man to cover. That Sergeant Blackman then shot him is beyond doubt: the incident was filmed by a head camera worn by one of the Marines on patrol. I have seen all the footage. What he did was unequivocal. He appeared calm and matter of fact—points made by Judge Advocate General Blackett in sentencing. However, no camera on earth can capture all the circumstances leading to that one momentary loss of control, or what was going on in Sergeant Blackman's mind at the time.

Except for Corporal Little and his colleagues, none of us here has endured anything remotely approaching what those Royal Marines experienced, and, God willing, we never will. Although both the court martial and the Court of Appeal said that they took into account mitigating circumstances with regard to the sentence, Jonathan Goldberg, QC, who now heads the defence team and is here today, believes that a number of significant mistakes were made. The court was never given the chance to consider the lesser verdict of manslaughter by reason of loss of control owing to the appalling stresses to which Sergeant Blackman was subjected for months on end.

Mr Goldberg advises that, by law, the judge advocate general had a duty to direct the jury on all verdicts reasonably open to them, regardless of whether the prosecution or defence chose to raise them. The verdicts

included the ability for a jury to return a verdict of not guilty of murder but guilty of manslaughter. Possible routes to such a manslaughter verdict included: temporary loss of control after months of cumulative stress; diminished responsibility owing to battlefield fatigue and post-traumatic stress disorder; and finally, by reason of an unlawful act, in that Sergeant Blackman admitted desecrating a dead body.

Inexplicably, none of the above possible lesser verdicts were ever raised, either at the court martial or on appeal. The judge advocate general failed to direct the jury panel on those available lesser alternatives, instead imposing the mandatory life sentence for murder, resulting in a good man serving a minimum of eight years in jail without being allowed to seek parole.

On the other hand, a manslaughter verdict on these extraordinary facts could reasonably have resulted in three years in prison at worst and a suspended sentence at best. Sergeant Blackman insists that he was never advised by his then defence team that a manslaughter verdict was even a possibility. Indeed, he knew nothing of the manslaughter option until recently, when his new defence took over. Almost unbelievably in a murder case of such complexity, Sergeant Blackman was never offered a psychiatric assessment prior to his conviction. Moreover, it is bizarre that the Judge Advocate General's said this in his sentencing remarks after conviction:

"We accept that you were affected by the constant pressure, ever present danger and fear of death or serious injury. This was enhanced by the reduction of available men in your command post so that you had to undertake more patrols yourself and place yourself and your men in danger more often. We also accept the psychiatric evidence presented today that when you killed the insurgent it was likely that you were suffering to some degree from combat stress disorder."

The psychiatric report he referring to was presented before sentencing and not conviction. In other words, the panel did not know about the report when they found Sergeant Blackman guilty. Why not? What was the defence team up to?

Further evidence that was never heard at Sergeant Blackman's court martial comes in the form of a 50-odd page document—the Telemeter report. Written by Brigadier Huntley, a few pages of the executive summary were released only this morning, despite frequent requests for the whole report to be published. Apart from criticising Sergeant Blackman, it confirms that there were concerns that the culture within 42 Commando

"was perceived by many...to be overly aggressive."

The report also states:

"A number of those involved in this incident both directly and indirectly, felt that the Chain of Command had failed to provide them with adequate support before, during and after the court martial."

Bob Stewart: As a former commanding officer, I find it extraordinary that this group of Royal Marines was left in the same position, obviously one of huge danger, for the whole six months. Was the rotation of the men in that position not considered?

Richard Drax: That is a good question, and one that my hon. Friend can perhaps ask afterwards of the Royal Marines who were on that tour. As I understand it, they were covering a vast area of land, they were under-resourced and undermanned, and rotation was not possible.

Bob Stewart: Why not?

Richard Drax: I do not know. It is perhaps something that the report—the 50 or so pages that we have not seen—may hint at. We call for the report to be published now, so that the new defence team can use it to build up its case. Ultimately, we will have to wait until, as we hope, the Criminal Cases Review Commission takes up the case and demands the release of the report, or the bits of it that we have not seen.

Rebecca Pow (Taunton Deane) (Con): On the psychiatric report, I believe that the sergeant was in hospital for a week, yet no reports were submitted about how he was, what the conclusions were and what his state was when he got home. Will my hon. Friend expand on that a little further? He mentioned it just now, but I think there is a bit more to say.

Richard Drax: I am unable to expand on that particular point other than to say what I have already said, which is that the psychiatric report was there for sentencing, but not for conviction. That is what I know. He did spend some time in hospital, but I cannot expand on that particular period.

Rebecca Pow: Or on how crucial it would be to have that?

Richard Drax: I am afraid that I cannot expand on that.

Mark Pritchard (in the Chair): Order. For the benefit of *Hansard*, I encourage Members to stand if they want to intervene.

James Heappey (Wells) (Con) *rose*—

Richard Drax: I give way to my hon. Friend.

James Heappey: Rather than mention this in my remarks later on, it is perhaps relevant to do so now. I was the adjutant of 2 Rifles in Sangin during Operation Herrick X in 2009, and there was a well-established mechanism of TRiM—trauma instant management—which is the peer-to-peer post-traumatic stress management of people after each traumatic experience. Those records should exist within Sergeant Blackman's unit. If that process had been done properly, it should have been identified well before he reached his breaking point that he was very much at risk. Those records should exist. If they have not come to light, it is a gross injustice.

Richard Drax: My hon. Friend makes an interesting point. I cannot expand on that too much now, but we are aware that Colonel Oliver Lee, Royal Marines, had written a report identifying seven criteria that commanding officers should look out for. I also believe that, as far as Colonel Lee was concerned, Sergeant Blackman ticked every box.

From reading what we have of the executive summary of the Telemeter report—what we have got of it—there is strong reason to believe that the full report is critical of the overall command structure, including the lack of supervision over Sergeant Blackman and his men, which would certainly support Sergeant Blackman's claims. A sergeant in the Royal Marines is probably—I will get

[Richard Drax]

myself into trouble here—superior to, shall we say, a line regiment sergeant, in the sense that they are trained to be far more independent. That was one explanation given to me as to why, in this instance, Sergeant Blackman was left out there for as long as he was—because he was a sergeant and highly respected, and so on.

However, what happened in this instance struck me, too, as extremely odd—my hon. and gallant Friend the Member for Beckenham (Bob Stewart) hinted at this earlier on, and I agree with him. We are both former soldiers, and it was our duty as officers to visit our men and make quite certain that they were safe and well and doing the job that they should be doing, because that was our task. If we did not do that, things began to unravel. Maybe that was one of the reasons why things unravelled in this particular instance.

Going back to the report—50 pages of which, as I have said, still remain unseen—it is no surprise that the *Daily Mail* and Frederick Forsyth thunder about a cover-up and attempts to make Sergeant Blackman a scapegoat for a much wider failure of high command. Would the full report have given Sergeant Blackman a better chance in court had it been written and published openly shortly after the events, rather than long after his conviction? Vice-Admiral Jones has reportedly asked both serving and former officers not to comment if the press start asking questions.

Also of great concern is the resignation of Colonel Lee. As I understand it, he was a high-flier who resigned his commission in disgust over how Sergeant Blackman was treated and the refusal to call him in evidence at the court martial. Colonel Lee became Sergeant Blackman's commanding officer just six days before the incident, although they never met.

Bob Stewart: How come the defence counsel did not call the commanding officer to give evidence?

Richard Drax: Again, I am regrettably not a trained QC or lawyer—I wish I were. All I understand is that he was not, which can be further explored by the QC, who is actually in the room here today.

When he resigned, Colonel Lee wrote the following, which is one of the most damning indictments that I have found in the 10 or 11 months that I have been involved in this sad case:

“Sgt Blackman's investigation, court martial and sentencing authority remain unaware to this day of the wider context within which he was being commanded when he acted as he did.”

He went on:

“My attempts to bring proper transparency to this process were denied by the chain of command. Sgt Blackman was therefore sentenced by an authority blind to facts that offered serious mitigation... The cause of this is a failure of moral courage by the chain of command.”

That is a devastating criticism and hardly a ringing endorsement of military justice. Colonel Lee's evidence will be important if the case is referred to the appeal court by the Criminal Cases Review Commission, which we trust it will be. It must be.

Sergeant Blackman's conviction in 2013 left a deep impression on me as a former soldier. I visited him in Lincoln prison in December 2014—had I not, I would have gone to my grave with this nagging whatever you

like to call it on my conscience and preying on my mind. There I met an intelligent, proud and professional soldier, alongside whom I would have been proud to serve. Several prison guards told me as I left that Sergeant Blackman's incarceration was hard to comprehend. “He shouldn't be here”, they said.

As for Sergeant Blackman, understandably he feels betrayed—a scapegoat, hung out to dry by the military and political establishments. He was fighting a war at our behest and on our behalf. He believes that his small patrol was given an impossible mission with little support or command structure. They were undermanned and overstretched, the impossible was demanded and a decent man was pushed beyond endurance. In his words, it was a

“lack of self-control, momentary lapse in... judgement.”

The aim of today's debate is to highlight a miscarriage of justice. The debate will send an important message to those charged with administering justice to Sergeant Blackman and it mirrors the public outcry. Sergeant Blackman is the first British serviceman to be tried for murder by a court martial since the second world war, and I hope he is the last. War is a dirty, filthy, horrible, frightening business and every man—even the very best—has his breaking point.

I am indebted to the highly respected author Frederick Forsyth for his immense help and his interest in the case; to Jonathan Goldberg QC and his team, who are now representing Sergeant Blackman and are in the Public Gallery today, as I said; to the *Daily Mail*—which I do not often praise—for running such a well-researched campaign and for going to such incredible lengths to support Sergeant Blackman and his case; to Sir Tim Rice and Major General Johnny Holmes, both highly distinguished in their own fields, who have volunteered as directors of a fund-raising effort; and of course to the public for their support and their donations, which have now reached about £120,000 in five days. In addition, there have been thousands of letters; the *Daily Mail* is having to employ a team to open them.

I conclude with two observations: one concerns the court-martial panel and the other is entirely my own. When Sergeant Blackman was sentenced for murder—murder—dismissed from the Royal Marines and ordered to march out of the court, he gave his final salute in uniform. The panel, to a man, returned his salute—an act that is, as far as I know, unprecedented, especially given that they had just condemned him for murder. To me, that act speaks eloquently of their deep feelings of ambiguity.

I end finally with my own thoughts, having been involved with the case for nearly a year. Sergeant Blackman was and is no cold-blooded killer. He was just a man pushed to the very edge and sent to do a filthy job with his hands tied behind his back, and he is now no threat at all to anyone. He is paying a terrible price for a lapse of judgment. He is a man who deserves another hearing and should be allowed to go home to his wife.

2.55 pm

Jim Shannon (Strangford) (DUP): It is an honour and a privilege to take part in this vital debate. I commend the hon. Member for South Dorset (Richard Drax) for giving us all the chance to participate and to hear at first hand his presentation in Westminster Hall

today. I spoke to him last week to get some ideas and I asked whether the story would appear in the *Daily Mail*. He said, "I am not sure about that"—he knew of course, but he was preparing for the story to break.

This debate, arguably more than any other, is of the utmost importance as it comes at a time when a man's fight for justice hangs in the balance. I am in the Chamber to participate both as the Member of Parliament for Strangford and as someone who is honoured to have served Queen and country in my time: as a member of the Ulster Defence Regiment and a Territorial Army soldier in the Royal Artillery for some 14 and a half years. I am here along with many other hon. and gallant Members.

Perhaps the case strikes such a chord with me because of my background, although it might simply be because justice was not done. That would explain why the case has caused such a public outcry, with more than 100,000 people calling for Sergeant Blackman's conviction to be quashed. We in Britain pride ourselves on ensuring that justice prevails, but in this case I am afraid that it has not been done.

For the first time in history, a British serviceman has been convicted of murder. Given the injustices surrounding the court case, I am not surprised that the *Daily Mail* dubbed Sergeant Blackman a "political scapegoat"—well done to the *Daily Mail* for highlighting the case and giving us the chance to find out more about the background. What I find most shocking is that vital evidence was withheld and that a colonel who was blocked from telling the truth to the court martial was so disgusted that he resigned his commission.

Forgive me for a rather long quote, but it is important that it goes on the record. It needs to be heard in its entirety, because it is undoubtedly one of the most damning remarks made about the case. On his resignation, Colonel Lee said:

"Sgt Blackman's investigation, court martial and sentencing authority remain unaware to this day of the wider context within which he was being commanded when he acted as he did.

My attempts to bring proper transparency to this process were denied by the chain of command. Sgt Blackman was therefore sentenced by an authority blind to facts that offered serious mitigation on his behalf"—

that is the thrust of the contribution of the hon. Member for South Dorset.

"The cause of this is a failure of moral courage by the chain of command."

That is the quotation.

Given the evidence that has come to light and the failure to provide original evidence that might have resulted in a lesser charge of manslaughter, which was "deliberately withheld", I see no reason why the case cannot be reviewed by the courts-martial appeal court. What has happened simply would not happen in any other case, particularly not in the British justice system that we regard so highly. For a British serviceman and acting colour sergeant in the Royal Marines, deemed to be a man of "impeccable moral courage", to have been treated in such a way and to have been served with such injustice is downright wrong and completely and utterly unacceptable.

Sergeant Blackman was a man prepared to lay down his life for his country, who saw two of his comrades blown up, saw another comrade tortured and murdered,

and saw another's severed limbs hung from a tree by the Taliban. That was the daily hell that Sergeant Blackman faced. He had to keep it together for the men he led, just as now he keeps it together for the sake of his wife. He did all that in the face of post-traumatic stress disorder, another factor that might have significantly impaired his judgment on that fateful day. Now, this man has been let down by the country he fought so courageously for. I understand that the members of the panel that decided Sergeant Blackman's fate were not informed of facts that could have helped to reduce his sentence.

This whole situation has come about because of a great failing in the justice system and in the court martial, as well as the failings of those in command who left Sergeant Blackman's troop isolated, without enough manpower, under-resourced and sustaining a daily onslaught from the Taliban. Those failings were not Sergeant Blackman's fault, but he had to deal with the situation regardless. It is no wonder that we have found out that he was suffering from post-traumatic stress disorder, particularly as he was the one who had to lead a troop of men. He has said—I quote from the Library information pack:

"I had been sent to a brutal battlefield to fight for my country in an unpopular war."

Given where he was and what he was doing, he was very clearly under physical and emotional pressure. He had no choice but to keep it together as best he could.

It is important to note that the man killed was one of two Taliban fighters sneaking up on a British outpost called Taalanda. Those two men had only one purpose: to kill the British troops at the outpost. An Apache crew was assembled and 139 rounds were fired from a 30 mm cannon; unsurprisingly, the crew did not think it possible that anyone had survived. Upon finding the casualty, it was noted that he had been fatally wounded and was unconscious, although at that point he had not passed away.

Sergeant Blackman knows that what he did was wrong. He claims that the remark he made about the Geneva Convention was in relation to the mistreatment of the corpse, something he knows he should not have done. However, the pressures that he was facing, frequently caused by the poor judgment of senior command, and the daily bloodshed that he witnessed while struggling with post-traumatic stress disorder are valid reasons why, in a moment's lack of judgment, something like that can occur. It saddens me that someone as highly thought of and well-respected as Sergeant Blackman, can, because of one split-second mistake, be dismissed and treated with such disdain and disrespect.

I fully support the e-petition, with over 100,000 signatures, calling for Sergeant Blackman's conviction to be quashed. When I read about Big Al, as he was known to friends and family, it saddened me to learn that the 6 foot 3 inch giant had grown gaunt during his time in prison—it has obviously had an effect. It is little wonder, particularly as I am sure that Sergeant Blackman never in a million years expected to be serving a life sentence after serving his country with determination, bravery and dedication. His case needs to be referred urgently to the court martial appeals court, so that this shameful injustice can be fully investigated—this time, with all the available evidence and statements.

3.2 pm

Rebecca Pow (Taunton Deane) (Con): I reiterate the comments of the hon. Member for Strangford (Jim Shannon) and commend my hon. Friend the Member for South Dorset (Richard Drax) on securing this debate and on all the research he has done for his eloquent speech.

I am speaking today in support of my constituent Claire Warner, who is the wife of Sergeant Alexander Blackman—Al, as he is known to her—and in support of her parents. Claire is here today. She lives in the heart of the constituency of Taunton Deane, for which I have the great privilege of being MP. Claire and her family have been through unimaginable anguish and strain over the last two years since all this happened. They are deeply private people who have kept themselves very much to themselves, even in the heart of Taunton Deane. But now it is time to speak out, and so they are; that is why we are here today. My hon. Friend the Member for South Dorset is speaking out, as well—even the *Daily Mail* is—so I am now going to do so and add the weight of my argument to the case.

Taunton is a commando town. There is enormous public support for our brave and dedicated marines there. Locally, one senses a profound feeling that those defending our peace, protecting our world from evil and giving devoted service to their country must themselves be treated with the fairness and understanding that are due to them. That must always happen within the framework of the law.

We have heard much today about new evidence coming to light, allegedly suggesting that there has been a miscarriage of justice in Sergeant Blackman's case—indeed, that he has been made something of a scapegoat. I therefore support the call for a review of the case, including that new evidence. That review should also consider the three routes to manslaughter, the stress that Sergeant Blackman was under and all available psychological reports.

Mims Davies (Eastleigh) (Con): I have been following the eloquent speeches that have been made about this very concerning case. I am here to represent Dr Melody Blackman, my constituent in Eastleigh and the younger sister of Al. She exactly echoes my hon. Friend's points about the need for a fair hearing of all the evidence, to make sure that we get the right decision and that any and all decisions made are based on a fair hearing and a fair trial. We expect that fairness in every walk of life.

Rebecca Pow: I could not agree more with my hon. Friend. That comes over so clearly from everyone I speak to, from the local support we have had, and from all the people writing to the *Daily Mail*. I think the *Mail* has about 2,500 letters, as well as money for the legal case, and all of the thousands of people who have contacted it have spoken up for fairness, as we are doing today.

I offer a small note of caution. We must take care when criticising our court martial system, as it is there for a reason. However, having spoken to a whole range of sources, in this brief speech I call for the case to be reviewed by the Criminal Cases Review Commission, with all that that entails, including, of course, the power to send the case back to the Court of Appeal.

Let us give this case the breath of fresh air it deserves, and give Sergeant Blackman a fair hearing. Ultimately, let us hope that we can give Claire her husband back at home.

3.7 pm

Alec Shelbrooke (Elmet and Rothwell) (Con): I did not intend to speak today—I am here on behalf of constituents who asked me to attend—but, listening to the debate, it has struck me that there is something that relevant needs to be raised, namely how, as a public, we regard our armed forces, who are doing jobs that, to be blunt, none of us who have not been there would even want to imagine.

Miscarriages of justice can take place in all walks of life, whether civilian or military. It is right not to want to undermine a court martial. However, we would readily recognise that in a civilian court the process of justice is not always followed as it should be, so I do not see that it undermines the court martial process to say that a case should be looked at again.

When I joined the Royal Navy as an engineering officer, one thing I was convinced of was that I could not be a Royal Marine. It is a unique service—[*Interruption.*] It was certainly not one that appealed to me. The training that takes place and the jobs that marines are asked to do are of a degree of extremity beyond that which is asked of the regular forces. The problem in this case is that the courts have overlooked—I pay tribute to the *Daily Mail* for bringing this to public attention—the extreme pressures that these brave men are under when we, as politicians, order them to go and do what we have decided, on our whim.

I have said in the House before that war is the failure of politicians. It is nothing else. Every war in history, ultimately, was started by a politician, whether they were elected or not. We need to rebuild respect for those who stand up for what we believe in, for justice and security, and for the love of their country. It worries me that, in this building today, mainstream politicians are saying that terrorist organisations had a point and that we should somehow be critical of the armed forces that stood up to them.

Yes, mistakes can be made in courts of law, and it is right to review that, but let the message go out clearly that, along with the British people and the newspapers of this country, Members of this Parliament—on the whole—wholeheartedly recognise the dedication, honesty, bravery and selflessness shown day in, day out, even away from the combat field, by the brave people who stand up and do the job we send them to do.

2.10 pm

James Heapey (Wells) (Con): My congratulations to my hon. Friend the Member for South Dorset (Richard Drax) on securing the debate and on all the work he has done on this important issue. I speak as a former soldier, but also as the Member of Parliament for Sergeant Blackman's parents-in-law, who sought my support when I was a candidate in the election and who continue to seek it.

The first thing I want to put on record is an apology for not speaking publicly on this matter before. In offering that apology, and in explaining why I feel ashamed at not having spoken out properly, I hope to

shed some light on why so many in the military—those currently serving and those recently retired, particularly those who have served in Iraq and Afghanistan—will feel so reluctant to speak out on this case.

We all go through the same pre-deployment training; we all get taught the rules of engagement. We all know how strong we would want to be when we face danger day in, day out over a six-month tour. We would all like to believe that we have in ourselves the self-control and restraint to remember every letter of that pre-deployment training when we face horrendous, extraordinary situations.

The reason so many of us have come home having acted like that is that we were surrounded by a chain of command and a regiment, whose members were watching our backs on the battlefield—continuing to fire as we moved forward, and continuing to fire as we replaced the magazine on our rifle. They were also watching our backs mentally and psychologically so that, when we got back from a patrol—after an explosion or after a firefight—we were talking to one another, with each of us understanding the pressures the other was under.

The reality is that there is a loneliness in command. From everything I have read, I have no doubt Sergeant Blackman was an extraordinary junior commander who had the welfare of his troops completely at heart. I know from the fact that some of his men are here today—standing up for him silently—that they would have followed him to the ends of the earth.

Bob Stewart: Again, I am speaking as an ex-commanding officer, albeit not in the Royal Marine commandos, or the Guards, but if this incident had not happened, this sergeant, in command of a small group—15 men—in such a situation for such a long period, would definitely be on the list for a Conspicuous Gallantry Cross.

James Heappey: I thank my hon. Friend.

The reality is that when someone is in a junior command position in an isolated patrol base, there is a responsibility on them to be unbreakable. They do not stint; they do not even take half a step backwards. They walk forwards because that is the only thing their men will follow.

To give junior commanders confidence and strength, and to watch out for their welfare, it is incumbent on those in the chain of command to get around, to visit, to watch, to take people to one side to see how they are and, if they do need a few days out of the line, to invent a reason to get them back down to Camp Bastion so that they can recuperate and get back to the line rejuvenated and with the moral strength they need to lead.

In Sangin, in 2009, my battlegroup was on the very front line—we were taking the highest casualties that had been taken in Afghanistan up until that point. However, I remember only too well that, when there was an incident in an isolated patrol base, the commanding officer and the regimental sergeant-major would be on the first available helicopter up there; if they could not get a helicopter, they would be on the back of the first available patrol. They had a responsibility to get to those patrol bases, not because they wanted to be seen by the riflemen, but because they knew that if the platoon commander and the platoon sergeant were doing everything they had been trained to do, they would be looking out for their soldiers, but nobody in that patrol base would be looking out for them.

And it went on. When an event shook our entire battlegroup, the brigade commander appeared on the first available helicopter from Lashkar Gah. The reason we were able to come back knowing that we had done right and that we had not once crossed the line was that there were people all the way up the chain of the command watching out for us to make sure that we remained strong and resupplied, but also that we were being looked after.

There is a lack of understanding and empathy about what we ask our troops to do, and there are people in this room who have experienced that in the raw. The reality is that operations in Afghanistan over the last five, six or seven years have not been about conventional firefights between two uniformed enemies who stand and shoot at each until one side gives up. This is about a callous, cowardly enemy who uses the cover of night to lay improvised explosive devices with no metal content whatever so that our metal detectors cannot find them. We then ask young men—18-year-olds—and their junior commanders, such as Sergeant Blackman, to step out into the dark of the Helmand night and to walk until somebody has their legs blown off.

That situation is truly extraordinary, yet when this man's will was broken, when he had taken too much and when his chain of command had let him down, leaving him in the line to continue leading patrols when he had clearly seen too much, we allow him to come home, and we judge those extraordinary circumstances—the extraordinary danger he faced in that extraordinary place—in an ordinary court, with ordinary law, where people are intent on viewing what happened in an entirely ordinary way.

Helmand was a murderous place—a place where the enemy never had the courage to be seen. It was down to the Apaches, with their thermal imaging, to take out those IED crews overnight, because infantry soldiers would never see them by day. They were happy to sit in their compounds and to wait for the explosion, taking satisfaction from another life ruined. They would lay IEDs about 3 feet from the one they thought would get the first casualty. Why would they do that? Because they would then get the front two people on the stretcher party taking the first casualty to the helicopter landing site to get him away to Bastion. This is an enemy who did not play by the rules. This is an enemy that tried your physical and mental strength every single day.

Sergeant Blackman snapped—I believe that is what happened—because he was not looked after by his chain of command. When we brought him home, we tried him in an ordinary court, and we failed to recognise that that extraordinary man deserved the benefit of having those extraordinary circumstances taken into account.

Sir Roger Gale (North Thanet) (Con): I have huge respect for my hon. Friend, who has experienced things I have never experienced. He has said twice that this was an ordinary court, where the case was tried in an ordinary way, but it was not. This man was tried by a military court. As I understand it, it did not even reach a unanimous verdict. If it had been an ordinary court, where the case was tried in an ordinary way by twelve good men and true, I do not believe this man would ever have been found guilty. It was not an ordinary court; it was a rigged court.

James Heapey: I had concluded, but it is quite right that I put on record that I was referring to an ordinary court martial.

Bob Stewart: A general court martial.

James Heapey: But, none the less, an ordinary process. I just think that there is a lack of awareness of the extraordinary pressures this man was under. If the case goes to the Court of Appeal, or if, as my hon. Friend the Member for North Thanet (Sir Roger Gale) suggested, it is allowed to be judged by 12 members of the public, an entirely different conclusion will be reached. The problem is that Sergeant Blackman has already been in prison. We have already let him down, and that is unforgivable.

3.19 pm

Johnny Mercer (Plymouth, Moor View) (Con): I have been asked a few times for my views on the case, for a variety of reasons, and I have not offered them, but as it is yet again in Parliament and I am now, fortunately, a Member, I will use the opportunity to set out my view.

To give some context, I never achieved anything particularly great in the Army, but I have a unique viewpoint. I served three tours from the beginning of the Afghanistan conflict. I served in the chaos that was 2006, when we first went there; and at the strategic level in 2008 and 2009, with a unit that was involved in the strategic man-hunting outside of Task Force Helmand. I then served in 2010 in exactly the same area where the individual we are talking about served. At the end of that tour, my CO told me I was probably the most combat-experienced terminal controller in the Army at the time; so I have an intimate understanding of the issues at stake in the case.

I served in the exact same area as Marine A just 12 months before him, during a final tour of duty in southern Afghanistan. The area was renowned as one of the most contested in Helmand. In January 2010, the Americans had completed a huge operation in Marjeh to the south, which was complemented by a British effort called Operation Panther's Claw to squeeze the heavily enemy-occupied areas around Nad-e Ali and the district centre in that area. All operations have unintended consequences, and the main one on this occasion was that the heavily armed and well organised Taliban commanders—what we would call tier 1 and tier 2 Taliban commanders—had been squeezed into an area just north of Nad-e Ali just south of the main Nahr-e Bughra canal; so they were fixed geographically in that area. The area is known on the map as 31 west; to the rest of us it became known as the jungle.

The area that I and subsequently Marine A served in was so demanding that, half way through that last tour, the holding ground unit that I was supporting was replaced by the theatre reserve battalion. My small fire support team, with one already dead, was asked to stay and be the continuity—the corporate knowledge, if you like—for that area of operations. The truth is that at that time, and no doubt a year later when Marine A was there—I shall call him that throughout my speech, because I do not believe that he should have been publicly named—the area was the darkest place in Helmand. That title switched areas as the campaign wore on. At times it belonged to Sangin, at others to

Musa Qala. As I have said, I served in multiple areas on multiple tours, with different forces from strategic down to tactical level, and I have no doubt that it was the most demanding place I served in.

I found life a challenge when I came home from that tour. As ever, I made sure I could look my wife and daughter in the eye. No one died who did not need to die; but it was perhaps the most formative experience of my life. I suspect that for Marine A the experience was broadly similar. I would at this stage like to make an important point clear. I am no apologist for Marine A. I have been in his position, as have many others, but we have not broken the law and stepped over the abyss as he did. I also do not think it is for politicians to interfere with the judicial process, and I respect the opinion that has been given; but there are some serious problems with the case that I am deeply uncomfortable with, and I feel I have a duty to speak out about them.

One of my driving forces for coming into Parliament was how we look after our people within the military whom we ask and expect to keep us safe—although often we do not want to know how they do it. There is no doubt that the past 10 years have had a chronic effect on a generation of young men and women. There is also no doubt of the desensitising process that occurs when one is engaged with the enemy on a daily basis. It is how people cope and get by—morphing from human to animal and back again, as they learn to fight, live and survive like an animal in the backstreets of “the jungle”. Taking another man's life is a serious and sobering engagement; extreme violence is to be expected, but as humans we adapt and cope, and as British soldiers we do what needs to be done to survive and win.

None of that trumps professionalism in the conduct of one's duty. I give no traction to the views of those who say, “Marine A did what any one of us would have done,” or even, “He only did what they would do to him, given the opportunity.” I am afraid they entirely miss the point and do not help his case. However, we must never take the collective faults of a system or policy generated by the demands placed on our men, and hang them around the neck of one individual, as has happened in this case. During the maturing process of the Afghanistan campaign, there were some epic failures in the chain of command. “Courageous restraint” was a great concept, which most of us employed anyway before they gave it a fancy name; but that did not stop the commander of British forces in 2010 suggesting that summer that we start giving state awards for those who showed “courageous restraint”. I think the Americans are still laughing at us now.

A strange culture developed around the conflict at that time. Commanders wanted to “do” Afghanistan—to get it on their annual reports. As ever, most new officers in theatre would start trying to outdo their predecessors. We started to be asked to follow up direct action strikes from the air, which meant conducting a ground patrol to check for collateral damage on a target just after it was hit, which is insanity, considering where those targets are in enemy territory, and the IED risk— notwithstanding the fact that the effects of strikes are pretty obvious straightaway. The effect of that on our blokes was that every single step they took and every single round they fired was raked over time and again, under microscopic scrutiny with potential strategic effects. The pressure that that placed on men engaged in mortal

combat was never correctly assessed or accounted for by the chain of command, or in the court case of Marine A. That pressure has never been higher in the history of armed conflict. There is a reason why Marine A is the first man to be convicted for the crime in question since the second world war. The effects of the strategic corporal, as it became known, have never been correctly assessed, and due care and attention have not been paid to the problem.

Into that arena stepped a deeply scarred man, of whom we had asked more and more as a nation, without respite. He had conducted multiple combat tours, yet those who thought they knew better down the other end of the radio did not heed his assessments of the specific threat to his patrol base in his area of operations. He had already lost his officer; he had seen body parts displayed and had been involved in the hunt for Highlander McLaren, which ended in such bad circumstances that to this day they rightly remain unreported.

My point is that someone should have seen what was coming. Marine A made a mistake and he got caught, and it would be naive to suggest that he should not be punished; but the mitigating circumstances in this case are great. He killed a mortally injured enemy combatant—of that there is no doubt; but does he deserve to be serving an eight-year prison sentence for murder? That is something I am deeply uncomfortable with. To my mind, the situation represents a serious and unfortunately characteristic failure in the chain of command to protect the man at all costs and assume a collective responsibility for a duty of care.

The trauma risk management procedure instigated to try to ameliorate the onslaught of disturbing experiences was a good idea but, again, tokenism prevailed. It was appallingly implemented and administered. I had a conversation only three weeks ago with someone at the top of the Ministry of Defence about how the TRiM procedure is being implemented, and all I can say is that it is delusional, the way assessment is done. We need to get that right. We have no one prepared to take responsibility for a care pathway for our servicemen and women once they leave, and I am determined to implement that.

Alec Shelbrooke: My hon. Friend's comments are very powerful. I think most Members of Parliament would be surprised at how many of their constituents are suffering from PTSD to this day.

Johnny Mercer: As to the PTSD system, there is a chronic effect on a generation that we have asked to do our bidding in conflicts miles away. There is often a time lag before the effects kick in, but there still seems to be an idea of putting it aside, and that is simply not good enough. We have to look after our blokes better.

If a civilian commits murder they are entitled to a psychiatric assessment as part of the trial process. Why on earth was that not done in Marine A's case? That man broke the law. He knew it, and he got caught; but someone must have seen it coming, and there was the point of failure. In this country, we do not look after our blokes well enough, and he is yet another example. We are getting better; the first thing the Prime Minister and Chancellor think of when more LIBOR fines come through is veterans charities. We now have a unique opportunity to get veterans' care right. The sector needs clearing up, but that is for another day.

We have a justice system that is one of the fairest and most stringent in the world, and I have little doubt that Marine A's conviction will not stand by the end of this Parliament. He has killed a man when he should not have done, in the heat, intensity, fear and sweat of a modern counter-insurgency campaign; but convicted of murder and sentenced to eight years? I am not comfortable with that, and I suspect I am not in the minority. We must do right by this man. I support efforts to look again at his conviction, and am grateful to have had the opportunity to speak.

3.29 pm

Steven Paterson (Stirling) (SNP): I am grateful for the opportunity to speak today, Mr Pritchard, and I commend the hon. Member for South Dorset (Richard Drax) on securing this important debate and the passion with which he spoke about Sergeant Blackman.

The case raises issues of serious concern and it should be carefully considered by the Government, Parliament and parliamentarians. I want to consider some of those issues because I have great sympathy for many of the points being raised across the Chamber, although I share the hon. Gentleman's concern that it is not for parliamentarians to interfere in an individual court case. Therefore I will speak generally, if I can, about some matters that come out of this.

At the heart of the matter for me is the question of culpability. We train our servicemen and women to an extremely high standard, including on how to operate with integrity on the battlefield. Yesterday, in preparing for this debate, I spoke to a friend of mine who used to teach that course to recruits in the Royal Marines. Based on that conversation, my question is: can that training ever be foolproof? Can it ever see every contingency, given the conditions that we expect these troops to operate in and the action they get into with enemy combatants? If not, where does the appropriate level of culpability lie?

When soldiers are ordered to go out on patrol in highly dangerous areas or to risk their lives defending positions, the stress and psychological toll must be draining. Over a sustained period, those factors must surely affect performance and judgement. The psychological toll must be ever greater on those with responsibility for others—those in command on the ground.

To what extent did the pressures on the sergeant have an adverse effect on his mental state when he made the mistake that he made? I am no expert, and I am not privy to every detail of the case—I have not seen the full coverage, as the hon. Gentleman has—but I would like to know that that was taken fully into account by the court martial; there are questions about whether it was.

I hope that the Minister can indicate how we monitor the psychological toll being taken on our servicemen when they are put in these positions. His comments would be welcome; if we are to have confidence in military justice and that our servicemen are treated fairly, it is important that that is taken into account. As has been said by a number of hon. Members, there are questions about the issue.

How do we determine that a serviceman or woman is psychologically fit to be on the battlefield in the first place, and where does responsibility lie when things go wrong? I also have concerns over the accountability of

[*Steven Paterson*]

command for incidents such as the one involving the sergeant, particularly in light of the comments, alluded to by others, of Colonel Oliver Lee, which have been widely reported. Although a couple of hon. Members have mentioned them, I will repeat Colonel Lee's comments because they are important:

"Sgt Blackman was therefore sentenced by an authority blind to facts that offered serious mitigation on his behalf. The cause of this is a failure of moral courage by the chain of command, the burden of which is carried by the man under command."

For me, that is extremely concerning. I would like to hear a bit more about that, and it needs to be looked into.

I have a further concern about transparency. It seems to me that transparency is essential in any legal framework but that it does not seem to exist here. Without transparency, how can parliamentarians or the public have confidence that the system of military justice is effective and fair? Given the age in which we live, where information is exchanged and shared like at no other time in human history, we must have a transparent military legal system that we can all have confidence in. What are the facts of this case? Do we know them all—if not, why not? What matters did the court martial consider? Crucially, which ones did they not consider in this case and others?

It has been widely reported that the evidence about the context in which our soldiers were serving was not presented at the trial—the lack of equipment, troop numbers and the job being asked of them, for example. We really need to make sure that that is taken into account. It is also my understanding—this point was mentioned earlier by the hon. Gentleman—that this case is being reviewed, but that there is a reluctance to release the report to the public. In the interests of transparency, I hope that that can be done. I hope that there are no redactions so that we can judge for ourselves on the basis of full information. It is not for me to say whether such evidence would have changed the verdict in the particular case; that is a matter for others. However, I think clarification should be provided on what was considered by the court martial and what was not.

As I said at the beginning, I think there is a case for reviewing the law as regards the prosecution of such crimes. We have to look into that, and I think we have an opportunity to next year. In particular, there is the degree to which culpability rests with individual servicemen and women who are expected to act under orders in extremely difficult and dangerous theatres and under restrictions through rules of engagement.

Bob Stewart: Forgive me, but I think the law is clear. Servicemen and women have a duty and a right to kill the enemy, until that enemy comes under their control—de facto, a prisoner. Once the enemy is under control, they have a responsibility to care for that person. In this case, clearly, Marine A did wrong by killing, or assuming he was killing, someone. That is against the law of armed conflict and the Geneva convention. It is quite clear.

What seems to be wrong, having listened very carefully to my hon. Friends and colleagues explain, is that the defence did not defend properly and the judge advocate general in a court martial did not give options to the board. They gave one option: murder—sorry, Mr Pritchard, I do not mean to be making a speech. Murder was one

option; manslaughter was another, and at the very least should be considered by the military authorities to sort this out. That should be done with a new legal team, which has a responsibility to go straight back to the military authorities and say, "This is wrong. Sort it, please."

Steven Paterson: I do not necessarily disagree with that, but I did say at the beginning that I was going to try to speak generally, rather than on an individual case, if and when I could, to make my points.

In conclusion, very important points come out of this case. I have a great deal of sympathy with regard to the individual case, but I think Parliament should be considering how we deal with incidents such as this when we put our troops in harm's way.

3.37 pm

Yvonne Fovargue (Makerfield) (Lab): I pay tribute to the hon. Member for South Dorset (Richard Drax) for bringing this debate to the House and to all the hon. Members who have contributed to it. Their contributions have been extremely moving, particularly those based on personal experience, and I do not think we can fail to accept the genuine emotion that this has brought forward and the feelings of all who have served.

I place on record, from the Opposition side of the House, our support for our troops. They operate in places and deal with situations that mere civilians can have no concept of. They face danger and make decisions, often in a split second every day, that literally have life or death consequences, and, on top of that, they agree to maintain an extraordinarily high standard of conduct in those circumstances. I would like to record my personal gratitude and admiration for the armed forces community and their service to our nation.

Sergeant Alexander Blackman risked his life for his country in one of the most dangerous areas of Afghanistan. He was facing an enemy with scant regard for the conventional rules of conflict and, as we have heard, his record was exemplary. Indeed, he was recommended for promotion until he made one tragic error of judgment and shot a captive prisoner. That mistake had far-reaching consequences for everyone involved, including his family, and the families of those who serve their country, and the sacrifices they make, are too often forgotten. He was, as we have heard, court-martialled and found guilty of murder in 2013. In 2014, his appeal was rejected but the judge reduced the minimum term stating that the court martial had not taken his combat stress sufficiently into account.

I obviously have no wish to jeopardise the chain of command or operational effectiveness and, as we have heard from someone who has served, it is not for politicians to interfere in internal military matters, but I have some questions and requests for the Minister.

First, I request that the Ministry of Defence publish all the information, including the review of the run-up to the killing in 2011. We need to know about the situation on the ground and the training and, crucially, we need to have the assessment of the culture and the support that was given to this soldier. That, I believe, has been promised, but I am pressing for it to be released as early as possible. It is essential, because without it there will always be unanswered questions.

For the sake of transparency, as well as for the individual and his family, the documents should be available so that we can try to find the answers.

Secondly, if there is judged to be new evidence that was not presented or that was presented too late or options that were not put forward, can that be considered further by whichever means is appropriate? We owe it to everyone involved to ensure that justice has been done.

This is a difficult and emotive subject for us all. We ask a tremendous amount of our armed forces, including that they operate to an extremely high standard of values and principles in incredibly difficult and challenging circumstances. When they are found not to have lived up to that, we owe it to all to ensure that the highest standards are applied to our justice system and that, wherever possible, transparency is a watchword.

3.41 pm

The Parliamentary Under-Secretary of State for Defence (Mark Lancaster): It is a pleasure to serve under your chairmanship, Mr Pritchard. I start, of course, by congratulating my hon. Friend the Member for South Dorset (Richard Drax) on securing this debate on an emotive case that has continued to be of concern to many people. I also congratulate, on their passionate contributions, my hon. Friends the Members for Taunton Deane (Rebecca Pow), for Beckenham (Bob Stewart), for Eastleigh (Mims Davies), for Elmet and Rothwell (Alec Shelbrooke), for Wells (James Heappey) and for Plymouth, Moor View (Johnny Mercer) and the hon. Member for Strangford (Jim Shannon), for Stirling (Steven Paterson) and for Makerfield (Yvonne Fovargue).

Standing here now and having listened to the debate, I am remembering that it is nine years since I served in Afghanistan, in the summer of 2006. I listened to the contributions of some of my hon. Friends, but frankly my tour was quite unremarkable. It bore no significance compared with the experiences of the Royal Marines in Afghanistan, in Helmand, and I seek to make absolutely no comparison between my experiences and theirs. I am, however, very mindful, when I think of that time, of just how far away we are today in the House of Commons from Helmand all those years ago. I am very mindful of that.

In the days before this debate, I spent considerable time considering this case. I have read in detail the full internal review and have seen the headcam tapes presented at trial. As part of my wish for transparency, I arranged court permission and offered my hon. Friend the Member for South Dorset (Richard Drax) the opportunity to see the full unredacted footage alongside me this morning, in my desire to understand the wider issues. I have discussed the case and appeal with a number of military officers, including both commanding officers. I share the concern of many for Mrs Blackman and am clear that the MOD must not stand in the way of a fair and just consideration of this case. I am, however, equally clear that no serviceman or woman of our armed forces is or can be above the law.

This case has been difficult for everyone connected to it. No one can see the clear pain of Mrs Blackman as she seeks to support her husband and not be deeply moved. Equally, we are all conscious that we cannot fully appreciate from the safety of the House the challenges of operations in extraordinary and dangerous

circumstances, and these are extraordinary challenging circumstances, with extraordinary people doing an extraordinary job. I know that the House will join me in recognising the Royal Marines for their huge contribution in Afghanistan during many gruelling operational tours. [HON. MEMBERS: "Hear, hear!"] We are justly proud of our soldiers, sailors and airmen—of the work they do and the way they conduct themselves. We hold our armed forces to a higher standard, and we are right to do that. Our men and women must be better than those they confront; they must set a higher standard and, even when provoked, must hold to their professional standards. Our Royal Marines fight hard, but they fight fair.

We as Members of Parliament and I as the Minister responsible for service personnel have a special duty to these people and their families. It is right that we have undertaken the review to learn the lessons from this incident, and I recognise the public interest in seeing the report in full, but I must weigh that against being fair to individuals named in the case. For that reason, I have agreed to the release of the executive summary, recommendations and letter from the Fleet Commander, with the only redactions being individuals' telephone numbers and a relatively junior civil servant's name. I have also withheld the bullet points that relate to an individual who has not yet been named in the media. Simply due to the shortness of time between the announcement of this debate last week and today, I have been unable to follow the full process required under the Data Protection Act, but let me make it clear that it is my intention to unredact those paragraphs as well in due course.

I have, as I said, read the full report in detail. It is a full and frank assessment and contains detailed information about our tactics and operational security. It is my view that its unredacted release into the public domain would breach our ability to conduct campaigns in the future. However, as hon. Members will have seen from the 17 recommendations released today, the Royal Navy, alongside the other services, is pursuing detailed implementation plans, many of which are already well advanced. I have spoken today to the Fleet Commander, and he assures me that he is tracking and pressing progress and this is a matter treated with the utmost seriousness.

That said, I remain convinced that transparency is the key in this case and I am keen to provide it. Therefore, if Sergeant Blackman's defence team wished this report to be considered by the Criminal Cases Review Commission, the MOD would provide them with a confidential copy.

I hope that this release quashes the claims that the MOD is trying to undertake some sort of cover-up or conspiracy in this case; that is simply not the case. With regard to the legal case itself, Sergeant Blackman and two marines under his command were charged with and prosecuted for murder. They were tried in an independent and impartial judicial process. Guilt or innocence is decided by a panel made up of military personnel who understand the unique challenges that our service personnel face. The two marines were acquitted, but Sergeant Blackman was convicted. A great deal of evidence was heard in the trial of the immense stresses and strains of the operational context. Sergeant Blackman's company commander during the time of his deployment gave evidence at the trial. He outlined the tactical situation

[*Mark Lancaster*]

and difficulties faced by troops located in patrol bases. I do not think that those personnel underestimated the immense challenges that Sergeant Blackman, and so many of our people, faced during that time.

Johnny Mercer: We can say that somebody is in the military, but that is clearly a very broad church. What steps were taken to ensure that the individuals who were passing judgment on this soldier had relevant personal experience of the pressures that that individual was placed under at the time?

Mark Lancaster: My hon. Friend tempts me into getting into the details of the preparation for the particular court martial. Of course, he will understand that it is right that, as Ministers and Members of Parliament, we do not seek to start influencing the way in which these trials are conducted. I do not know what the process was. There would have been a balance, of course. Anybody who knew Sergeant Blackman probably could not sit in judgment against him. However, my hon. Friend will forgive me if I avoid being drawn into those sorts of detail, because I do think that would be inappropriate for someone in my position.

Sergeant Blackman appealed against his conviction and sentence to the court martial appeal court. It is important to note, given the concerns that some have expressed about the court-martial process, that that court is made up of the same judges as sit in the civilian Court of Appeal. The court martial appeal court, chaired in this case by the Lord Chief Justice, upheld the conviction and the sentence. However, it reduced the minimum term, as has been said, from 10 years to eight.

I understand that Sergeant Blackman and his legal advisers are considering whether, as their next step, there is any new evidence that they would wish to put to the Criminal Cases Review Commission, with a view to its being referred to the court martial appeal court. This is a legal matter and not a decision for Ministers, but let me reiterate: should that happen and should either the commission or Sergeant Blackman's legal representatives make a request for the review or elements of it, I reassure hon. Members that the Ministry of Defence will, of course, co-operate fully to ensure that justice is done. To be perfectly clear, I mean that I would be willing to release the report in full, on a confidential basis, to either the defence legal team or the commission.

I began by saying that I was fully aware of the concern felt by many regarding the case. I recognise and accept that it remains difficult for some to accept the decision of the court martial and the court martial appeal court. The system seeks to combine independence and legal professionalism with an appreciation of the military context and the realities of military life. The civilian judge advocate gives direction on the law, and military personnel decide on guilt or innocence. It should not be forgotten that in this case they acquitted two of the accused. Where there is a conviction, they decide with the judge advocate on the sentence. An appeal can be made to the highest and most experienced judges, and there is the possibility of further review if important new evidence emerges. This is, rightly, an independent judicial process, not a political decision. I respect the system, and hope that hon. Members will do so as well.

3.51pm

Richard Drax: I am most grateful to the Minister for the hard work that I know he has put into researching the case, and for his frank response, which was not expected. The new legal team and the family will be grateful for the fact that he has offered to give the report to the defence team if they request it in confidence. That will help enormously. I also pay tribute to all my honourable and, in many cases, gallant colleagues. The Minister speaks humbly about his time in Afghanistan. He may not have faced the same challenges as others, but he was still there, and for that I commend him most highly.

This has been, as colleagues have said, a highly emotional, charged debate. That will not get Sergeant Blackman out of jail, however, nor will it get his case reviewed. What will be the facts. As the Minister and others have rightly said, we cannot and should not interfere with the legal process. My job and ours, along with the *Daily Mail* and others, is to highlight where we think that things have gone wrong. Where we see an injustice, it would be wrong not to stand up and say what we think. That is what we were voted in to do, and that is what we have done today.

I hope that the attention that the case is receiving, and the facts of the case, will get it reviewed. Regrettably, I am not as eminent, as bright, as intelligent or as experienced as Mr Goldberg, and sadly I never will be, but it is into his hands and those of his team that we place the responsibility of pursuing that legal avenue. Big Al, as he is affectionately known, and I have met him—

Johnny Mercer: I just wanted to build on that point and clarify what I said earlier about the MOD. I thank the Minister for the candid nature of his speech. He has shown us that we have a real opportunity, with the team of Ministers at the MOD, not only to get this case right but to tackle the causes of what happened. We all know the facts, but there are causes behind the story. We have a unique opportunity now, before the matter moves out of the public eye, to get those things right.

I know that this is strong, but in my experience of dealing with Ministers and those at the top of the MOD, there is a significant gap between the duty, attention to detail and the genuine heartfelt concerns of the ministerial team and the attitude of those at the top of the MOD. The latter have recently, in conversations about trauma risk management and how we manage people going forward, shown themselves to be delusional. We need to tighten that gap to make sure that we do not miss the bow wave of people coming home from Afghanistan and Iraq and suffering from mental health problems. I hope that as a result of our debate today, we will be able to see the many factors that contributed to the incident that we are discussing.

Richard Drax: I thank my gallant and distinguished colleague. Given all his experience, there is, dare I say it, no one better on our side of the House to speak in such a way.

Mr Adam Holloway (Gravesend) (Con): Aside from the points about this case, do hon. and gallant Members agree that it remains extremely important that our soldiers behave with the highest possible standards, and that we do not abuse or execute prisoners of war?

Richard Drax: I entirely concur with that, and I am sure that everyone in the room would do the same. We have to set a bar, and the bar has been set. There are occasions, however, and sadly this is one, where, for all kinds of mitigating reasons, one man—a highly professional soldier—snaps for a single moment. On the emotional side of the argument, very few of us here, except for the truly gallant Members who have served in Afghanistan, fully understand the pressures that these young men, and of course the officers and those in command, are put under.

I will end shortly, because I know that the Chair would like to have the final say, which is only right. I believe, as do a sufficiently large number of people, that there has been a miscarriage of justice, albeit not an intentional one. It is not for me to say otherwise, because we are talking about a court martial that did its job. The facts as I understand them were not fully presented to the court martial, however. If a court martial is to convict fairly, it needs all the facts, and I believe that they were not fully present on that day.

We hope that all the attention that this case has rightly been given will get it back to the Criminal Cases Review Commission. We rely entirely on Mr Goldberg to achieve that, and the matter is in his safe and secure hands. My aim is to bring Big Al home. If we can get the case heard, that is the first step. The rest, as has been said, is up to the law and the lawmakers.

Question put and agreed to.

Resolved,

That this House has considered the case of Sgt Alexander Blackman (Marine A).

Submarines and the Fishing Industry

[MRS ANNE MAIN *in the Chair*]

3.57 pm

Jim Shannon (Strangford) (DUP): I beg to move,

That this House has considered submarines and the fishing industry.

It is a pleasure to bring this matter to the House for consideration. A number of hon. Members have indicated an interest in the subject matter. In particular, may I mention my colleague and friend, the hon. Member for South Down (Ms Ritchie), who also wishes to make a contribution? I have made the Minister aware of the need for the hon. Member for South Down to make a contribution.

I have been trying to secure a debate on the subject since May, and it seems appropriate that we discuss it this week in light of recent developments. On 15 April 2015, an Ardglass prawn trawler, the *Karen*, was fishing in the Irish sea when it was almost pulled under the water by a Royal Navy submarine. The four-man crew deserve high praise, because it was only as a result of their quick thinking that the *Karen* did not meet a fate similar to that of the *Antares* and her crew in 1990. Not only was the trawler dragged backwards at 10 knots and almost pulled underneath the water, but it was almost pulled apart. The boat's hull was almost destroyed; this was not a simple snagging, as it was initially described.

Not only was the net found on the seabed separated from the bridle, but the saddle connecting the bridle had also been cut off. What is more, the full details have not been made known by the Minister, the MOD or the Royal Navy. We were initially informed by the Royal Navy that none of its submarines were in the Irish sea, and the Minister told Parliament that a UK vessel was not responsible. That has changed in the past week or 10 days. Originally, suspicions fell upon the Russians, as we were led to believe that a Red October had been responsible. That was after being informed by the Royal Navy that its nearest submarine was 150 miles from the location of the incident with the *Karen*. Not only was that completely inaccurate but it has taken the Royal Navy five months to accept blame for the incident, which should make us uncomfortable because that in itself suggests a possible attempt to cover up.

This is not the only incident this year. In fact, there have been two such incidents. In March, the trawler *Aquarius* almost met a similar fate when it came into contact with a submarine. Captain Angus Macleod said that he and his four crew were “extremely lucky” after his net was dragged in front of his 62-foot boat off Lewis. Again, the Royal Navy denied involvement in the incident, which is too similar. In light of recent revelations, trust must be restored between fishermen and the Navy, because trust has understandably wavered considerably.

Douglas Chapman (Dunfermline and West Fife) (SNP): Are there any protocols or a code of practice in place in relation to the *Karen*? Are those protocols and that code of practice being adhered to, and are they effective?

Jim Shannon: I will set out the protocols and the system that were in place. Protocols have been in place for a great number of years, but in this incident the

[*Jim Shannon*]

protocols were clearly not followed, which is of concern to me, as it is to the hon. Gentleman and other hon. Members.

This is the first year since 1993 in which there has been an incident involving the submarine service and a fishing vessel. We are grateful that the code of practice has been effective, but it is simply unacceptable to have two incidents within a month. Not only did it take a considerable time for the Royal Navy to accept responsibility, but initially there was complete denial that submarines had even been in the area. When we get down to the details of the submarine, the incident becomes even more bizarre. It is little wonder that the Royal Navy seriously needs to reconcile itself with fishermen across the United Kingdom to ensure that safety is paramount and that such actions do not happen again.

The submarine in question, HMS Ambush, which is aptly named, is the Navy's latest hunter-killer submarine. The submarine can supposedly detect fishing trawlers up to 3,000 miles away. With that in mind, how was HMS Ambush able to get so close that it dragged the trawler 10 knots backwards? Furthermore, submarines should be able to detect the noise of boats. Again, I find it difficult to comprehend how the submarine's crew were oblivious to the fact that it had just dragged a fishing boat across the sea, causing substantial damage.

Another issue is the supposed claim by the Royal Navy in its letter to the captain of the FV *Karen* that the submarine did not correctly identify the *Karen* as a fishing vessel:

"the submarine therefore approached too close to you and ultimately became entangled in your nets".

That was the explanation given to Mr Paul Murphy and Mr Tom Wills, who are present here today. The nets were retrieved from the seabed by the Portavogie trawler, *Deliverance*, and it transpires that the submarine's propeller had caught in the net, which is what caused the *Karen* to be dragged backwards. When the nets were found—this is something that has to be answered to today—they appeared to have been neatly cut from the boat not by a propeller but, I suggest, by divers. The cuts were clear, neat and uniform. The nets were still in excellent condition and, other than having been physically detached from the boat, had sustained no damage. That is not in keeping with the Royal Navy's explanation. If the propeller had been caught in the trawler's nets, one would expect to see nets that had been badly torn and ripped and that were ultimately beyond repair. As I have explained, that was not the case. Given the circumstances, it is completely impossible that the submarine's propeller became entangled in the *Karen*'s nets. It appears that we have yet another untruth regarding this incident.

That brings me to another point, because protocols were not followed. The hon. Member for Dunfermline and West Fife (Douglas Chapman) has referred to protocols, which are important because they are laid down to ensure that such incidents do not happen. The protocols are in place to ensure that submarines and fishermen can work separately and harmoniously at the same time and in the same area. They were introduced to ensure safety at all times following the loss of the *Antares* and its crew, yet in 2015 we have seen that these

guidelines were not followed in two incidents. In the *Karen*'s case, the protocols seem to have simply gone out the window.

We are all aware of the Subfacts system for managing the relationship between the Royal Navy and fishermen. Under that system, the Royal Navy should make the Belfast coastguard aware of any submarine activity at 7.10 am and at 7.10 pm daily, which allows the coastguard to send out warnings to fishing trawlers in the area, but that was not done. At the time of the incident, the Joint Warrior exercise was taking place involving 55 ships from 14 countries. Warnings were given to HM Coastguard at Aberdeen, Clyde and Stornoway. Belfast was not informed of any activities in its waters. Why not?

The second item of protocol that was obviously not adhered to is that submarines have to keep a distance of at least 150 feet from any trawlers. If that is not possible and they come into close contact, the submarine is supposed to surface. Again, that did not happen. Not only that, but in the Joint Warrior exercise, the Navy switched off the GPS and used gunnery, which is obviously not acceptable because fishermen are completely oblivious to whether submarines are operating in their area. That is why HM Coastguard Belfast should have been informed, and I am incredulous that it was not.

There are several critical factors in this debate, and I am sure that the Minister will be able to give a full and satisfactory response, as Mr Murphy and Mr Wills are listening intently. I understand that Admiral Matthew Parr sent letters in which Mr Murphy and Mr Wills were told that they would shortly be contacted by the Ministry of Defence to discuss compensation. As yet, neither man has been contacted about that. The letters were dated 4 September and 6 September, but given the nature of the incident and the MOD's subsequent behaviour, contact should already have been made and the two men should have been informed of what compensation would or could be available. That is particularly important, because a simple apology will not suffice, especially because of the regrettable way in which the case has been handled.

After the incident, the *Karen* made its way back to Ardglass, where part of the deck had to be lifted because it was so badly damaged when another section was completely ripped off. The damage to the boat is estimated at some £10,000. We thank God that nobody was injured, but compensation must be paid.

My first question to the Minister, in addition to the questions I have already asked, is when exactly does the MOD intend to get in touch with the men involved to discuss compensation, and when can the gentlemen expect to receive it? It is important that they have this compensation so that they can move forward. My second point applies to every fishing fleet in the United Kingdom, because their relationship with the Royal Navy has been damaged. We cannot overestimate that damage and the lack of confidence and uncertainty that fishermen feel. The hon. Member for South Down has stated in the press that:

"Fishermen must be confident that their vessels will not be damaged by submarine activity and where incidents do take place, the government will own up to it immediately."

She is absolutely right, and it is imperative that trust is restored. That will be difficult, and it will take much longer than the repairs to the *Karen*, but none the less let us get the process moving. Let us have reassurance,

and let us give confidence back to the fishing industry and the fishing sector that fish the seas around the coasts of the United Kingdom of Great Britain and Northern Ireland.

Physical damage, although inexcusable, can be repaired, but the loss of trust is not so easy to resolve. So far, the MOD and the Minister have not assisted in that process. In light of that, what will she and the MOD do to ensure that relationships are healed, that trust is restored and that, if any incidents occur in the future, the Government take responsibility immediately, rather than repeating the long adherence of some five months?

I will end on this point, because I want to give the hon. Member for South Down an opportunity to speak. I have been reliably informed that the Royal Navy has changed protocols regarding fishing vessels, but whom, if anyone, did it consult from the fishing industry? In the Public Gallery today are representatives of the fishing industry, who tell me they have not been consulted. If changes have been made to the protocol—and I understand that they have—what exactly are they? Are they changes for the better? There must be a consultation with the bodies that look after the fishing industry. It would be ludicrous to put in place a protocol without involving those people in the changes. Surely in these circumstances the fishing industry cannot be kept in the dark. It needs to ensure health and safety at all times. That is the critical factor. There must be co-operation with the fishing industry to make this a reality.

We do not want to hear about any more such incidents. I look forward to the Minister's full response, and I hope she will provide clarification and explain openly and honestly what exactly took place on 15 April.

4.10 pm

Ms Margaret Ritchie (South Down) (SDLP): I am grateful to the hon. Member for Strangford (Jim Shannon) for affording me this opportunity to make a contribution on behalf of my constituents. Mr Wills, who owns the boat, Mr Paul Murphy, the skipper of the boat, and the chairman of the Northern Ireland Fish Producers Organisation are with us today. They are all my constituents from Ardglass in County Down.

We met the Minister earlier today, and I was grateful for the opportunity to outline to her the exact circumstances of what happened on 15 April and to set out our grave annoyance at the fact that the submarine did not adhere to the proper protocols by coming to the surface. I understand that, as a consequence, the Royal Navy is currently exploring new protocols and will be holding direct discussions with the fishing industry to come to a proper determination.

The incident happened on 15 April. On 17 April, I met Mr Murphy in Ardglass. Following the incident, he was suffering from a great level of trauma because his fishing nets had been snagged and his fishing boat had been dragged backwards. He was on the boat with his crew members. We want to ensure that the fishing efforts deployed by Mr Wills, Mr Murphy and the other fishermen who ply their boats in the rich fishing grounds of the north channel and the Irish sea can continue unhindered. Impediments must not be put in their way by the Royal Navy or any other jurisdiction's vessels that are carrying out other activities.

I was told in a parliamentary answer on 10 June, and on the Floor of the House in Defence questions on 15 July, that it was not a Royal Navy vessel. I understand from what the Minister told me today that further investigations were carried out as part of the Marine Accident Investigation Board inquiry, which took evidence from the Royal Navy. It was then discovered that it was a Royal Navy vessel. That determination was made on 6 August, following the Minister's probing. I hope that, as a result of that probing, the compensation due to my constituent will be made payable.

I also hope that the Ministry of Defence will give an undertaking through the Minister that such an incident will not happen again and that fishing efforts will not be interfered with. Fishing makes an enormous contribution to my constituency, in which two of the three County Down fishing ports are based—Ardglass and Kilkeel. Other incidents in the Irish sea must equally be investigated, such as the incident of 14 February 2002, which was subject to an investigation. Three people lost their lives, and their relatives want the investigation reopened.

I have several questions about this incident. I am grateful that the Minister has today directly apologised to Mr Murphy and Mr Wills for what happened and the trauma they suffered. She said in that meeting that the incident should not have happened. I would like her to put that on the record today clearly and unequivocally. We would like to know why the protocols set up in 1993 as a result of a previous incident were not adhered to. What consultations will be carried out on the new protocols? Will the fishing industry—the fishermen and those in the fish producer organisations—be directly involved in the consultations and in helping to devise the new protocols? Only the fishermen have a direct knowledge of those seas, the amount of fish in them and the places where spawning takes place, where there is biomass and where there are other issues.

What was the operational programme for the submarine activity on that day in the north channel and the Irish sea? The hon. Member for Strangford referred to the Subfax text, which clearly states that there was to be no submarine activity that day. That information was directly exchanged with the fishing industry, so why was there an error? Why did the Royal Navy breach protocol by not bringing the vessel to the surface? Why were the British Government so quick, as has been suggested by others, to blame a vessel belonging to another country? When will the new protocols be finalised? When will the report of the Marine Accident Investigation Board's investigation be published? Will it be made available publicly to members of the fishing industry—in particular, Mr Wills and Mr Murphy—and will a copy be made available in the Library?

Several other questions arise. This incident was one of many involving fishing trawlers and submarines around our islands. It is a major public safety issue, and fishermen's lives are at risk. Why was a UK submarine so close to the coast of Northern Ireland? It is our understanding that naval exercises take place in the north-east Atlantic, not the Irish sea. Why did it take so long to admit that?

Other issues have been raised directly with me. Was it a Trident submarine? We know it was the HMS Ambush, but was it on such a mission? Will the Minister conduct a separate inquiry, or will the incident be covered only by the Marine Accident Investigation Board inquiry? I think I gathered from the Minister earlier today that it

[Ms Margaret Ritchie]

is all to be part of that inquiry. She will understand from the viewpoints that I, my colleague, the hon. Member for Strangford and my constituents have expressed that we need to know that such an incident will not happen again. My constituents must get the full compensation they are entitled to, and there must be discourse between the fishing industry and the Royal Navy. Any incidents since 1993 must be fully investigated and, if necessary, reopened so that such an incident can never happen again in the Irish sea.

Our local fishing industry, which comes out of the County Down fishing ports, must be fully protected. The significant contribution it makes—both onshore through processing and offshore through fishing efforts—must not be interfered with. We already have to deal with possible marine conservation zones, and there has been a general conversation about wind power in the Irish sea. We must ensure that those issues and bits of infrastructure do not interfere with our fishing industry—an important part of our local economy. Above all, our fishermen must feel satisfied that they are safe when they get into their vessels and go into the Irish sea. We must not forget that there was a loss of fishing days, and we are already penalised by the days at sea restriction. I thank you, Mrs Main, and the Minister for being here today.

4.20 pm

The Minister for the Armed Forces (Penny Mordaunt): I congratulate the hon. Member for Strangford (Jim Shannon) on securing this debate on a subject that I know is of great importance to him and his constituents. I also thank all hon. Members who spoke and made representations on behalf of their constituents. I welcome the opportunity to address Members' concerns and those of the fishing community, for whom safe and secure operations of our military vessels in the vicinity of their activity are essential. I repeat what I said in my written ministerial statement on 7 September: this incident and the delay in identifying and addressing the events and their consequences is deeply regretted.

I have written to the Karen's master and met him and the owner to acknowledge the Royal Navy's responsibility for the incident and to offer my personal apologies on behalf of the Ministry of Defence. A representative of the Royal Navy met them both personally to apologise on behalf of the Navy for the incident and the delay in acknowledging responsibility. I touched on compensation previously with the hon. Member for South Down (Ms Ritchie). Of course, there must be full compensation. My role in that process is to ensure that that happens swiftly. If there are any concerns about that process, please feel free to let me know.

Jim Shannon: Can we have a timescale for the compensation? The hon. Members for South Down and for Dunfermline and West Fife are also interested in that issue. There has been delay: five months of not working while the boat is repaired. There has been £10,000 worth of damage, so we need a timescale. Let us have it in black and white.

Penny Mordaunt: I will be happy to put in writing to the hon. Gentleman the process that will now happen. The delay is clearly unacceptable. I will talk about the

reasons for it, but now that we know what happened, there should be no delay in ensuring that these people are properly compensated for the trauma they have endured as well as the material damage.

The Karen was very close to sinking and I have no doubt at all that that must have been a terrifying experience for the crew. The fact that the vessel did not sink was almost wholly attributable to the crew's swift and professional response. They took immediate action to release the brake on the winch and prevent their vessel from capsizing. They are to be commended for their actions, which undoubtedly prevented a much more serious outcome.

As Members will be aware, the Royal Navy stated it was confident that no submarine was involved and I gave that advice to the House. New information that came to light as a result of the Royal Navy—not as a result of an external investigation or my inquiries—confirmed that, in fact, a UK submarine was responsible for snagging the Karen's nets.

Once that information was confirmed, the Secretary of State for Defence, my right hon. Friend the Member for Sevenoaks (Michael Fallon) was informed on 6 August. During August, I held meetings to establish the full facts, question the Royal Navy and discuss changes to policy to ensure the safety of fishing vessels. I wanted to ensure that all the facts had been captured, that the incident and failings by the Royal Navy were fully understood, and that we had in place a policy that would provide reassurance to the fishing community and to the crew of the Karen in particular. That work was done at speed and took about a month to complete. I then took the earliest opportunity to inform the House and put the record straight on 7 September.

That answers given earlier were proved to be incorrect is deeply regretted. I am sure that the House will appreciate that our standing policy is not to comment in detail on submarine operations. However, I can say that the incident occurred because the submarine did not correctly identify the Karen as a fishing vessel with nets in the water and thus did not give her the berth she otherwise would have had.

People have questioned why the submarine did not surface at the time of the incident. It has also been suggested that the recovered fishing gear shows evidence of having been cut, further raising speculation that the submarine surfaced after the incident to remove the material. I can only repeat that the submarine was not aware of the incident at the time. I expect the issues raised by hon. Members to be covered by the Marine Accident Investigation Board report.

If the submarine had been aware of the incident, the protocols in place under the code of practice for submarine operations in the vicinity of fishing vessels would have required her to surface and remain on scene to render assistance.

Ms Ritchie: I thank the Minister for giving way. In her response, will she indicate when the report will be made available and to whom and where it will be placed?

Penny Mordaunt: Certainly. As I have already said to the hon. Lady, that report will be produced in short order. I know that there is a meeting on 24 September between Commander Operations Royal Navy and that

body and I will do everything I can to facilitate the report's circulation by placing a copy in the Library of the House of Commons.

If I were able to tell Members the full details, I think they would come to two conclusions. Although why the incident happened might be understandable—due to the nature of submarine operations—it is in no way acceptable. It is clear that our policy on fishing vessels and reporting such incidents must be improved and made more consistent. Having identified the very specific circumstances of the incident, the Royal Navy has already taken steps. I will come on to consultation in a moment, but changes took place with immediate effect because I felt that was incredibly important.

First, the process by which a vessel is classified has been reinforced, using stricter criteria to prevent incorrect assumptions being made. The instructions issued to submarine commanding officers have been updated to reflect the lessons learnt, which will also inform the training given to future commanding officers. If a vessel's identification cannot be established, the commanding officer must assume that it is a fishing vessel with nets in the water and behave accordingly.

Secondly—this is critical—the Royal Navy's reporting procedures have been reviewed to enable it to confirm more quickly whether a UK submarine was involved. For operational reasons, if we cannot confirm that it was not us in short order, we will assume that it was. There should be no delay in verifying whether a Royal Navy submarine was involved, regardless of the kind of submarine it was and the operation or activity it was conducting. We should respond within a few days and take action accordingly. I assure the House that the safety of our submarines and that of other mariners is most important to the Royal Navy.

Jim Shannon: Can I ask the Minister why Her Majesty's Coastguard in Belfast was never informed? If she cannot give an answer today, perhaps she can give the answer to that and the other questions we have asked later? I would appreciate that.

Penny Mordaunt: In the brief moments I have left, I am looking at what is known as a Subfax. Clearly, we want that to be as comprehensive as possible. It cannot include submarine operations from other nations, but I am looking at that and I will happily follow up with the hon. Gentleman on that. On other issues raised, with regard to speculation that it was a Russian vessel, that is not something that we have said, although I can understand the speculation in the press on that.

The importance of the relationship between the Royal Navy and the fishing communities is fully recognised. That is why the code of practice was drawn up. The Royal Navy will step up its engagement with the fishing community. Good work has been done to date: for example, close working relationships have been developed with the Clyde Fishermen's Association and other organisations on the west coast of Scotland. However, we want to do more. Following the incident, I have asked the Navy to establish a formal working group to improve communications and consultation with the Northern Ireland fishing industry in particular and, as I have already expressed to the hon. Member for South Down, I welcome input on that.

I am afraid that I have run out of time, but I assure the House that we want to do all we can to ensure that those in the fishing industry can go about their business not only in safety, but without fear. I will be happy to write to hon. Members to give them further details.

Motion lapsed (Standing Order No. 10(6)).

Alun Richards and Kashif Shabir: SFO

4.30 pm

Jo Stevens (Cardiff Central) (Lab): I beg to move,

That this House has considered the Serious Fraud Office, and the cases of Alun Richards and Kash Shabir.

This debate concerns allegations of fraudulent misrepresentation and collusion involving Lloyds bank and receivers used by that bank. My hon. Friend the Member for Ogmere (Huw Irranca-Davies) and I both have constituents who, as customers of Lloyds bank, underwent the same ordeal: having their hitherto successful businesses revalued downwards, forced into receivership and then sold. The allegations concentrate on but are not confined to Lloyds' operations in Wales. The facts of the cases resemble the malpractice at Royal Bank of Scotland identified by the Tomlinson report, which was published on 25 November 2013.

I bring this matter to the House today so that Mr Kash Shabir, my Cardiff Central constituent, may have his account of events put on the parliamentary record. I anticipate that my hon. Friend will do the same in respect of his constituent, Mr Alun Richards.

Alex Cunningham (Stockton North) (Lab): I would like to put on the record the case of one of my constituents, which relates to this matter. Michael Field bought some land and borrowed from Lloyds bank to finance a project to build several houses. He maintained his payments without fail, was a good customer and fulfilled all the terms and conditions of the loan agreement, but Lloyds seized his assets and foreclosed on him. He then discovered that his assets were actually traded inside the bank, which was a great concern. Does my hon. Friend agree that the Government need to intervene and change things to protect customers such as Michael Field?

Jo Stevens: My hon. Friend makes a very interesting and valuable point about the fact that this bank is part-owned by the taxpayer. The Government should look into its internal practices.

Both Mr Shabir and Mr Richards say that they have suffered significant financial and emotional harm as a result of the actions that are alleged. Mr Shabir built his business from scratch. He was a successful entrepreneur and property developer, with a portfolio valued at around £10 million. He enjoyed an excellent credit rating and reputation among banks and building societies. In 2006, Lloyds bank competed against Barclays bank to win a large portion of his business lending. Lending was secured by Mr Shabir with Lloyds at 1% above the base rate, because of his excellent track record. So far, so good, people might say.

As the House knows, however, the 2007-08 financial crash brought Lloyds to the brink of collapse. At the peak of the financial crisis, Lloyds requested emergency funding from the UK taxpayer. The Government set up a division within the Treasury—UK Financial Investments—to manage the bail-out of Lloyds, the Royal Bank of Scotland and Northern Rock.

For Lloyds to secure and receive that bail-out, it was essential for it to quantify and declare to the Government the amount of money required to save it from collapse. So it conducted an overall assessment of its investments and assets. This appears to have prompted Lloyds to

take the opportunity to reassess its relationships with customers who were borrowing large sums on what are called fine margins. Customers on fine margins are good customers allowed to borrow at low rates. Due to the lack of liquidity, however, the cost of money in the money markets had risen significantly—more importantly, it had risen to a point above the contractual levels at which it was being borrowed.

Almost overnight, those businesses on fine margins, which Lloyds had regarded as its best customers, became highly vulnerable since the bank could no longer make profits from those arrangements. As Lloyds sought to improve its own position, the fine margin customers were targeted first, to eliminate them from the bank's portfolio. That was particularly true of small and medium-sized enterprises, which did not have the resources to defend themselves.

Banks almost always lend money that is secured against assets, by way of a loan agreement. The parameters of that agreement, such as the loan to value ratio, are set out in writing at the outset. Provided that a customer's assets do not fall below the agreed level, the customer is, in broad terms, described as safe.

During the financial crisis, it is alleged that Lloyds and other banks adopted a mechanism known as down-valuation, to engineer a shortfall. Again, that practice has been recognised in the Tomlinson report, and it has two consequences in this case. First, Lloyds was able to secure a larger bail-out from the taxpayer. Secondly, individual customers were held to be in breach of their loan conditions. That enabled Lloyds either to renegotiate more favourable terms for itself or to eliminate its customers altogether, by triggering receivership proceedings and then the sale of those businesses. It was that second engineered consequence—of being in breach of loan conditions—that brought about the unjustified failure of many successful companies and individuals, including Mr Shabir.

I will explain to the House in a little more detail the mechanism of the alleged collusion applied to engineer a down-valuation in respect of Mr Shabir's portfolio. Lloyds bank utilised Alder King LLP, commercial property consultants and Law of Property Act receivers, for the majority of the valuations that it carried out in Wales. Alder King was the approved professional company for all receiverships in south Wales. What is of particular concern is that Lloyds engaged as a manager for its Wales operations an equity partner of Alder King, Mr Jonathan Miles, who worked within the bank's recoveries department—the very department responsible for making receivership appointments. In this position, it is alleged that Mr Miles worked with the valuers and receivers from his own firm of Alder King, and was able to manipulate Mr Shabir's business into failure.

I am told that Mr Miles never disclosed his own identity as an Alder King partner and misrepresented his position to Mr Shabir as being an employee of Lloyds bank and a long-time Lloyds bank manager. Mr Miles had a Lloyds email address, Lloyds-headed stationery and a Lloyds business card, all of which he used daily. I am also told by Mr Shabir that Mr Miles appointed another Alder King receiver, his Alder King partner Mr Julian Smith, as the receiver in Mr Shabir's case. Mr Smith wrote to Mr Miles thanking him for making the appointment. Mr Smith was also given a Lloyds email address, together with Lloyds stationery. He had

full access to confidential customer data and communicated directly with Lloyds customers, misrepresenting himself as a Lloyds employee, it is alleged.

During Mr Miles's secondment to Lloyds, he had 2,400 live cases, each worth in excess of £1 million, within his recoveries department. Those were 2,400 live cases in respect of which, if he wished to, he could appoint receivers from his own firm, Alder King. Alder King received substantial professional fees for its services as appointed receivers. These figures illustrate the size and scale of the obvious conflict of interest and the potential for financial abuse. The role played by Mr Miles within Lloyds, with the bank's knowledge and consent, created an immediate and significant conflict of interest.

Mr Shabir accepts that banks will utilise the services of third-party specialists, such as surveyors, in their day-to-day business, but in engaging such third parties it is the bank's responsibility to ensure that conflicts of interest do not arise. In Mr Shabir's case, his Lloyds portfolio was down-valued by Alder King by more than 50% from its original valuation, placed into receivership and sold. Mr Shabir has four valuations from the same period by other Lloyds panel valuers, all reflecting nearly double the valuation of Alder King at the point of placement into receivership.

Once the portfolio of properties was placed into receivership, the receivers failed to transfer all associated bills to themselves, and Mr Shabir has since become the recipient of approximately 30 county court judgments for claims against properties that had been removed by the receiverships from his control. His credit rating is now completely destroyed. This young, successful entrepreneur, who grew up in a small terraced house in Cardiff and built a business worth £10 million, has been financially destroyed. With a young family who are dependent on him, he has lost his entire investment portfolio, with only his family home remaining—on which Lloyds has a second charge.

Mr Shabir alleges that he was forced by Lloyds to take out an interest rate hedging product as a condition of his lending facility with Lloyds in November 2006. When his portfolio was transferred to the recoveries department of Lloyds, it unilaterally cancelled the hedge and levied termination fees of almost half a million pounds against Mr Shabir. It is alleged, and now confirmed by Lloyds, that the hedge was mis-sold. The sales process was non-compliant in seven respects that the Financial Conduct Authority suggests are mandatory for a compliance sale.

I turn to the regulatory framework. In March 2015, the Business, Innovation and Skills Committee, under the chairmanship of my hon. Friend the Member for West Bromwich West (Mr Bailey), conducted an inquiry into the insolvency regime. At the inquiry on 4 March 2015, evidence was heard about the practice of seconding insolvency practitioners and surveyors within lenders' restructuring divisions. Mr Graham Horne, deputy chief executive of the Government's Insolvency Service, said that receivers should never work as active insolvency practitioners within a bank. Mr Julian Healey, head of the Association of Property and Fixed Charge Receivers, expressed concern about the impression the practice gave and concluded that if receivers on secondment also worked on the same bank's administration, there was "clearly" a conflict of interest.

Mr Shabir made a formal complaint to the Royal Institution of Chartered Surveyors about Alder King's conduct. In its response, RICS specifically confirmed that Mr Julian Smith of Alder King was on secondment to Lloyds at the time of the valuation of Mr Shabir's portfolio, when he personally acted as the valuer, but also when he was appointed by Mr Jonathan Miles as the receiver. During the same period, Mr Jonathan Miles, as head of receiverships for Alder King, was embedded in Lloyds bank as Mr Shabir's allocated bank manager.

Despite the evidence that Mr Horne and Mr Healey gave to the Select Committee, RICS somewhat astonishingly claimed to see nothing wrong with Alder King's practice. It responded as such to Mr Shabir shortly after the Select Committee hearing at which the chair of the RICS regulatory board, Eve Salomon, gave evidence. Although the alleged collusion and fraudulent misrepresentation were first identified and raised with Lloyds by Mr Shabir in 2010, responses have amounted to no more than stonewalling by successive levels of Lloyds management.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): As Chair of the Business, Innovation and Skills Committee at that time, and following personal representations from Mr Shabir, we did research into this matter. It indicated that there was a consensus across the professional bodies involved, apart from RICS, that the process demonstrated a clear conflict of interest. The bodies took it to the Minister, and I know the Minister made representations, but still absolutely nothing was done. Does my hon. Friend not agree that that reflects a serious deficiency in the monitoring process within the industry—one that results in the most devastating consequences to individuals and the economy?

Jo Stevens: My hon. Friend is absolutely right. It is a huge gap in the regulatory framework that must urgently be addressed.

4.43 pm

Sitting suspended for a Division in the House.

4.54 pm

On resuming—

Jo Stevens: Mr Shabir told me that he is aware that not only have the issues been discussed with the chief executive of the bank, Mr António Horta-Osório, and the past chairman, Sir Win Bischoff, but the bank has dedicated senior managers, including two managing directors, to consider the case. Unfortunately, rather than seeking to address Mr Shabir's complaint, Lloyds has applied those resources to devising a strategy to deflect him.

There has been no substantive response to Mr Shabir from Lloyds bank since October 2011. Such limited correspondence as has taken place has been issued by Lloyds' solicitors, who have been unhelpful and dismissive, and has included a proposal to forgive the indebtedness created by Lloyds' own actions, along with Alder King, in return for Mr Shabir's signing a confidentiality agreement—effectively a gagging order to prevent any further discussion of any aspect of the case. Mr Shabir told me, unsurprisingly, that that was unacceptable to him, as he would have had to relinquish the £2 million of equity he originally took to Lloyds bank and have

[*Jo Stevens*]

been prevented from speaking out about his experience. Because commercial lending by banks is not regulated by the FCA, it cannot intervene and investigate.

Mr Shabir's case was referred to the Serious Fraud Office in September 2013. I am told by Mr Shabir that a substantial amount of evidence was provided to corroborate the allegations. I have seen correspondence between the former shadow Attorney General, my hon. Friend the Member for Islington South and Finsbury (Emily Thornberry), and Mr David Green, director of the SFO. The correspondence took place between the end of October 2014 and the beginning of November 2014. In his letter to my hon. Friend, dated 7 November 2014, Mr Green confirmed that the SFO was

“working with partners to identify the extent of information and evidence that relates to the practices described and to ascertain if there is a systemic or institutionalised problem that warrants the application of the criminal law.”

Mr Green also confirmed that the SFO had met with a number of other parties concerning Lloyds and Alder King, but, since 7 November 2014, nothing further has been forthcoming from the SFO.

Mr Shabir tells me that the number of people affected by Lloyds' actions is in the thousands, and the Tomlinson report highlighted the extensive practice of down-valuation. Following the publication of the Tomlinson report, the Federation of Small Businesses, recognised as a super complainant, met the Welsh Affairs Committee on 20 February 2014, along with representatives of RICS. Action groups have been formed. They are multifaceted and multidirectional groups because of the specific circumstances of individual group members. There has been press coverage in the financial sections of national newspapers, including in *The Times* today. The BBC produced a “Panorama” programme featuring the issue.

In conclusion, we are left with a situation in which it is alleged that a partly nationalised bank, having found itself in unfavourable business arrangements, has been able to manipulate matters to its advantage, steering successful companies into receivership while depressing the valuation of those companies and individuals' assets to augment the emergency funding it would receive from the taxpayer.

The bank has been assisted by supposedly independent professional advisers who are embedded in the bank and financially benefit from receivership appointments engineered in conjunction with the bank. An obvious and significant conflict of interest has been allowed to operate, unfettered by any regulator. RICS has declined to criticise, never mind condemn, the actions of Alder King, and the SFO has, it appears, sat on its hands, all at extreme financial and emotional cost to Mr Shabir.

There is a public interest in an investigation into potentially criminal misconduct by taxpayer-supported banks, whether it is conducted by the SFO or another agency in a position to do so. Mr Shabir has waited long and patiently enough for some action, so will the Solicitor General tell us whether the Government will undertake to investigate fully the following issues by making specific enquiries of Lloyds, Alder King and RICS?

The first issue is the extent of the practice of down-valuation and the number of seconded personnel embedded in the bank who have received receivership appointments; the second, the monetary value involved; and the third,

the number of customers affected. Will the Solicitor General raise these serious issues with the Secretary of State, so that an urgent inquiry might be considered? Finally, will the Government undertake to ensure that Lloyds, as a partly public-owned bank, is proactively contacting and meeting customers to discuss redress for the affected businesses?

Several hon. Members *rose*—

Mrs Anne Main (in the Chair): Order. Before I call Mr Huw Irranca-Davies, I should say that the debate will finish at 5.41 pm, so the wind-ups will start at 5.21 pm.

4.59 pm

Huw Irranca-Davies (Ogmore) (Lab): It is a pleasure, as always, to serve under your stewardship, Mrs Main. I thank my hon. Friend the Member for Cardiff Central (Jo Stevens) for securing this debate and for laying on the record a comprehensive and detailed view of how her constituent has been affected. That is what I intend to do for my constituent, Mr Alun Richards, regarding a related issue. The story, the allegations it contains and the impact that it has had on him and his family are shocking. At best, there is a conflict of interest, with evidence of duplicity; at worst, there is evidence of collusion and real criminality that could go beyond these two cases. The points that my hon. Friend has put to the Solicitor General will help to establish the scale of the problem.

Alun Richards comes from a well-established and successful farming family of long pedigree in the Amman valley in west Wales. He is an award-winning farmer and former Wales young farmer of the year, representing the UK at European levels. His farming business expanded over years, but he knew, as many farmers do, that he had to diversify to grow further. Milk quota changes, mad cow disease, foot and mouth, milk prices and global dairy competition forced Alun to move out of milk production. Farmland was turned to crop production and farm buildings freed for other uses, initially largely funded by family money. It was successful, and the business grew and prospered. While the family had been long-term customers of NatWest RBS, other banks were keen to secure Alun's growing business, among them Lloyds TSB.

To secure Alun's custom, Lloyds gave him an attractive offer of the type reserved for the very best businesses: 1% over base rate. That, combined with further family money, allowed Alun to convert farm buildings and the original farmhouse into offices and meeting rooms to be let out. Further expansion included a conference centre. The original farmyard became the Tycroes business park, a beacon for employment in the area that was opened by His Royal Highness Prince Charles. Over time, the business expanded into other property, including an office block in Swansea. It was based on solid foundations and steady growth. It was successful, solvent and profitable every step of the way. The office block was financed through Lloyds, a link that originally came through Alun's successful business being identified and snapped up by local and regional agricultural managers at Lloyds. Alun's accounts had now been transferred to Lloyds and all was going well. Tenants were queuing up for the business park and Alun was being introduced as Lloyds' best customer at the Royal Welsh show.

At the same time, however, the regional manager had identified a failure by the local manager, who should, the regional manager said, have consolidated seven existing loan accounts into one and should have created an overdraft as part of those consolidated loans. Despite the issue being identified, the consolidation and overdraft rearrangement never happened. That failure became the reason that Lloyds used as the justification for Alun's booming business—to which Lloyds was lending at premium rates for trusted and successful customers—being transferred into recoveries. To be clear, the lender, Lloyds, had identified that a consolidated loan was needed, but it was not arranged, which subsequently became the reason for the business being transferred to recoveries. That itself seems remarkable, but it was in recoveries that my constituent alleges that the real abuses took place. Let us look in detail at how the transfer to recoveries of a successful business happened.

In 2008, Alun was telephoned and told that his account was being taken over by a new manager. Alun believed that his Lloyds account was progressing to a higher level of management—it was a successful business. After two weeks, Alun had heard nothing from his new manager, so he decided to telephone his original manager to ask who his new manager was. The manager informed Alun that he had been transferred to the recoveries department at Bristol. That was a complete shock. Alun then made contact with recoveries, which asked Alun if he could enlighten them as to why his account had been sent there. Alun was told that recoveries only dealt with dead and dying accounts, not accounts that were alive and kicking like Alun's. Recoveries duly sent Alun's files back to Alun's manager and his regional agricultural manager. Recoveries were amazed when Alun's manager and regional agricultural manager quickly returned Alun's files. Recoveries told Alun that his files could be parked on a desk for three months and that he would be able to find a new bank or a new Lloyds manager. However, Alun quickly found that, behind the scenes, the banking sector was in meltdown and that that was affecting decisions.

As this was happening, Alun's business was slowly grinding to a halt, so he engaged his then MP, my hon. Friend the Member for Llanelli (Nia Griffith), who wrote to the chairman of Lloyds bank. Alun then had a visit from a Mr Holliday and Mr Miles, who introduced themselves and presented business cards showing that they were managers in the Bristol recoveries department of Lloyds bank. Mr Miles assured Alun that everything would be resolved. In the presence of two qualified accountants, Mr Miles was asked about his background at Lloyds, because they had not met before. He went to great lengths to provide a history of his employment at Lloyds. He stated that his career had been in the branch network and that he had only recently transferred to recoveries. He produced business cards stating he was a Lloyds manager and carried on stating that he was Alun's manager on Lloyds-headed notepaper and in emails from his Lloyds address for the next two and a half years.

It was only by pure chance that Alun later discovered that Mr Miles was in fact a qualified chartered surveyor and member of the Royal Institute of Chartered Surveyors—RICS—and also an equity partner in Alder King, which was never officially disclosed to Alun at the time. All correspondence to Alun from Mr Miles was signed

in his capacity as a Lloyds manager. It was not stated that Mr Miles was on secondment from Alder King to Lloyds, and Alun has an internal email, obtained by a subject access request to Lloyds, confirming that no secondment agreement exists between Alder King and Lloyds. Mr Holliday then insisted that Alun's debt to Lloyds had to be repaid within 10 years, not the 20 years that was in the original loan agreement. Soon after, Alder King was appointed as LPA receivers over Alun's business.

Alun was shocked to find out that Alder King was previously owned by Lloyds and contacted the receiver, a Mr Hughes. Mr Hughes had previously been a managing director at Alder King and past chairman of the Association of Property and Fixed Charge Receivers, or Nara. He was also a chartered surveyor and member of RICS, so he was well-qualified to understand the Law and Property Act 1925. Alun attended a meeting at Alder King's offices in Bristol with Mr Hughes and Mr Holliday and Mr Miles from Lloyds. Alun was supported by his accountant, who took minutes. At no point was it made clear that Mr Miles was a chartered surveyor, a RICS member or an equity partner at Alder King. He was always introduced as a Lloyds bank manager. Mr Hughes should have made Mr Miles' position and the potential conflict of interest quite clear.

On hearing Alun's story, Mr Hughes immediately resigned his position as receiver, despite discussions with Mr Holliday, who insisted that Mr Hughes remain appointed. It was clear that Mr Hughes was aware of not only the conflict of interest, but potential criminal fraud and the misrepresentation of his business partner Mr Miles. There was financial profit in this situation. Another three months passed with little activity from Lloyds recoveries. Mr Smith from Alder King was appointed as LPA receiver, along with the reappointment of Mr Hughes.

By March 2011, two years on from the shock meeting with Mr Holliday and Mr Miles from Lloyds recoveries, Alun's life and business were grinding to a halt. As a result, Alun, along with his MP, went to the main Lloyds offices in Gresham Street, London. Alun's then MP presented a letter to request a meeting with António Horta Osório, Lloyds' new chief executive officer. A Mr Young met them and listened to the story and stated that there

“had to be a resolution”.

By now, Alun was dealing daily with Mr Young, who had given him direct access via landline, email and mobile. Mr Young gave an ultimatum to recoveries to resolve matters with Alun or the case would be taken over by Mr Cumming, the global managing director, with overall responsibility of Bristol recoveries. After that, however, Alun was locked out of his business park, with Lloyds having sold the property as mortgagee not in possession.

Two of the tenants of the Tycroes business park bought the property for £70,000. Although Alun Richards had in his possession a valuation for the same business park of more than £2 million, carried out by surveyors Lambert Smith Hampton only two years previously, LSH had reportedly provided Lloyds with a zero valuation of the same premises. The business park had 12 units, two office blocks, a large conference centre and 5 acres of future development land—but a zero valuation.

[*Huw Irranca-Davies*]

Notification to Alun of the sale came via solicitors TLT. It transpired that TLT was acting for Lloyds bank, Alder King, Mr Smith and Mr Hughes. Is that not a conflict of interest? Alun's then MP, my hon. Friend the Member for Llanelli, arranged a meeting with Mr Young and Mr Cumming at Lloyds headquarters in London. Subsequently, Mr Cumming took sole responsibility for Lloyds' actions and agreed to visit the farm to see at first hand the damage that had been caused to Alun and his family.

An auction of the remaining farmland had been planned for that evening, but was cancelled by Mr Cumming. That was strange, as Lloyds had appointed an LPA receiver to take charge of all the properties. A further property, Mansel house in Swansea, which Alun had purchased as his pension fund, had a valuation of £600,000 and a loan of £480,000 secured with Lloyds. The LPA receiver sold it at auction in London for £125,000, two years after it had been bought by Alun. Of the £125,000 realised for the property, Alder King took a commission of £50,000, realising a loss of £405,000 to taxpayer-owned Lloyds bank.

Mr Cumming kept his word and visited Alun's farm to see the damage. Again he took full responsibility, and he declared that he would be back within a week to return Alun's business to the position it was in before this fraud began. Alun had now had a high-profile managing director in Lloyds bank travel to his farm in rural west Wales and state that he would return Alun's business to its original position, but the next week came and went. After three weeks, Mr Cumming wrote to state that he had decided on an independent investigation into his department's action.

Mr Cumming appointed solicitors Hogan Lovells to lead the investigation, but over the next year Hogan Lovells parked it in the long grass. Lloyds then decided to sell the rest of Alun's portfolio by auction—the fourth attempt to sell the properties, as the previous three had been cancelled. Alun's father bought all the lots, but Bristol recoveries, Alder King and the other RICS auctioneers who were now involved were furious and used an opt-out clause in the small print to cancel the sale. They then sold the farmland on a first come, first served basis at a knockdown price. Shortly afterwards, Alder King resigned as receivers. Alun had started out with a portfolio valued at £5 million and a successful business, with borrowings of £1.3 million; he has ended up bankrupt and with nothing.

Where is Alun's case now? Alun Richards and Kashif Shabir had their first meeting with the Serious Fraud Office on 11 November 2013, when they presented what they believe to be overwhelming evidence of criminal fraud. Another meeting was held one year later. I understand the file to be open and awaiting progress—that is what we are seeking. Alun made separate but identical complaints to RICS—as did Kashif Shabir—regarding his personal circumstances, which involved an additional set of regulated members. RICS refused to take the bundles of evidence from Mr Richards, but then somehow concluded that there no breaches of its code. RICS relied solely upon the representations of its members. It would therefore not be unfair to assume that it is offering a degree of protection to its fee-paying members. Where is the professed protection for the customer?

The Select Committee on Business, Innovation and Skills looked at the case on 4 March 2015, under the chairmanship of my hon. Friend the Member for West Bromwich West (Mr Bailey). In attendance were principals from five independent industry regulators, including Eve Salomon, chair of the regulatory board of RICS, Graham Stockey, principal surveyor for RICS, Julian Healey, chief executive officer of Nara, and Daniel Hardy, chairman of Nara.

I echo the comments made by my hon. Friend the Member for Cardiff Central, who referred to the evidence given at the hearing being entirely in opposition to the practices adopted by Lloyds and Alder King working in unison, giving the appearance of collusion. Furthermore, when parties with a mutual financial interest are working in conjunction with each other, there are obvious opportunities for abuse. It is just such an abuse that I wish to highlight and that I believe my constituent Mr Richards is the victim of. In addition, it is known that Alder King, as I touched on, was the recipient of substantial fees, amounting to hundreds of thousands of pounds in this case. The incentive is obvious. In Alun's case alone, Alder King was able to charge more than £400,000 in total fees for acting as receiver.

What about the Solicitors Regulation Authority? The general case is further exemplified by the fact that both Alder King and the bank were utilising the services of not only one law firm, but specifically Mr Hayllar of TLT solicitors, who was representing both the bank and the receiver simultaneously. What chance does the customer have when facing a united front from a tripartite relationship and he is not even invited to the party? In fact, his exclusion is what makes the party happen. The consequences of the alleged criminal fraud of Lloyds recoveries in Bristol, along with Alder King, are far reaching, because more than 3000 customers were with the Bristol recoveries at one time. Such fraud could have cost the British taxpayer hundreds of millions of pounds of the bail-out money that was available to Lloyds bank.

In conclusion, there is more to these cases than my hon. Friend and I have said today. Allegations have been made against individuals and organisations such as the Association of Chartered Certified Accountants, which appears complicit because of its failure to step in and act when concerns and allegations against its members were raised. ACCA will now only communicate with my constituent via a solicitor.

Surely now is the time for the Serious Fraud Office to take action. Now is the time to shine a spotlight on the allegations of criminality, collusion and corruption. What the two cases illustrate might be the tip of the iceberg. The SFO surely has a duty to pursue the matter, to see whether the allegations are substantiated and, crucially, whether there are more cases like this out there—we have heard that there are, with more victims suffering in silence and believing themselves helpless after their profitable businesses have been destroyed. The SFO has the power, authority and remit to do something—to make inquiries of the regulator, Alder King and the bank, and to quantify the extent of the situation. We could be talking about millions of pounds, but only the SFO can uncover this. Far from being responsible banking practice, this looks like daylight robbery. A thorough investigation is needed and it is needed now.

5.17 pm

Catherine McKinnell (Newcastle upon Tyne North) (Lab): It is a pleasure to serve under your chairmanship, Mrs Main, and I congratulate my hon. Friend the Member for Cardiff Central (Jo Stevens) on securing this afternoon's extremely important debate on behalf of her constituent, Mr Kashif Shabir, and the constituent of my hon. Friend the Member for Ogmore (Huw Irranca-Davies), Mr Alun Richards. This is my first outing in the role of shadow Attorney General, which I am pleased to be taking on, in particular in a shadow Cabinet that for the first time has a majority of women. I am thoroughly looking forward to holding the Attorney General and the Solicitor General's feet to the fire, but also working constructively with them when appropriate.

As with all Serious Fraud Office cases, those of Mr Richards and Mr Shabir are complex, but they have been carefully and passionately set out by my hon. Friends. There is much to be passionate about. As many of us know from our constituency postbags and surgeries, there are many more cases such as those we have heard about today throughout the country. Since the financial crisis, small, medium and even large firms have been brought to their knees by the banking system, with serious allegations of malpractice being made. Good and credible businesspeople such as Mr Richards and Mr Shabir have seen their credit ratings destroyed, after having worked hard for years and decades to build up their businesses. We only need to look at the Bully Banks campaign to see just how many firms and individuals have been affected by allegations of malpractice over the past few years.

Indeed, I have a constituency case involving the now acknowledged mis-selling of interest rate hedging products, or swaps; my constituent's family, and the many who rely on them for good, skilled employment, have been reeling from the consequences of that ever since. We are not discussing the swap mis-selling scandal today, but the activities alleged by Mr Richards and Mr Shabir, and the consequences of those activities, bear a striking resemblance to the situation suffered by my constituent. I have a real fear that that indicates a systemic failure in our banking system across the country.

As my hon. Friends for Cardiff Central and for Ogmore have explained, the cases of Mr Richards and Mr Shabir involve allegations of the deliberate undervaluing by Lloyds of their properties—known as down valuation—in order to put them in breach of their loan-to-value ratios on secured debts, and thereby engineer defaults on their loans. That in itself is an extremely serious allegation. I believe it has been rejected by Lloyds, but was covered in some detail by the 2013 Tomlinson report commissioned by the Business Secretary in the coalition Government, Dr Vince Cable. In his report into banks' lending practices and treatment of businesses in distress, Lawrence Tomlinson commented:

"This has been one of the most common complaints in the evidence received for this report. Revaluation of assets appears to be used on frequent occasions to put businesses into default of their loan agreements."

He went on:

"Many businesses have submitted evidence demonstrating what appear to be unquestionable under-valuations of properties. They are so stark compared to original and current values of the

property that their accuracy has to be called into question as well as the reason behind such an inaccuracy."

The report concluded—and this is the crux of the matter, particularly in the cases we are considering:

"Not only is the undervaluation itself a concern, so is the relationship between the bank and the valuers. Often, much of a valuer's work will come from the banks and there is therefore an inherent conflict of interest as there is a natural incentive for the valuer to act in the interest of the bank."

In March, the Business, Innovation and Skills Committee took evidence as part of its inquiry into the insolvency industry. Witnesses conceded that it is becoming more common for property receivers to be seconded to banks. Sometimes even surveyors and receivers have been known to be seconded within lenders' restructuring divisions, therefore working on lenders' distressed loans books. As even the industry witnesses to that inquiry conceded, in such a situation there is potential for a serious conflict of interest.

In both the cases we have heard about this afternoon, Lloyds bank utilised Alder King LLP for its property valuations. Yet Alder King also had staff seconded to Lloyds, working within the bank's recoveries department—the very department that was responsible for receivership appointments. As reported by both the *Financial Times* and *The Times*, such staff were engaged directly in work on the cases of Mr Shabir and Mr Richards, but allegedly gave the impression that they worked directly for the bank, not Alder King LLP, the firm that was to benefit financially from the businesses going into receivership. It is that alleged conflict of interest, and its very significant consequences, about which Mr Shabir and Mr Richards have lodged their complaints to the Serious Fraud Office.

As we have heard, as no response had been received from Lloyds to the complaints since September 2011, Mr Shabir's and Mr Richards's cases were referred to the SFO in September 2013. Two meetings were held with the SFO, during which a substantial amount of evidence was provided to corroborate the allegations, but it was not until 7 November 2014 that the SFO's director, David Green QC, responded and acknowledged the gravity of the issues raised. I understand that nothing has been heard from the SFO since, some 10 months on from that communication.

Of course, Mr Shabir and Mr Richards are not the only ones making such allegations about the activities of Lloyds bank and Alder King. As my hon. Friend the Member for Cardiff Central mentioned earlier, when my hon. Friend the Member for Islington South and Finsbury (Emily Thornberry) was shadow Attorney General, she wrote to the SFO director about this issue on behalf of two other Labour Members of Parliament and their constituents. In his response, also dated 7 November 2014, David Green stated:

"I can assure you that we are taking appropriate steps to pursue this serious issue."

Like my hon. Friends the Member for Cardiff Central and for Ogmore, I look forward to receiving an update from the Solicitor General—or, subsequent to the debate, in writing from the Attorney General—on the actual progress that has been made in investigating these serious allegations. We all appreciate their complexity, but it is now two years since the matter was first referred to the SFO.

[*Catherine McKinnell*]

There is also clearly a significant public interest in the matter, not least because we are, after all, discussing a bank that was bailed out by the British taxpayer and remains part-owned by the public purse. In addition, since 2010, the Serious Fraud Office's funding has been cut by just over 12%, with potential serious implications for its ability to prosecute serious and complex cases of fraud and bribery effectively and in a timely manner.

In the light of what we have heard this afternoon, hon. Members need urgent reassurances from the Government Law Officers that the SFO does in fact have the resources it needs to investigate such cases. That question is even more pressing given the further £20 billion of cuts to public spending anticipated at the forthcoming spending review, with the Chancellor reportedly requiring Departments to model budget cuts of up to 40% by 2019-20.

Although allegations such as those made by Mr Richards and Mr Shabir may make for uncomfortable listening for the Government, it is deeply concerning that every time the Serious Fraud Office wants to take on a major case—LIBOR rigging being a prime example—it now has to effectively go cap in hand to the Treasury to apply for additional funding, sometimes referred to as blockbuster funding, in order to do the job. That clearly has implications for the vital independence of the SFO, as the Chancellor of the Exchequer potentially has a veto on what is investigated. Indeed, Transparency International has stated its concern about that situation:

“The process for additional budget approval may present a substantial risk of political influence.”

Again, I would appreciate an assurance from the Solicitor General that there is no need for such concerns, in particular with regard to the case we are discussing.

During questions to the Attorney General in July, the Solicitor General stated:

“It is important that we give our full-throated support to the work of the SFO because, as the hon. Gentleman says, if there are doubts about the integrity and efficacy of that important arm of the prosecutorial authorities, we are in serious trouble indeed.”—[*Official Report*, 2 July 2015; Vol. 597, c. 1611.]

I could not agree more, but when we hear of cases like those of Mr Shabir and Mr Richards, who—like many thousands of businesses across the country—appear to have been badly let down by the system, such statements are understandably thrown into doubt. We need to know that the Serious Fraud Office does not just take such matters seriously but has the will, capacity and resources to investigate and then prosecute where appropriate. I look forward to hearing the Solicitor General's reassurances in that regard.

5.27 pm

The Solicitor General (Robert Buckland): It is a great pleasure to serve under your chairmanship, Mrs Main. I pay warm tribute to the hon. Members for Cardiff Central (Jo Stevens) and for Ogmore (Huw Irranca-Davies) for bringing this important debate to the Chamber and for having not only the courtesy but the sense of co-operation to approach me before it so that I could clearly understand the cases that would be raised. I hope, in the light of that, to offer an appropriate response. My response has to be calibrated bearing in mind the nature of the office I hold and the importance of

having an independent prosecutorial service, and I know that Members on both sides of the House understand that.

I also pay tribute to the hon. Member for Newcastle upon Tyne North (Catherine McKinnell) and welcome her to her post as shadow Attorney General. I was delighted to hear her remarks. Although no doubt we will disagree about some issues, I am sure we will be able to work constructively together in the finest traditions of the Law Officers and shadow Law Officers, and their unique role within Government.

The issues that have been raised—it is almost axiomatic, but it is important to say it—are important. They are wide-ranging and the presence of the hon. Member for West Bromwich West (Mr Bailey) has been helpful, because, as he reminded us, he was the Chair of the Business, Innovation and Skills Committee that took oral evidence in March. I am grateful to him for coming to the debate. He will appreciate that issues of regulation are for other arms of Government, but one function of debates such as this is for the House to hear the bigger picture, so that all arms of Government are fully aware of Members' concerns.

The hon. Member for Cardiff Central asked for a general review. As she will know, there have been a number of reports and reviews on specific aspects of this type of alleged misconduct. We heard reference to the Tomlinson report, which, in itself, gave rise to what is termed the skilled persons report under section 166 of the Financial Services and Markets Act 2000. That report is due to be produced at the end of the year. It relates to another bank, but the type of alleged activity is highly germane to the issues that we have been discussing.

I hope that hon. Members will forgive me for confining myself to the debate's terms of reference. What I aim to do, first, is to offer strong reassurance to hon. Members about the importance with which the SFO regards all allegations and the threshold test that it must apply.

I listened to the shadow Attorney General's remarks with great interest. I disagree with her about the very nature of what is a demand-led service and the importance of having blockbuster funding to allow for the flexibility that the SFO needs, in terms of hiring or engaging staff, and larger numbers of staff at different times, particularly to deal with finite inquiries. There is also the impracticability of maintaining very large staffing numbers at all times because of the inevitable pressures that will exist upon its budgets, whatever the economic weather. With respect, the point that the hon. Lady was missing was the terms of reference within which the SFO was set up, and it is important to remind the House about those, because they are highly germane to the test that has to be applied to all allegations of fraud.

Those of us with a long memory will remember the Roskill report of 1986. It was groundbreaking because it made important recommendations about the investigation of serious fraud that gave rise to the Criminal Justice Act 1987. The Roskill model, which was the embedding of investigators and prosecutors together in one group, gave rise to the Act and setting up the Serious Fraud Office.

The sort of cases that the SFO deals with are what I, and I think all of us, would regard as the very high-profile, big-risk cases involving huge sums of money, large

numbers of victims or new types of fraud, whether the manipulation of LIBOR rates, or allegations involving major companies such as GlaxoSmithKline, Barclays, Tesco and Rolls-Royce. This is a particular type of serious fraud for which the threshold has to be high and, in fact, it is set out in the Act. We therefore have to recognise that, sadly, not all cases of alleged fraud are going to fall to the SFO to investigate. As I said, it can only formally commence investigation if the criteria and circumstances set out in legislation are met.

The police have the primary responsibility for investigating crime here, and Action Fraud has been established as the national reporting centre to which reports of alleged fraud should be referred in the first instance. The SFO's role is limited to the investigation and prosecution of cases of serious and complex fraud. However, I can assure the House that when referrals are made to it, a member of the SFO assesses every single one. That task is not to be underestimated. The vast majority of referrals to the SFO are not about matters that it can properly investigate, but it takes every single referral seriously, and it will give each one due consideration and pass on details to other agencies that may be more suited to dealing with it or placing particular cases. It also retains the material that it has been given, using that for intelligence purposes to help inform other agencies and, indeed, sometimes in its own work to identify those top-tier cases that are appropriate for it to investigate.

Huw Irranca-Davies: I thank the Minister for the helpful way in which he is laying out his points. He mentioned the threshold test. If evidence was to be gained that this went beyond two individual cases and that there were far more, would it pass the threshold test? If that is the case, rather than relying on the CPS or on individual prosecutions, would it be, in the light of the questions asked by my hon. Friend the Member for Cardiff Central, appropriate—or, in fact, necessary—for the SFO to make inquiries of Lloyds, RICS, and Alder King in relation to how many examples of conflict of interest and potential financial gains along the way this could affect? If we are talking about thousands of people—my apologies for the length of this intervention, Mrs Main—I suspect we are in SFO territory.

The Solicitor General: I hope that the hon. Gentleman can be forgiven for the length of his intervention, because he asked a very pertinent question. Although I cannot prejudge the precise parameters of what might happen in the future, circumstances may well change, and the SFO, keeping matters under review as it does, would then have to be guided by that change in circumstances. In other words, we cannot rule that possibility out. It would be wrong of me to do that.

Dealing, then, with the specific allegations, I have to acknowledge that it would be unusual for me to comment in detail about allegations either leading towards an individual or made by an individual or a company, but I am aware of course that Mr Shabir and Mr Richards have raised their allegations with a wide range of people and organisations, and I do not underestimate their importance. The two gentlemen clearly have had a very difficult time. The consequences of what has happened are extremely serious for them. That said, I have to stress that these remain allegations. It is not for me to comment

on their merits or whether they are well founded. I have to acknowledge the effect of allegations that are made, and that is an important point when discussing them in a public forum such as this. Those are the constraints within which I think I should operate.

Although Mr Shabir and Mr Richards have presented their cases together, they are making slightly different allegations. It is right to say, as has been said in the debate, that the SFO has met the gentlemen on more than one occasion; the allegations have been considered in great detail; and there has been close liaison with other law enforcement agencies and regulatory bodies to gather any relevant material that they may hold. However, the SFO has explained to both gentlemen that their cases, individually, would not meet the threshold and would not be investigated, because as stand-alone allegations, they do not come into that top tier. That has been made clear. We have already—I am grateful to the hon. Member for Ogmored—started to outline and discuss what might or could happen to change that position, but that is the status quo.

I have said that it is important to recognise that the SFO does not investigate every case of alleged fraud—that is not its purpose—and I know that despite referrals to other organisations, no proceedings have yet been brought. However, the material provided by Mr Richards and Mr Shabir is being kept or has been kept under active consideration by the Serious Fraud Office, and this matter is kept under review as new information may arise. It is not a closed file, but obviously at this stage the threshold has not been reached.

This is exactly what the SFO should be doing. It is seeking to make intelligent and intelligence links to identify cases of serious or complex fraud. To seek to investigate every case would defeat its purpose and overwhelm its resource, and frankly it would have no statutory footing on which to do so. I argue strongly that the current director has demonstrated that he is prepared to take on difficult and high-profile cases. The seriousness of the investigations to which I have referred will, I hope, demonstrate to hon. Members the sort of case that the SFO should be taking on. In other words, the office has a specific role that Parliament has given it. If the SFO can put all these allegations together with other intelligence to establish a case of serious or complex fraud, it will do so, and that is why it has decided to keep this significant matter under review.

5.39 pm

Jo Stevens: It has been a pleasure to serve under your chairmanship, Mrs Main. I thank everyone who participated in the debate, but particularly my hon. Friend the Member for Ogmored, my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell), who is the new shadow Attorney General, and the Solicitor General. I am very grateful to you all and for having had the opportunity to put the case for my constituent.

Question put and agreed to.

Resolved,

That this House has considered the Serious Fraud Office and the complaints of Alun Richards and Kash Shabir.

5.40 pm

Sitting adjourned.

Written Statements

Wednesday 16 September 2015

COMMUNITIES AND LOCAL GOVERNMENT

Planning and Onshore Oil and Gas

The Secretary of State for Communities and Local Government (Greg Clark): My right hon. Friend the Secretary of State for Energy and Climate Change has today laid before Parliament a written statement setting out the Government's view that there is a need to explore and develop our shale gas and oil resources in a safe, sustainable and timely way. The statement sets out a number of measures to enable planning applications and appeals to be dealt with as quickly as possible. I am today also setting out further details of two of the planning measures on identifying underperformance in respect of oil and gas applications and a revision to the recovery criteria for appeals for planning permission for shale gas.

Identifying underperformance in respect of oil and gas applications

We are announcing today details of the scheme to identify local planning authority underperformance specifically in respect of their determination of planning applications for onshore oil and gas, including for exploring and developing shale gas. It is separate to the statutory regime provided by section 62A of the Town and Country Planning Act 1990 for the designation of underperforming local planning authorities. This new non-statutory scheme will operate in the following way:

A table setting out local planning authority performance on speed of decision-making specifically on onshore oil and gas applications will be added to DCLG's quarterly planning application statistical release from the next scheduled release on 22 September 2015 onwards. Data in the table will be subject to the same adjustments as detailed in "Improving planning performance Criteria for designation", as amended from time to time (¹ the criteria document) for the tables on speed of decision-making for major development.

The measure of speed of decision-making and the assessment period will be the same as those set out for major development in the criteria document. The same threshold will also apply for the identification of local planning authority underperformance in respect of its oil and gas applications as for the designation of underperformance in respect of major development, currently 50% or fewer applications being made within the statutory determination period or such extended period as has been agreed in writing by the applicant. The same limited exemption will be applied, namely, that local planning authorities will not be liable to identification as underperforming in respect of oil and gas applications if they decided no more than two during the assessment period.

We will identify any underperforming local planning authorities in respect of oil and gas applications annually, in the final quarter of each calendar year. Prior to the decision to identify a local planning authority as underperforming, it will be given an opportunity to set out any exceptional circumstances, with supporting evidence, which it considers make its identification unreasonable. These circumstances will be judged against the tests set out in the criteria document. We will undertake the first identifications of any underperforming local planning authorities in the final quarter of 2016.

Where a local planning authority is identified as underperforming in respect of planning applications for oil and gas, it will remain as such for a period of one year. For this one-year period, for any such application validated by the relevant authority, I will actively consider exercising the power under section 77 of the Town and Country Planning Act 1990 to call in the application for my determination. In considering whether to call in any such application, I will have regard to my current policy for the use of my call-in powers².

We will review the scheme in the final quarter of 2019, after an initial period of three years following the first identification of any underperforming local planning authorities.

Recovery criteria for appeals

As indicated in today's statement by my right hon. Friend the Secretary of State for Energy and Climate Change, I may want to give particular scrutiny to planning appeals for exploring and developing shale gas. I am therefore revising the criteria for consideration of the recovery of planning appeals to include the additional criterion: proposals for exploring and developing shale gas. The new criterion is added to the recovery policy of 30 June 2008, *Official Report*, column 43WS, and will be applied for a period of two years from today, after which it will be reviewed. I am also making a consequential change to planning guidance to reflect this.

¹ The current version of the criteria document is available to view at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/446762/Improving_Planning_Performance_-_Criteria_for_Designation__revised_2015_.pdf

² Set out in a written answer of 16 July 1999 by Richard Caborn http://www.publications.parliament.uk/pa/cm/199899/cmhansrd/vo990616/text/90616w02.htm#90616w02.htm_sbhd5

and a written ministerial statement of 26 October 2012 by Nick Boles (<http://www.publications.parliament.uk/pa/cm/201213/cmhansrd/cm121026/wmstext/121026m0001.htm#12102628000003>)

[HCWS201]

CULTURE, MEDIA AND SPORT

BBC Charter Review

The Secretary of State for Culture, Media and Sport (Mr John Whittingdale): When I presented the BBC charter review consultation to the House on 16 July 2015, I was clear that it was the first step in the Government's charter review process.

I am pleased to announce today one of the next steps of that process: an independent review into the governance and regulation of the BBC. The review will run over the autumn and will conclude in early 2016. The review will be led on behalf of the Government by Sir David Clementi.

A copy of the terms of reference has been deposited in the Libraries of both Houses.

Attachments can be viewed online at: <http://www.parliament.uk/writtenstatements>

[HCWS200]

UK Sport and Sport England: Triennial Review

[HCWS197]

The Secretary of State for Culture, Media and Sport (Mr John Whittingdale): I am today publishing the report of the triennial review of UK Sport and Sport England announced on 21 November 2014 by my hon. Friend the then Minister for Sport and Tourism.

The review has concluded that the functions of UK Sport and Sport England remained necessary and should continue to be exercised by their current organisation and that both bodies should remain as non-departmental public bodies (NDPBs).

The review also has made a number of recommendations for improving the effectiveness of UK Sport and Sport England, primarily through working more closely together in the areas of talent, participation and the governance of sports' national governing bodies (NGBs) and action to raise participation and strengthen diversity. The report recommends improving efficiency primarily through sharing more services and exploiting the scope for significant efficiencies in the NGBs they fund through co-location and shared services.

The triennial review has been carried out independently within Government and with the full participation of UK Sport and Sport England, as well as a range of stakeholders from across Government and the sport sector. I am grateful to all those who contributed to the review. The final review report is being deposited in the Libraries of both Houses and is available at:

<https://www.gov.uk/government/publications/uk-sport-and-sport-england-triennial-review-report>.

The report will be an important contribution to our forthcoming sport strategy.

[HCWS198]

ENERGY AND CLIMATE CHANGE**EU Environment Council**

The Secretary of State for Energy and Climate Change (Amber Rudd): I will attend the EU Environment Council in Brussels on 18 September.

Following the adoption of the agenda the list of "A" items will be approved.

The one non-legislative item on the agenda is adoption of the Council conclusions concerning preparations for the 21st session of the Conference of the Parties (COP 21) to the United Nations framework convention on climate change (UNFCCC) and the 11th session of the meeting of the parties to the Kyoto protocol (CMP 11) that will take place in Paris, from 30 November to 11 December 2015.

Ministers will also discuss further aspects of the international climate change negotiations in relation to COP 21 as well as the recent informal ministerial consultations that took place in Paris on September 6 to 7 2015

The following any other business item will be discussed: The "Declaration of Luxembourg on Cycling as a Transport Mode".

Shale Gas/Oil Policy

The Secretary of State for Energy and Climate Change (Amber Rudd): My right hon. Friend the Secretary of State for Communities and Local Government and I wish to set out the Government's view that there is a national need to explore and develop our shale gas and oil resources in a safe and sustainable and timely way, and the steps they are taking to support this. In laying this statement before Parliament, it formally replaces the shale gas and oil policy statement issued by DECC and DCLG on 13 August 2015. This statement to Parliament should be taken into account in planning decisions and plan-making.

The national need to explore our shale gas and oil resources

Exploring and developing our shale gas and oil resources could potentially bring substantial benefits and help meet our objectives for secure energy supplies, economic growth and lower carbon emissions.

Having access to clean, safe and secure supplies of natural gas for years to come is a key requirement if the UK is to successfully transition in the longer term to a low-carbon economy. The Government remain fully committed to the development and deployment of renewable technologies for heat and electricity generation and to driving up energy efficiency, but we need gas—the cleanest of all fossil fuels—to support our climate change target by providing flexibility while we do that and help us to reduce the use of high-carbon coal.

Natural gas is absolutely vital to the economy. It provides around one third of our energy supply.

About one third of gas supply is used for industry and services, not just for power or heating but also as feedstock, e.g. for chemicals;

one quarter is used for electricity generation; and

the remainder is used in domestic households for heating and cooking¹.

Since 2004, the UK has been a net importer of gas due to the rapid decline of production from the UK continental shelf.

Last year around 45% of UK gas supply was made up of net imports². Our projections suggest that domestic production will continue to decline and, without any contribution from shale gas, net imports could increase to 75% of the gas we consume by 2030³.

Domestic oil production has also declined since reaching a peak in 1999. Currently net imports comprise around 40% of the oil we use and DECC projections suggest net imports could increase to 73% by 2030⁴.

Meanwhile events around the world show us how dangerous it can be to assume that we will always be able to rely on existing sources of supply. Developing home-grown shale resources could reduce our—and wider European—dependency on imports and improve our energy resilience.

There are also potential economic benefits in building a new industry for the country and for communities.

Nationally, we will benefit from development of a new industrial sector, building on the experience and skills developed here in 50 years of on and offshore oil and gas development.

Developing shale resources would deliver investment in key domestic energy infrastructure, boosting the UK's capital stock and leading to increased productivity and growth.

Reducing imports would improve the balance of trade.

Consultants EY estimated in 2014⁵ that a thriving shale industry could mean cumulative investment of £33 billion and support 64,500 jobs in the gas, oil, construction, engineering and chemical sectors at peak. Locally that might mean new facilities and jobs for local companies.

We do not yet know the full scale of the UK's shale resources nor how much can be extracted technically or economically.

The British Geological Survey estimates the shale gas resource in the Bowland-Hodder basin under northern England could be 1,300 trillion cubic feet (tcf)⁶, compared to current UK annual gas consumption of around 2.5 tcf⁷. The industry need to test how much of this gas in place can be extracted technically and economically.

National Grid's future energy scenarios (2015) report⁸ presents a wide range for potential shale gas production in the UK up to a peak of 32 bcm/year in 2030. This would be around 40% of all the gas we are projected to consume and result in our import dependency falling to 34%, compared to current projections that net imports could reach 75% in 2030.

Shale gas can create a bridge while we develop renewable energy, improve energy efficiency and build new nuclear generating capacity. Studies have shown that the carbon footprint of electricity from UK shale gas would be likely to be significantly less than unabated coal and also lower than imported liquefied natural gas⁹.

The Government therefore consider that there is a clear need to seize the opportunity now to explore and test our shale potential.

Safety and environmental protection will be ensured through responsible development and robust regulation

This must and can be done while maintaining the very highest safety and environmental standards, which we have established with a world-leading framework for extracting oil and gas for over 50 years.

Reports by the Royal Society and Royal Academy of Engineering, Public Health England and others have considered a wide range of evidence on hydraulic fracturing in the UK context, and concluded that risks can be managed effectively if the industry follows best practice, enforced through regulation^{10, 11}.

The Government are confident we have the right protections in place now to explore shale safely—see annex. Planning authorities can also have confidence that the regulators will enforce safety, environmental and seismic regulation effectively. But we are not complacent. We will continuously look to strengthen and improve regulation where necessary as the industry develops.

Transparency and information for the public

It is also important that the public has objective information about shale and that communities where shale development is proposed are effectively engaged, with the opportunity to hear from the expert regulators at the Health and Safety Executive and the Environment Agency.

The Government allocated £5 million for 2015-16 in the last autumn statement for this purpose—see annex.

Planning

The Government are committed to ensuring that local communities are fully involved in planning decisions that affect them. We are also making the planning system faster and fairer for all those affected by new development. No one benefits from the uncertainty

caused by delay. This is why we expect every planning application or appeal, large or small, to be dealt with as quickly as possible.

There is a clear expectation that local planning authorities should ensure that decisions on planning applications are made within statutory timeframes: 16 weeks where an application is subject to environmental impact assessment. This should be supported through an upfront timeline agreed with the applicant including the anticipated decision date.

To avoid unnecessary work causing delay, when determining planning applications, local planning authorities should carefully consider which issues can be left to other regulatory regimes, taking full account of the Government's planning guidance on this issue.

We also expect local planning authorities to make full use of the funding available for 2015-16 through the £1.2 million shale support programme. This will ensure there are adequate resources locally to enable the timely determination locally of planning applications for shale gas. Local planning authorities should also agree to planning performance agreements where this is appropriate.

But we cannot be complacent. Therefore:

Appeals against any refusals of planning permission for exploring and developing shale gas, or against non-determination, will be treated as a priority for urgent resolution. The Secretary of State for Communities and Local Government may also want to give particular scrutiny to these appeals. To this end he will revise the recovery criteria and will consider for recovery appeals for exploring and developing shale gas. This new criterion will be added to the recovery policy issued on 30 June 2008 and will be applied for a period of two years after which it will be reviewed.

The Secretary of State will also actively consider calling in shale applications. Each case will be considered on its individual merits in line with his policy. Priority will be given to any called-in planning applications.

The Government commit to identifying underperforming local planning authorities that repeatedly fail to determine oil and gas applications within statutory timeframes. When such applications are made to underperforming local planning authorities, the Secretary of State will consider whether he should determine the application instead.

The Government have published their response to consultation and will take forward amending permitted development rights to allow the drilling of boreholes for groundwater monitoring. The Government are also inviting views on proposals for further rights to enable, as permitted development, the drilling of boreholes for seismic investigation and to locate and appraise shallow mine workings. These proposals will speed up the delivery of essential monitoring information for safety and environmental protection and free local resources for where the express attention of the local planning authority is required.

My right hon. Friend the Secretary of State for Communities and Local Government will be laying before Parliament a written ministerial statement setting out more detail.

Sharing shale income with communities

We also strongly believe that communities hosting shale gas developments should share in the financial returns they generate. The Government welcome the shale gas companies' commitment to make set payments to these communities, which could be worth £5 million to £10 million for a typical 10-well site, and we want to go further. As announced by the Chancellor in the 2014 autumn statement, and set out in our manifesto, we are determined to ensure that local communities share more

of the proceeds and feel more of the benefits, using a proportion of the tax revenues that are recouped from shale gas production. We will present our proposals later this year for how we intend to design the sovereign wealth fund.

ANNEX

This annex contains supporting material for the main statement.

Safety and environmental protection

Our regulatory system is robust and we are proven world leaders, with a 50-year track record, in well-regulated, safe and environmentally sound oil and gas developments. We have strict requirements through environmental permitting and DECC licensing for on-site safety, to prevent water contamination, air pollution and mitigate seismic activity.

The Health and Safety Executive and the environmental regulators—the Environment Agency in England—are independent and highly specialised regulators. They will enable the development of shale gas in a safe and environmentally sound manner.

The Environment Agency assesses the potential use of chemicals used in hydraulic fracturing fluids on a case-by-case basis. The use of hazardous chemicals will not be permitted where there is a risk that they may enter groundwater and cause pollution.

The Health and Safety Executive scrutinise well design and require week by week written updates on drilling progress.

DECC has implemented a thorough system of rigorous checks before any drilling or fracking and a live traffic light system during the actual operations, to ensure earth tremors will not occur.

To reinforce the existing regulatory regime further, the Infrastructure Act 2015 brought forward a range of additional requirements and safeguards if an operator is to carry out hydraulic fracturing.

These include taking account of the environmental impact of development, baseline monitoring of methane in groundwater in the 12 months preceding hydraulic fracturing operations, disclosure of all chemicals, community benefits and the exclusion of protected areas.

Draft regulations, laid on 16 July, defining the protected areas in which fracking will be prohibited as specified areas of groundwater, National Parks, areas of outstanding natural beauty, the broads and world heritage sites. Fracking can only take place at depths below 1,200 metres in these areas.

Ministers also set out their clear commitment to ensure that hydraulic fracturing cannot be conducted from wells that are drilled at the surface of national parks and other protected areas. This is not intended to impact on conventional drilling operations.

Transparency and information for the public

Following the autumn statement announcement of £5 million for 2015-16 to

“provide independent evidence directly to the public about the robustness of the existing [shale gas] regulatory regime”,

DECC received £1.7 million to establish independent environmental monitoring and is working with a research consortium led by the British Geological Survey to expand an existing Lancashire-based programme for gathering baseline environmental data to North Yorkshire, where a planning application for a shale gas project is being submitted. The data produced would be made available to the public.

In addition, DCLG announced in March a £1.2 million fund to support mineral planning authorities dealing with shale planning applications. The Health and Safety Executive has received £0.5 million to increase the

availability of inspectors for onshore oil and gas operations and to double its local engagement capacity. The Environment Agency received £1.5 million to undertake proactive local engagement by deploying dedicated local officers. The Government are also publishing factual material on shale, including web documents and videos.

¹ DECC, Digest Of UK Energy Statistics, July 2015

² DECC, Digest of UK Energy Statistics, July 2015

³ DECC, UK Oil and Gas Production Projections, March 2015

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/414172/Production_projections.pdf

⁴ Ibid

⁵ EY, Getting Ready for UK Shale Gas, April 2014

[http://www.ey.com/Publication/vwLUAssets/Getting_ready_for_UK_shale_gas/\\$FILE/EY-Getting-ready-for-UK-shale-gas-April-2014.pdf](http://www.ey.com/Publication/vwLUAssets/Getting_ready_for_UK_shale_gas/$FILE/EY-Getting-ready-for-UK-shale-gas-April-2014.pdf)

⁶ BGS/DECC, Bowland Shale Gas Study, June 2013 <https://www.gov.uk/government/publications/bowland-shale-gas-study>

⁷ Based on DECC, Digest of UK Energy Statistics, July 2015

⁸ National Grid, Future Energy Scenarios, 2015

⁹ Mackay-Stone report (requested by DECC), Potential Greenhouse Gas Emissions Associated with Shale Gas Extraction and Use, Sept 2013

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/237330/MacKay_Stone_shale_study_report_09092013.pdf

¹⁰ The Royal Society and The Royal Academy of Engineers, Shale gas extraction in the UK: a review of hydraulic fracturing, 2012

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/256359/Publication_RoyalSociety_2012-06-28-Shale-gas.pdf

¹¹ Public Health England, Review of the Potential Public Health Impacts of Exposures to Chemical and Radioactive Pollutants as a Result of the Shale Gas Extraction Process <https://www.gov.uk/government/publications/shale-gas-extraction-review-of-the-potential-public-health-impacts-of-exposures-to-chemical-and-radioactive-pollutants>

[HCWS202]

FOREIGN AND COMMONWEALTH OFFICE

FCO Services

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): FCO Services operates as a trading fund of the FCO. I have set the following performance targets for 2015-2016:

1. An in-year surplus before interest, tax and dividend producing a net margin of between 1% and 5%;
2. A return on capital employed of at least 3.5% (weighted average);
3. Cost of corporate functions as a percentage of revenue of no more than 6%;
4. A utilisation rate for revenue-earning staff of at least 75%;
5. A customer satisfaction result of at least 80%;
6. Employee engagement in FCO Services using civil service survey of at least 59% FCO Services will report to Parliament on its success against these targets through its annual report for 2015-16.

[HCWS199]

TRANSPORT

Rail Franchise: East Midlands

The Parliamentary Under-Secretary of State for Transport (Claire Perry): I am pleased to inform the House that my Department has reached agreement with Stagecoach to continue to operate train services on the East Midlands franchise. This new agreement means that passengers from London St Pancras International to Northamptonshire, the East Midlands, Lincolnshire, Staffordshire and South Yorkshire will continue to be served by East Midlands Trains for a period of two years and five months from 18 October 2015, with an optional extension period of 13 railway periods callable at my sole discretion.

East Midlands Trains have had a good track record of punctuality and passenger satisfaction since they began operating the franchise in 2007 and I expect this service to be the minimum provided throughout the period of this direct award.

In addition to retaining at least the same train services as today, this new agreement will see East Midlands Trains provide 22 additional trains between Newark and Nottingham, which will ensure that there is a half hourly service on Saturdays as well as week days. There

are also further improvements to the Nottingham to Lincoln timetable that will provide for reduced journey times and more services on Saturdays. My Department is continuing to work with East Midlands Trains to examine further improvements to the weekend timetables for many passengers.

The agreement will also see a number of significant enhancements for passengers as a result of £13 million investment in the franchise. This will provide for improved passenger information; more ticket machines; a new mobile app that will provide up to the minute information as well as allowing tickets to be purchased; cleaner trains; and an extended catering service. Passengers to and from London will also benefit from improved wi-fi up to 4G standard.

This agreement not only provides benefits for passengers today but also ensures that this franchise is in the best position for the full franchise competition in 2018. By laying the groundwork for this now and in conjunction with the significant upgrade works already delivered, such as the transport hub in Nottingham, and those planned and underway for the railway in the area, such as the track doubling between Kettering and Corby, I am confident that we will see the East Midlands franchise continue to provide excellent service for passengers at good value for the taxpayer for many years to come.

[HCWS196]

Petitions

Wednesday 16 September 2015

PRESENTED PETITION

Petition presented to the House but not read on the Floor

Funding for Sunderland College

The petition of residents of the UK,

Declares that the level of cuts to the further education budget will be damaging to Sunderland College and could lead to the ending of this essential education service and further declares that a petition on this matter was signed by 266 students and staff of Sunderland College.

The petitioners therefore urge the House of Commons to oppose these cuts, and to call for fair funding for further education in England.

And the Petitioners remain, etc.

[P001545]

OBSERVATIONS

TRANSPORT

Pedestrian access at White Cross (Hallatrow)

The Humble Petition of Miss Lucy Loakes and Mrs Mary Loakes,

Sheweth,

That the installation of a pavement running from the A37/A39 traffic lights to Bookbarn International would significantly improve access for pedestrians, particularly those who are disabled.

Wherefore your Petitioners pray that your Honourable House considers that this pavement be considered by Bath and North East Somerset Council.

And your Petitioners, as in duty bound, will ever pray, &c.—[Presented by Mr Jacob Rees-Mogg, *Official Report*, 7 July 2015; Vol. 598, c. 292 .]

[P001532]

Observations from the Secretary of State for Transport:

Local highway authorities are responsible for managing the highway network in their area, this includes footways. As part of this they are also responsible for ensuring any measures on delivering public realm improvements meet relevant equalities legislation, meeting their duties under the Equality Act 2010.

Walkable neighbourhoods are typically characterised by having a range of facilities available to all residents that can be accessed comfortably on foot. Making the local environment convenient and attractive to walk in can help enhance the vibrancy of a community and reduce reliance on motor transport. People-friendly streets, including good cycling and walking networks, benefit everyone and provide benefits for our health, as well as boosting local economic growth.

The need for the installation of a new pedestrian footway in a local area is however a matter for the relevant local highway authority, in this case Bath and North East Somerset Council. It will be for them to decide on whether the installation of a new footway is required, based on their overall needs, priorities and funding available. It is not for Government to intervene in these local issues.

The Department for Transport issues advice to local authorities on the provision of pedestrian crossings, setting out a suggested framework for assessing potential sites, and deciding which, if any, crossing type is appropriate. This publication, LTN 1/95, and others which provide guidance on a variety of traffic management measures such as traffic calming are available on the Department's website at:

<https://www.gov.uk/government/collections/local-transport-notes>

This guidance is not a regulatory requirement, and local authorities are free to set their own criteria for assessing and prioritising crossing sites if they wish. The authority could also consider other ways of making it easier to cross the road—for example, by installing other traffic calming measures.

ORAL ANSWERS

Wednesday 16 September 2015

	<i>Col. No.</i>		<i>Col. No.</i>
PRIME MINISTER	1036	WALES—continued	
Engagements	1036	Great Western Line	1032
WALES	1027	Northern Powerhouse	1035
Benefit Sanctions	1032	Summer Budget 2015	1027
Civil Service Jobs	1034	Tourism	1029
Economic Inactivity	1035	Welsh Curriculum	1028

WRITTEN STATEMENTS

Wednesday 16 September 2015

	<i>Col. No.</i>		<i>Col. No.</i>
COMMUNITIES AND LOCAL GOVERNMENT ..	31WS	ENERGY AND CLIMATE CHANGE—continued	
Planning and Onshore Oil and Gas	31WS	Shale Gas/Oil Policy	34WS
CULTURE, MEDIA AND SPORT	32WS	FOREIGN AND COMMONWEALTH OFFICE	38WS
BBC Charter Review	32WS	FCO Services	38WS
UK Sport and Sport England: Triennial Review	33WS	TRANSPORT	39WS
ENERGY AND CLIMATE CHANGE	33WS	Rail Franchise: East Midlands	39WS
EU Environment Council	33WS		

PETITIONS

Wednesday 16 September 2015

	<i>Col. No.</i>		<i>Col. No.</i>
PRESENTED PETITION	13P	TRANSPORT	13P
Funding for Sunderland College	13P	Pedestrian access at White Cross (Hallatrow).....	13P

Members who wish to have the Daily Report of the Debates forwarded to them should give notice at the Vote Office.

No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned, and *the copy containing the Corrections must be received at the Editor's Room, House of Commons,*

**not later than
Wednesday 23 September 2015**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE
PROMPT PUBLICATION OF THE VOLUMES

Members may obtain excerpts of their Speeches from the Official Report (within one month from the date of publication), on application to the Stationery Office, c/o the Editor of the Official Report, House of Commons, from whom the terms and conditions of reprinting may be ascertained. Application forms are available at the Vote Office.

PRICES AND SUBSCRIPTION RATES

DAILY PARTS

Single copies:

Commons, £5; Lords, £4.

Annual subscriptions:

Commons, £865; Lords, £600.

LORDS VOLUME INDEX obtainable on standing order only. Details available on request.

BOUND VOLUMES OF DEBATES are issued periodically during the session.

Single copies:

Commons, £65 (£105 for a two-volume edition); Lords, £60 (£100 for a two-volume edition).

Standing orders will be accepted.

THE INDEX to each Bound Volume of House of Commons Debates is published separately at £9.00 and can be supplied to standing order.

All prices are inclusive of postage

CONTENTS

Wednesday 16 September 2015

Oral Answers to Questions [Col. 1027] [see index inside back page]

Secretary of State for Wales
Prime Minister

Migration [Col. 1049]

Statement—(Mrs May)

Armed Forces [Col. 1072]

Bill presented, and read the First time

International Trade Agreements (Scrutiny) [Col. 1072]

Bill presented, and read the First time

Basement Excavation (Restriction of Permitted Development) [Col. 1073]

Motion for leave to bring in Bill—(Ms Buck)—agreed to
Bill presented, and read the First time

Education and Adoption Bill [Col. 1077]

Not amended, further considered; read the Third time and passed

Petitions [Col. 1156]

Stockton to Darlington Railway [Col. 1158]

Debate on motion for Adjournment

Westminster Hall

Midland Main Line (Electrification) [Col. 305WH]

Magistrates Courts: Suffolk [Col. 331WH]

Sgt Alexander Blackman (Marine A) [Col. 339WH]

Submarines and the Fishing Industry [Col. 362WH]

Alun Richards and Kashif Shabir: SFO [Col. 371WH]

General Debates

Written Statements [Col. 31WS]

Petitions [Col. 13P]

Observations

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
