

Tuesday
13 October 2015

Volume 600
No. 48



**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**
(HANSARD)

Tuesday 13 October 2015

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

HEALTH

The Secretary of State was asked—
General Practice/Primary Care

1. **Suella Fernandes** (Fareham) (Con): What plans his Department has to increase capacity in general practice and primary care. [901456]

6. **Mike Wood** (Dudley South) (Con): What plans his Department has to increase capacity in general practice and primary care. [901462]

The Secretary of State for Health (Mr Jeremy Hunt): It is a pleasure to be back, Mr Speaker. By 2020, we will increase the primary and community care workforce by at least 10,000, including an estimated 5,000 doctors working in general practice, as well as more practice nurses, district nurses and pharmacists.

Suella Fernandes: Fareham community hospital is an example of Labour's expensive PFI gone wrong. At a cost of £28 million, it remains underused, half-built and subject to complex governance structures. What will my right hon. Friend do to enable better use of this facility to allow provision for minor injuries, a GP practice and more primary care?

Mr Hunt: My hon. Friend is right, regrettably, that the PFI projects under the previous Labour Government created a lot of unsustainable debt. I know her local clinical commissioning group is meeting GP practices and working with community health partnerships to see if they can progress the idea she is campaigning for. I hope to visit her in the near future to discuss it myself.

Mike Wood: Will my right hon. Friend join me in welcoming the £2.7 million in vanguard funding given to Dudley to provide primary care services out in the community? This will not only improve the level of clinical and social services provided to people in Dudley South, but relieve pressures on Russells Hall hospital.

Mr Hunt: I welcome my hon. Friend to his post. I am not sure I have had a question from him before. I know quite a bit about the Dudley vanguard programme, because I shared a taxi to Manchester station with the entire Dudley team. They told me, at close quarters,

about their exciting plans. What really struck me was how they are talking to different bits of the health and social care system in a way that has never happened before. It is really exciting and I think it really will be in the vanguard of what can happen in the NHS.

Helen Jones (Warrington North) (Lab): Many people in my constituency are struggling to see a GP from Monday to Friday. Warrington has fewer GPs than it had in 2010, despite a rise in population. The number of unfilled GP vacancies quadrupled under the previous Government. How does the Secretary of State expect to produce a seven-day service when he cannot properly staff the service from Monday to Friday?

Mr Hunt: I shall tell the hon. Lady how I expect to do it. We are, in fact, making very good progress. By March next year, a third of the country will be able to access routine GP appointments at evenings and weekends. We do need more GPs. I agree with her that it takes too long to get a GP appointment, but we are doing something about it. That is why we have announced plans to recruit an estimated 5,000 more GPs. That will be a 15% increase in the number of GPs, the biggest increase in the history of the NHS.

John Cryer (Leyton and Wanstead) (Lab): It is widely known that there is a serious lack of doctors who want to go into general practice. At the same time, the Secretary of State is guilty of an abject failure to engage with the British Medical Association in negotiations on junior doctors' practices. On that basis, how the hell can he promise to increase general practice?

Mr Hunt: Just look at our track record in the previous Parliament: we increased the number of GPs by 1,700—a 5% increase. We are, on the back of a strong economy, putting in funding that will make it possible to increase that number even more. The hon. Gentleman talks about the BMA. I simply say that the people refusing to negotiate are not the Government, but the BMA.

Several hon. Members rose—

Mr Speaker: Order. May I just gently advise the hon. Member for Croydon South (Chris Philp) that he should not stand at this point? He has Question 3. It will be very easily reached, so he should not stand before then. There is no merit in doing that at all.

Dr Andrew Murrison (South West Wiltshire) (Con): Unfortunately, every time I open a page of my local newspaper these days I am met with the beaming face of yet another general practitioner in his mid-50s who has decided to throw in his hand after many, many years of serving his community. These doctors are best placed to manage patients in primary care and ensure that they do not have to go to secondary care or A&E. What analysis has my right hon. Friend made of the reasons why these experienced professionals are leaving the profession prematurely, and what will his reforms do to stem the tide?

Mr Hunt: My hon. Friend makes a very important point. We have done extensive analysis, because of our commitment to transform the role of general practice, as to what the issues are. They include too much

bureaucracy and form-filling, which means that doctors do not spend enough time with patients, and a sense that successive Governments have not invested in general practice and primary care. That is exactly what we seek to turn around with the “Five Year Forward View”.

Ms Margaret Ritchie (South Down) (SDLP): What discussions have taken place with the devolved Administrations regarding the introduction of the new GP contract, particularly the junior doctor contract, given the exodus of junior doctors to Australia?

Mr Hunt: We also have Australian paramedics working in the UK, particularly London, so that traffic goes both ways, but as the hon. Lady will know, health is a devolved matter, and people follow their own paths. For England, we are determined to eliminate the weekend effect. Every year, there are 11,000 excess deaths as a result of inadequate cover at weekends, and we do not want that to continue.

Mental Health Services (Children and Young People)

2. **Ruth Cadbury** (Brentford and Isleworth) (Lab): How much additional investment there will be in children and young people’s mental health services in 2015-16. [901457]

5. **Rushanara Ali** (Bethnal Green and Bow) (Lab): How much additional investment there will be in children and young people’s mental health services in 2015-16. [901461]

7. **Bill Esterson** (Sefton Central) (Lab): How much additional investment there will be in children and young people’s mental health services in 2015-16. [901463]

The Minister for Community and Social Care (Alistair Burt): We are investing an additional £173 million this year, which includes £30 million specifically for eating disorders. We are taking a targeted and phased approach to the additional investment to develop capacity and capability across health, education and children’s services, from prevention and resilience building to supporting the most vulnerable.

Ruth Cadbury: The Government explicitly promised £250 million for children’s mental health in 2015-16, yet the Department of Health has admitted it will be spending only £143 million by next April. Is this £170 million shortfall not further evidence that while Ministers might talk a good talk on mental health, we should judge them by their actions?

Alistair Burt: No. I take the hon. Lady’s point, but we are committed to spending £1.25 billion over the Parliament. We will not be able to spend the £250 million this year, but it will be included in future years. The reason is that we have to make sure it is effectively and properly spent and it is a phased programme. She will be delighted to know that in her constituency there will be an extra £536,000 for children’s mental health services.

Rushanara Ali: The organisation YoungMinds found that one in five mental health trusts had had to freeze or cut budgets every year in the last Parliament, and at the

moment 40,000 young people are being refused mental health treatment. What guarantees can the Minister give that the money promised by the Chancellor recently will actually be made available and that trusts will not continue to cut mental health budgets?

Alistair Burt: The hon. Lady makes a fair point. While we invest money nationally in services, people complain that locally clinical commissioning groups have not been funnelling the money down. Two things should help: first, for the first time the national access and working time targets, which the Government have introduced, will provide a means of monitoring what CCGs are doing, and secondly, the new scorecard for CCGs will look explicitly to ensure that a proportion of the increase to a CCG goes into mental health services. The hon. Lady will also be pleased to know that in her own CCG area there will be an extra £521,000 for children’s mental health services.

Bill Esterson: Some 23% of the adult prison population were in care as children and many of them have poor mental health. Will the Minister ensure that mental health services are in place for children in care to make the greatest contribution possible to improving their life chances, and not least to ensure we reduce the numbers ending up in prison?

Alistair Burt: Yes, the hon. Gentleman makes a point made by successive Governments: care outcomes are terrible and the earlier the intervention the better. We are encouraging the engagement of early prevention therapies, including for those in care, and for the first time the Government have appointed a dedicated mental health Minister, in the Department for Education, to further promote resilience and work more closely with young children, including those in care.

Andrea Jenkyns (Morley and Outwood) (Con): Infection control in the community is a great way to reduce preventable illness. In November, I will be launching a handwashing campaign in Parliament that I hope will have cross-party support. Will the Minister inform the House what his Department is doing to promote infection control outside the hospital setting?

Mr Speaker: Order. I listened carefully because I wished to hear the development of the question, but it did not appear to relate to mental health services.

Andrea Jenkyns: I am sorry.

Mr Speaker: Never mind. These things can always be recycled on subsequent occasions. I have been there and I have done it, and the hon. Lady should fear not.

Norman Lamb (North Norfolk) (LD): The Minister referred to the additional money for eating disorders in the autumn statement last year, the purpose of which was to introduce a maximum waiting times standard from next April. We all know that early intervention is critical. It is a condition that kills too many people. Will he confirm that he remains committed to introducing a maximum waiting times standard for eating disorders from next April?

Alistair Burt: I believe we are. I will check to be certain, as I know the right hon. Gentleman knows a great deal about this, but I believe we are. We have £150 million for eating disorders, and £30 million is being spent this year, with additional beds allocated. I will check that the waiting target times remain because they have made a significant difference. The right hon. Gentleman's work has been of powerful import in what we do.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): Yesterday, the National Society for the Prevention of Cruelty to Children revealed that one in five children in need of mental health treatment are being turned away. Is it not appalling that young people are being denied help, only for them to become more seriously ill later on, and that the number of children turning up at A&E because of mental illness has doubled in recent years? Does the Minister accept that children's mental health needs more money now—this year, as he promised? I can point to many different organisations across the country that would gladly receive that support now. How is he going to put his broken promise right?

Alistair Burt: May I welcome the hon. Lady to her position, not least her Cabinet position—he said carefully—and welcome the prominence that mental health now has among all parties? Let me say rather gently in response to the tirade that I have just received that under this Government we have for the first time introduced parity of esteem for mental health on waiting times and national access targets. We are spending more money—£1.25 billion over the next five years. We have the highest number of beds for young people in emergency situations; we have the first dedicated education Minister for young people's health; we have £75 million for perinatal health; and in her own constituency, the hon. Lady will be pleased to welcome from her shadow Cabinet position an extra £1.1 million going to Liverpool for mental health treatment for children and young people. I think that is a significant response.

Mr Speaker: I do not know who writes a lot of this screed, but sometimes a blue pencil needs to be taken to it. The Minister is immensely capable and experienced, but a distillation or an abridged version rather than a "War and Peace" version would be appreciated.

Seven-day NHS Services

3. **Chris Philp** (Croydon South) (Con): What progress his Department has made in delivering seven-day-a-week NHS services. [901458]

The Secretary of State for Health (Mr Jeremy Hunt): Eighteen million patients will benefit from seven-day GP appointments by March next year, and seven-day hospital services will reach a quarter of the country by then.

Chris Philp: In my borough of Croydon, the clinical commissioning group is currently consulting on the possibility of having three seven-day-a-week, 12-hour-a-day combined minor injury and GP centres, with one at Purley hospital in my constituency. Can the Secretary

of State confirm whether any additional funding is available from central Government to facilitate this seven-day-a-week service?

Mr Hunt: Yes, I can. I should have said that seven-day hospital services will be available to a quarter of the country by March 2017. We are putting an extra £10 billion into the NHS in the course of this Parliament, which will help in the roll-out of seven-day services—I hope in Croydon, as well. I commend my hon. Friend for his efforts in that respect.

Alison McGovern (Wirral South) (Lab): I met a large group of junior doctors in my constituency on Friday, and we talked a lot about seven-day working. They asked me to put two things straight with the Health Secretary: first, the vast majority of junior doctors are already working seven days a week; and secondly, on their contract, it was not terms and conditions that they were worried about, as I thought they were, but safety. In respect of those new contracts for junior doctors, what assessment has the Secretary of State's Government made about patient safety?

Mr Hunt: I am very happy to do that, and to correct some of the misleading impressions given by the BMA about what the changes are. The changes are about patient safety. They are about the fact that someone is 15% more likely to die if admitted on a Sunday than on a Wednesday because we do not have as many doctors in our hospitals at the weekends as we have mid-week. I want to give better support to the doctors who work weekends by making sure that they have more of their colleagues and more consultants there, as well as proper safeguards, which I do not believe we have at the moment. I will be getting that message out, and I hope that the hon. Lady will, too, when she next meets her junior doctors.

Sir Simon Burns (Chelmsford) (Con): I urge my right hon. Friend to continue on his drive to improve patient safety and to reduce avoidable harm in our NHS because that is crucial for patients and the professions.

Mr Hunt: I thank my right hon. Friend for his question, and for the interest that he showed in these issues when he was a Minister.

The reality is that about we have about 200 avoidable deaths every week in our hospitals. It is the same in other countries—this is not just an NHS issue—but it is a global scandal in healthcare, and I want England and our NHS to be the first to put it right. I think that that is consistent with NHS values, and consistent with what doctors and nurses all want.

Heidi Alexander (Lewisham East) (Lab): It is good of the Secretary of State to join us today. If he had been here yesterday to discuss the small issue of the £2 billion NHS deficit, he would have heard me say that I hoped we could have a mature and constructive relationship.

As has already been said, junior doctors are key to the delivery of a seven-day NHS. The Secretary of State said recently:

"I don't want to see any junior doctor have their pay cut."

Can he now guarantee that no junior doctor will be paid less as a result of his proposed new contract? Yes or no?

Mr Hunt: I welcome the hon. Lady to her post. I hope that, just occasionally, we might agree on some things, although I suspect that today may not be one of those occasions.

Let me be absolutely clear about the commitment that we have made to junior doctors. We will not cut the junior doctor pay bill, but what we do need to change are the excessive overtime rates that are paid at weekends. They give hospitals a disincentive to roster as many doctors as they need at weekends, and that leads to those 11,000 excessive deaths. Let me gently say that that was a change to the doctors' contracts made in 2003, so for members of the Labour party to say that this is nothing to do with them is not accurate, and they should help us to sort out the problem.

Heidi Alexander: I think it is fair to say that junior doctors will make up their own minds about that response.

Last week I received an e-mail about a seriously ill woman who had needed to be admitted to hospital over the weekend, but had stayed at home for two days because of recent interviews given by the Department of Health which had made her think

"that the NHS was not staffed at weekends."

Her doctor went on to say:

"This delayed her operation, put her life in danger and ultimately will have cost the NHS more".

Does the Secretary of State feel any responsibility for that?

Mr Hunt: Let me give the hon. Lady the facts. According to an independent study conducted by *The BMJ*, there are 11,000 excess deaths because we do not staff our hospitals properly at weekends. I think it is my job, and the Government's job, to deal with that, and to stand up for patients.

The hon. Lady talked about being constructive. There is something constructive that she can do, which is to join the Royal College of Surgeons, the Royal College of Physicians and the Royal College of Nursing, and urge members of the British Medical Association not to strike but to negotiate, which is the sensible, constructive thing to do. Will the hon. Lady tell them to do that?

Mr Peter Bone (Wellingborough) (Con): The question is about the seven-day NHS, but there is no point in our having a seven-day NHS if it is not an NHS across the country. I have a constituent with advanced prostate cancer who, as his oncologist says, needs docetaxel chemotherapy. In fact, all east midlands oncologists say that it is needed, but it is not provided by the NHS in my constituency, although it is provided in Birmingham. If we are to have a seven-day NHS, we need treatment across the board. Will the Secretary of State step in and do something about this?

Mr Hunt: I will look into the individual case that my hon. Friend has raised, but I think patients recognise that sometimes they need to travel further for the most specialist care, and can receive better care if they do so. However, the way in which what we are doing will help

my hon. Friend's constituents, and other people with cancer, is not just about consultants and junior doctors working at the weekends; it is about seven-day diagnostic tests, which will enable us to get the answers back much more quickly and catch cancers earlier.

Care Costs

4. **Catherine West** (Hornsey and Wood Green) (Lab): What progress his Department has made in introducing a cap on care costs. [901460]

The Minister for Community and Social Care (Alistair Burt): We have introduced primary legislation and consulted on draft regulations to introduce the care cap. Following the decision to delay implementation until April 2020, we will use the additional time to improve the policy in the light of feedback from stakeholders.

Catherine West: Let me first declare an interest as a vice-president of the Local Government Association.

May I ask what assistance the Department is offering local authorities which are currently cash-strapped so that they can implement new minimum wage regulation, which is very welcome, in order to provide first-class social care?

Alistair Burt: It is not possible for me to talk about what may emerge from the spending round and settlement, but I can say to the hon. Lady that local authorities were given extra finance to implement the Care Act 2014. Some £5.3 billion is available to local authorities to work through the new integrated social care and NHS budget. So we are very conscious of the pressures on local authorities, which need the resources to provide the social care we all expect.

Greg Mulholland (Leeds North West) (LD): The coalition Government agreed a policy of a cap on care costs, and the Conservative manifesto in May said that no one would have to sell their homes to pay for care. Some £100 million has been wasted on this delay, which has betrayed our older people and has simply ducked one of the biggest crises facing this country. Will the Minister and the Department now apologise?

Alistair Burt: There was a consultation on the coalition proposals, which began at the beginning of this year and ran through the election period. The consultation included a very strong representation from the Local Government Association, which said that it did not want to implement the care cap now and wanted extra time. Therefore, the decision has been taken not to cancel, but to delay. It is of course a change from the position we set out. I fully accept that, but we listened to stakeholders and we are now going to use the extra time, at the request of the LGA and others, to find a way through to implement the policy and to use the time for extra financial products.

Derriford Hospital

8. **Johnny Mercer** (Plymouth, Moor View) (Con): What assessment his Department has made of progress in implementing the success regime at Derriford hospital in Plymouth. [901464]

The Parliamentary Under-Secretary of State for Health (Ben Gummer): I am pleased to refer my hon. Friend to the recent appointments of Ruth Carnall to the role of programme chair and Judith Dean to the role of programme director for the success regime in Northern, Eastern and Western Devon. Together, they will lead an intensive diagnostic exercise within the local health economy, which will develop options for change to be implemented in the new year.

Johnny Mercer: Given the news last week that the Northern, Eastern and Western Devon clinical commissioning group that covers my constituency has appointed a special team to ensure the projected £430 million funding shortfall does not become a reality, what can my hon. Friend do to assure my constituents that an already challenged constituency can retain confidence in its health care provision?

Ben Gummer: My hon. Friend rightly points out that there are specific challenges in Northern, Eastern and Western Devon and that is precisely why NHS England has instituted the success regime and why it has moved quickly to appoint a programme director and team. I hope that with the engagement that I know he will lead with his colleagues they will come to a resolution that will ensure that the challenges cease.

NHS: Winter Pressures

9. **Liz McInnes** (Heywood and Middleton) (Lab): What additional financial support he is making available to the NHS to help it deal with winter pressures.

[901465]

17. **Tulip Siddiq** (Hampstead and Kilburn) (Lab): What additional financial support he is making available to the NHS to help it deal with winter pressures.

[901473]

The Secretary of State for Health (Mr Jeremy Hunt): Some £400 million in resilience money has been invested in the NHS for this winter. Learning from previous years, we have put this money into the NHS baseline for 2015-16 so that the NHS can plan effectively at an earlier stage.

Liz McInnes: I thank the Secretary of State for his response. In my constituency we have an excellent and much-used facility—a walk-in centre in Middleton town centre—which is now threatened with closure. Will he support our campaign to keep it open? Does he agree that its closure would create more A&E attendances and increase winter pressures on our acute services?

Mr Hunt: I welcome the question and understand the hon. Lady's concerns about the changes. She will understand that we do not direct these changes centrally and they are decided locally. One of the things we have to try to do is deal with the confusion a lot of people have at a local level as to what they should do when they have, for instance, a child with fever at the weekends and whether they require a GP, an urgent care centre or an A&E department. I would ask all CCGs to be very careful to make sure they sort out that confusion so NHS patients know exactly what they should do.

Tulip Siddiq: The Royal Free hospital in my constituency is at the cutting edge of medical research and is currently treating Ebola patient Pauline Cafferkey. I am sure the Secretary of State will join me in wishing her a speedy recovery, yet the hospital faced considerable winter pressures last year. Will the Secretary of State work with the fantastic nurses and doctors at the Royal Free to ensure these winter pressures do not happen again this year?

Mr Hunt: I thank the hon. Lady for her excellent question. I know that the whole House is thinking of Pauline Cafferkey and her family and that it is proud that, under Dr Mike Jacobs and his team, she is getting the most outstanding care that it is possible to get anywhere in the world. We all wish her a speedy recovery. With respect to winter pressures, I know that the Royal Free had a difficult winter but I also know that it has a very good management team and made heroic efforts. I know that the whole team of doctors and nurses will do an excellent job, and we will want to support them in any way we can.

David Tredinnick (Bosworth) (Con): As part of my right hon. Friend's plans for dealing with winter pressures, will he look at making greater use of the 63,000 practitioners on the Professional Standards Authority's 17 accredited registers covering 25 occupations? Has he found time yet to read the authority's report, "Accredited Registers—Ensuring that health and care practitioners are competent and safe"?

Mr Hunt: I must confess that I have not yet read that report, but my hon. Friend has reminded me of how important it is that I should do so. I will read it carefully while thinking about whether it could help us to get through the winter pressures this year.

Mr Philip Hollobone (Kettering) (Con): Kettering general hospital, the local clinical commissioning group and the Government are all agreed that the best way to help the NHS in north Northamptonshire to cope with pressures all year round, including in the winter, would be to develop a £30 million urgent care hub at Kettering general hospital. That project is presently with Monitor. What can the Secretary of State do to encourage Monitor to speed up its deliberations?

Mr Hunt: Once again, I thank my hon. Friend for his persistent campaigning on behalf of Kettering general hospital. It is a very busy hospital under a great deal of pressure, and I know that people work very hard there. The Under-Secretary of State for Health, my hon. Friend the Member for Ipswich (Ben Gummer), who has responsibility for hospitals, met campaigners from Kettering recently to discuss this issue, and I will bring the matter up with Monitor as well.

Dr Philippa Whitford (Central Ayrshire) (SNP): The Department of Health's own figures show a dramatic change, from a £500 million surplus to a £100 million deficit in 2013, following the introduction of the Health and Social Care Act 2012. That deficit moved to £800 million last year and we have heard in the past week that it stood at more than £900 million from the first quarter of this year. Does the Secretary of State recognise that this situation has been exacerbated by

the outsourcing and fragmentation of the NHS, which involves spending money on shareholder profits and tendering bureaucracy, rather than on patients?

Mr Hunt: I don't. That Act meant that we reduced the number of managers and administrators in the NHS in England by 19,000, saving the NHS £1.5 billion a year. The reason for the deficits that the hon. Lady talks about is that, around the same time, we had the Francis report on Mid Staffs, and hospitals in England were absolutely determined to end the scandal of short-staffing. However, agency staffing is not a sustainable way of doing that, which is why we are taking measures today to change that.

Dr Whitford: The Francis report recognised the problems of nursing levels. As hospitals will not be able to use agency staff or immigrant staff, how does the Secretary of State suggest they tackle the nursing ratios in hospitals?

Mr Hunt: If the hon. Lady looks at what has happened with permanent full-time nursing staff, she will see that the numbers have gone up in our hospitals by 8,000 over the past two years, so there are alternatives. We need to do more to help the NHS in this respect, and I will be announcing something about that shortly.

Medical Exemption Certificates

10. **Paul Maynard** (Blackpool North and Cleveleys) (Con): What plans he has to review renewal arrangements for the issuing of NHS medical exemption certificates. [901466]

The Parliamentary Under-Secretary of State for Life Sciences (George Freeman): Medical exemption certificates excluding patients with long-term conditions have been in place since the 1960s. The requirement to renew the certificate every five years has been in place since at least 2002 and we have no plans to review it.

Paul Maynard: The Minister will be aware that, over the summer, there has been media coverage of patients with ongoing and exempt conditions being penalised for not having an up-to-date exemption certificate. Because the renewal period is five years long, the NHS Business Services Authority's address database gets out of date very quickly and many people have been penalised for inadvertently not renewing their certificate because the database held an out-of-date address for them. What more can be done to assist the authority and the patients, perhaps by introducing a shorter renewal period, and to ensure that this stops occurring?

George Freeman: I pay tribute to my hon. Friend, who has first-hand experience of this matter. It is true that people who are responsible for ensuring that they hold a certificate when claiming the exemption could be subject to genuine mistakes. That is why we responded to the feedback this summer and put measures in place so that if someone submits a valid medical exemption certificate within 60 days of a penalty charge notice, the penalty charge will be cancelled. It is also worth remembering that all patients on benefits or on the NHS low income scheme are exempt anyway, and that

patients who require frequent prescriptions can enrol for a pre-payment certificate, which costs no more than £100 a year.

Keith Vaz (Leicester East) (Lab): There are 3.3 million diabetics in this country, including myself, who are entitled to these certificates. This is not special pleading, but the issue is that when they come to renew they do need help. As the hon. Member for Blackpool North and Cleveleys (Paul Maynard) has said, it is difficult for them to fill in some of these forms. Will the Minister ensure that local GP practices are able to help people if they need assistance in filling in these forms?

George Freeman: I will happily look into that specific issue, discuss it with the right hon. Gentleman and see whether there is anything we need to do.

Carers: Support

11. **Christina Rees** (Neath) (Lab): What steps he is taking to improve support for carers. [901467]

The Minister for Community and Social Care (Alistair Burt): I am not quite sure what the situation is in Wales, but in England I do not think that carers' invaluable contribution to society has ever been better recognised. We are working very hard to see the implementation of the improved rights for carers enshrined in the Care Act 2014. I am also responsible for developing a new national carers strategy to see what more we can do to support existing and new carers in England.

Christina Rees: There are more than 6.5 million unpaid carers in the UK, with nearly 11,000 in my constituency. In total, they save the state more than £119 billion each year, which is more than this Government spend on the NHS. Research by Carers UK has found that nearly 50% of carers are struggling to make ends meet, and that is seriously affecting their health. What plans does the Minister have to work with the Department for Work and Pensions and the Treasury, and across government, to ensure that the improvement of carers' finances will be a key part of the Government's care strategy?

Alistair Burt: The work I am doing on developing the new strategy involves other Departments, and it will look at not only the economics, but what is happening internationally and where we can take the whole concept of caring for a different society in the future. The economics is certainly important; we could not do without the contribution that carers make, but it would be impossible to replace it with total Government finance.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): Yesterday, the Public Accounts Committee heard from officials at the Department of Health about the implementation of the Care Act, which is a bold piece of legislation. They admitted that they were very concerned about the unidentified carers, who need to be found in order to be supported. What is the Minister planning to do to make sure that they are identified and supported?

Alistair Burt: In a way, the self-definition states its own problem: these are unidentified carers. I hope that the new responsibilities in the Care Act will encourage

more people to come forward and that the greater work of carer support organisations, such as the one I preside over in Bedfordshire, Carers in Bedfordshire, will be able to identify more carers. We want more young people to come forward because, as the hon. Lady says, people are caring and they do not realise they are. We need a concerted effort all round to try to reveal them, so that more can be done.

Barbara Keeley (Worsley and Eccles South) (Lab): I am surprised that the Minister believes he is supporting carers in any way acceptably well. The recent personal social services survey found that 38% of adult carers now care for more than 100 hours a week but only one in five of those carers is getting support to take a break from caring. Government cuts have caused a funding gap in social care, which, it is estimated, will be £4 billion by 2020, piling additional pressure on those family carers, and the better care fund and integration will not, in themselves, fix that gap. When will Health Ministers admit that they have got this wrong and argue for more funding for social care, so that carers can get the support and respite breaks they should get?

Alistair Burt: Between 2010 and 2015, £400 million extra was found in order to provide respite for those who are caring for others. Any support that goes into local government, or indeed the NHS, is predicated on a decent economy and decent economic principles in order to fund it—I believe from what happened last night that that has been abandoned by the Labour party. We have to have the resources in the first place. That is what we are seeking to ensure and that is what the work is being done for.

A&E Services (Worcester)

12. Mr Robin Walker (Worcester) (Con): What steps his Department is taking to manage and meet demand for A&E services in Worcester. [901468]

The Parliamentary Under-Secretary of State for Health (Ben Gummer): Last month, the Department approved a £4 million capital improvement loan for the expansion of the A&E department at Worcestershire Royal hospital and the development of a dedicated discharge lounge. Worcestershire Acute Hospitals NHS Trust and the local health system will also receive practical support via the emergency care improvement programme to help the trust to address the challenges it has faced in meeting the four-hour A&E waiting time standard.

Mr Walker: I thank the Minister for his reply. I warmly welcome his recent decision to approve the £4 million interim investment in A&E capacity and a new discharge suite at the Worcestershire Royal. As he knows, demand remains very high, and the number of patients being admitted to hospital is close to record levels. May I urge him and his colleagues to look very carefully and urgently at plans for further upgrades, which could deliver much-needed capacity over the coming years?

Ben Gummer: I assure my hon. Friend that we will do so, but he will be conscious that capital plans are the responsibility of individual trusts. I urge his trust to take part fully in the Worcestershire acute review and in

other reviews of the west midlands health service. There are challenges, and we will only fix the problems if there are locally sourced solutions, which we will then seek to support.

Nurse Training Places

13. Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): What estimate his Department has made of the change in the number of nurse training places since 2010. [901469]

The Parliamentary Under-Secretary of State for Health (Ben Gummer): The number of available nurse training places in England in 2015-16 is consistent with those filled in 2010-11. There are 20,033 nurse training places available in England in 2015-16, compared with 20,092 in 2010-11.

Drew Hendry: Simon Stevens, the head of the NHS in England, has already highlighted the devastating impact that new immigration earnings thresholds will have on nursing numbers—it is estimated that up to 29,755 nurses will be affected, and that the recruitment cost will be more than £178.5 million by 2020. What representations will the Minister be making to the Home Secretary to put a stop to this irresponsible and illogical change in policy that defines ballet dancers but not nurses as a shortage occupation?

Ben Gummer: The hon. Gentleman will be reassured to know that there are continuing and cordial relations between the Department of Health and the Home Office. Trusts have had three years to prepare for this moment. There is a bigger issue at play here, which is that there are five applicants for every nursing place in the United Kingdom; that is the position for people wishing to train as a nurse. Our first responsibility is to ensure that we are getting as many people who want to be nurses in this country into a nurse training place.

Mary Creagh (Wakefield) (Lab): The Mid Yorkshire Hospitals NHS Trust, which covers the Wakefield constituency, has been forced to recruit nurses from both Spain and India. Following on from the previous question, what representations has the Minister made to the Home Office, because these changes could affect nurses who have come to Britain, bought mortgages here and plan to make their lives here? Will they be affected?

Ben Gummer: The hon. Lady knows that the Immigration Advisory Committee is independent and it makes its recommendations on that basis. There are trusts—I have visited some myself—that had previously relied on agency and migrant labour that have now managed to change the way they are hiring staff so that they can better source sustainable staffing from the domestic staffing pool.

Justin Madders (Ellesmere Port and Neston) (Lab): In December 2009, Lord Lansley, as the then shadow Health Secretary, described the amount spent by the NHS on agency staff as “unforgiveable”. Since he made that statement, agency spending has spiralled out of control, rising by 83% in the past three years. Ministers are in denial about the root causes of that increase.

The cuts to nursing training places have created a shortage of nurses and forced hospitals to spend vast amounts on expensive agency staff. Will the Minister now come clean and admit that it was the Government's mismanagement that caused this financial crisis?

Ben Gummer: The hon. Gentleman should know that the unforgiveable thing was the dereliction of care by a Department of Health under a previous regime. It contributed to short staffing—a significant part of the scandal at Mid Staffs—that we needed to put right in short order. That required an emergency response and agency labour to be employed. We are now putting staffing on a sustainable basis; we were left with short staffing in 2010.

NHS: Consistency in Services and Treatment

14. **Tom Pursglove** (Corby) (Con): What steps he is taking to ensure consistency in services and treatment throughout the NHS. [901470]

The Parliamentary Under-Secretary of State for Life Sciences (George Freeman): The mandate for NHS England sets out our national ambitions for the health service across England. NHS England and the clinical commissioning groups are responsible for working with local providers. To ensure quality and consistency, the Care Quality Commission has developed a set of fundamental standards. The National Institute for Health and Care Excellence also provides a range of guidance and quality standards, and the Department of Health has established the MyNHS website to highlight regional variations and use transparency to drive improvement across the system.

Tom Pursglove: I thank the Minister for that answer, but earlier this year figures published by Public Health England showed that more people under the age of 75 die from cancer in Corby than anywhere else in England. What steps are Ministers taking to help to improve those rates? They are stubbornly high, and we need to stop the higher prevalence of cancer in our area.

George Freeman: My hon. Friend makes an important point. The Government are absolutely committed to world-class cancer care, which is why we put £1 billion into the cancer drugs fund. We have seen a huge 71% increase in cancer referrals, with 40,000 more patients treated, and a new cancer strategy has just been set out. It is true that the incidence of cancer in my hon. Friend's constituency is regrettably high, and Corby CCG has significantly worse cancer outcomes. That has been recognised and the 2015-16 commissioning plan puts in place a series of measures on cancer, including improving earlier diagnosis, providing treatment within 62-day referral targets and implementing the national cancer survivorship programme.

Mr Dennis Skinner (Bolsover) (Lab): Creswell in my constituency of Bolsover has been trying to get a health service centre, but that small ex-pit village has been unable to get it because NHS Property Services has been arguing with the CCG and others within the national health service. Despite efforts and letters to Ministers, the village is still waiting for the health service that it has been trying to get ever since this

Secretary of State got his job under the coalition. If Ministers want some consistency throughout the land, they should give that deprived ex-pit village a new health service: knock some heads together and get it done.

George Freeman: It is a pleasure to take my first question from the hon. Gentleman. I thought I needed my ears cleaning, but I clearly do not. I will happily talk to him about the issue in his constituency, but the truth is that local CCGs are responsible for commissioning local services. I will happily, as a Health Minister, talk to him about what needs to be done.

Mr Skinner: Get it done now.

Mr Speaker: I think the thrust of the hon. Gentleman's view is very clear, and he has expressed it with unmistakable force.

Mr Skinner: And Mr Speaker's on my side, too.

Organ Donation

15. **Glyn Davies** (Montgomeryshire) (Con): What steps he is taking to increase levels of organ donation. [901471]

The Parliamentary Under-Secretary of State for Health (Jane Ellison): Organ donation rates have increased by about 60% since 2008. The Government give about £60 million a year to NHS Blood and Transplant to support organ donation. NHSBT has a strategy, which it launched in 2013, to take us up to 2020 and increase that figure even further.

Glyn Davies: Does the Minister agree that one of the most effective ways of increasing organ donation is to ensure that the next of kin of every potential donor is offered a meeting with a specialist nurse in organ donation, irrespective of whether the potential donor carries a card?

Jane Ellison: My hon. Friend is absolutely right to highlight one of the principal difficulties we face, which is people not having a conversation about donation. Even if people are on the organ donor register, their wishes are sometimes overtaken by those of their families at that very difficult moment. He is right to highlight the brilliant work done by SNODs, as well as initiatives such as the one that will happen this Saturday, when the *Daily Mail*, together with the organ donor register, will produce a publication that will, we hope, stimulate thousands of conversations across the land. Having a conversation about consent is one of the ways we will crack this problem.

NHS: Transparency

16. **Chris Skidmore** (Kingswood) (Con): What steps his Department has taken to improve transparency in the NHS. [901472]

The Secretary of State for Health (Mr Jeremy Hunt): Last year I launched My NHS, where patients can see how safe their local hospital is and many other things. From next May, there will be overall information on the quality of mental health and cancer care.

Chris Skidmore: Does the Secretary of State share my view that driving up standards in the NHS is better achieved through a culture in which providers can learn from their peers? For example the excellent maternity department at my local Cossham hospital recently received an outstanding rating from the Care Quality Commission. That is better than the old ways of doing things through targets driven by Whitehall.

Mr Hunt: I agree, and I congratulate the doctors and nurses working in the Cossham maternity unit. Southmead hospital in Bristol has some of the best maternity survival rates in Europe, so there is a lot of very good practice. The way to get the word out is through transparency of outcomes, not endless new targets, so my hon. Friend is absolutely right.

Topical Questions

T2. [901547] **Paula Sherriff** (Dewsbury) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Health (Mr Jeremy Hunt): I would like to make a statement on measures the Government are taking to help NHS organisations tackle the deficits by reducing the cost of agency staff. Building on previously announced controls, from the end of November we will introduce maximum shift rates for all clinical staff employed through agencies, which will gradually decrease over time as the measures take effect and demand for agency staff reduces. In addition, we will work with each trust to limit or reduce the overall agency spend. Exceptional breaches of the limits will require advance agreement. Taken together, these measures are expected to improve patient care and reduce NHS agency staff spend by £1 billion over three years. The chief inspector of hospitals has confirmed that he believes this is the right thing to do.

Paula Sherriff: Like many Members across this House, I have been inundated with letters and emails from junior doctors who feel completely undervalued and undermined by the actions of this Government, so much so that thousands of them are leaving the UK. This weekend over 2,000 medics and students wrote to the Secretary of State, condemning him for his proposed unfair and unsafe changes to the junior doctors contract. What further evidence does he need to see that he has lost the confidence of the future leaders of the NHS, and does he think he can win it back?

Mr Hunt: Yes, I do. Let us be clear: this is about patient safety, about which every single doctor and nurse in the NHS is passionate. The problem is that the doctors whom the hon. Lady has met have been misled by their own union. This is not about cutting the pay bill for junior doctors, as the BMA has suggested. This is about safer care at weekends, reducing unsafe hours and doing the right thing for patients, and that is the right thing for doctors as well.

T4. [901549] **Martin Vickers** (Cleethorpes) (Con): It emerged earlier this month that North East Lincolnshire CCG was operating a primary care incentive scheme intended to reduce outpatient referrals. Understandably, this has met with a hostile reception from my constituents,

who fear it may affect decisions on their care. Will Ministers look into this scheme and either offer some reassurance or instruct the CCG to reconsider?

The Minister for Community and Social Care (Alistair Burt): The north Lincolnshire scheme is designed to try to encourage doctors to make sure that there are no inappropriate referrals to secondary care; it is not designed to prevent appropriate ones. Over the past five years we have seen an increase of 600,000 in urgent referrals for cancer care, for example. We want to see that continue. It will not be helped if there are inappropriate referrals, and that is what the scheme is about.

Andrew Gwynne (Denton and Reddish) (Lab): Last week senior officials at Monitor reported being leaned on by the Department of Health to suppress the publication of financial figures ahead of the Conservative party conference. This week the Health Secretary has been accused of vetoing the release of impartial independent reports on measures that could reduce our consumption of sugar. Does he not understand that leadership on transparency must come from the very top? Will he now commit to practising what he preaches on NHS transparency and release this report immediately?

Mr Jeremy Hunt: I will take no lessons on transparency from the Opposition. Professor Sir Brian Jarman said that the Department of Health under Labour was a “denial machine” when it came to the problems of Mid Staffs. We have made the NHS more transparent than ever before, and we will continue to practise transparency.

T6. [901551] **Mr Steve Baker** (Wycombe) (Con): What progress has been made towards the implementation of the Keogh review of urgent and emergency care?

Mr Hunt: We are making good progress and we expect to make a substantive announcement on that before the end of the year. That will be about both improving the standard and quality of care in A and E departments, which I know my hon. Friend has a great interest in, and removing the confusion that people feel about what precisely the NHS offer is in their area. It is looking good and I hope to have something to announce to the House before too long.

T3. [901548] **Teresa Pearce** (Erith and Thamesmead) (Lab): A recent whistleblower revealed that the 111 helpline is in meltdown and at least two babies have died after staff failed to recommend treatment that may have saved them. Two weeks ago my own three-week-old premature granddaughter was very ill. Her parents called 111 and were promised that the duty doctor would call. He did not. They waited the whole long night and the next morning took her to A and E, and she was diagnosed with meningitis. What exactly is the Minister doing to fix the crisis in the 111 service?

Mr Hunt: This is a very serious issue and I will happily look into it personally to make sure that a full investigation is taking place into the incident the hon. Lady mentions, which clearly should not have happened. The 111 service has been an improvement on what we had before. It has taken nearly three times as many calls as the service it replaced, and around a quarter of those

are referred to a clinician, but it is clearly not perfect, given the hon. Lady's story, so I will look into the case that she raised.

T9. [901554] **David T. C. Davies** (Monmouth) (Con): Patients in England wait 18 weeks for an operation, but in Wales, where Labour has run the NHS for the past 16 years, they wait 26 weeks. Does that not prove that only the Conservative party can be trusted to run the national health service?

The Parliamentary Under-Secretary of State for Health (Ben Gummer): My hon. Friend is right. A further cause of distress for the people of Wales is the fact they do not have the funding that the NHS requires in their country, just as England would not had a Labour Government been elected in 2015, because we would not have the funding that this Conservative Government have promised to ensure top care for patients.

T5. [901550] **Ian C. Lucas** (Wrexham) (Lab): The all-party spinal cord injury group, which I chair, recently reported that very vulnerable patients are being prejudiced by delayed discharges, taking up lots of public money in hospital expenses that should be used to treat more patients. Will the Secretary of State carry out an urgent service review to address this real problem in England, Wales, Scotland and Northern Ireland?

Alistair Burt: Delayed discharge has been a problem across the system for many years. An awful lot of work is going on to ensure that more preventive work is done so that people do not go into hospital, and to ensure that if they do go in they leave quickly. I visited Salford Royal only a couple of months ago and saw the process it has for dealing with discharges more effectively. Learning is going on throughout the system, and more money is in the system for winter in order to cover the problem.

Andrea Jenkyns (Morley and Outwood) (Con): To continue on the same theme—hopefully I am coming in at the right time, Mr Speaker—I chair the all-party group on patient safety, in collaboration with the Patients Association. We are about to look into hospital infections, and in Parliament in November I will launch a hand washing campaign. What is the Department of Health doing to promote infection control outside hospital settings?

Mr Jeremy Hunt: I thank my hon. Friend for her great interest in this issue and for the campaigning she did before entering Parliament, which I know stemmed from personal tragedy. This is an incredibly important issue. We face a crisis in global healthcare as a result of anti-microbial resistance, which means the current generation of antibiotics is no longer as effective as it needs to be. Proper hygiene in hospitals is therefore vital, and we have a lot of plans that I will be happy to share with her.

T7. [901552] **Owen Thompson** (Midlothian) (SNP): What measures is the Secretary of State putting in place to recruit and retain GPs? Given that he has indicated recruiting 5,000, where does he plan to find them?

Alistair Burt: As part of the proposal to see an increase of 5,000 in the number of doctors working in general practice by 2020, work is being done not only to

recruit more, but to retain them and to bring back those who have left general practice but want to return. Health Education England is working with the Department on all these plans and proposals. The hon. Gentleman is right to identify that as a key source of those who will come into the service in future.

Dr Sarah Wollaston (Totnes) (Con): Delayed publication of evidence is as damaging as non-publication, which is why we rightly expect clinicians, researchers and managers to publish their evidence and data in a timely and transparent manner. It is a matter of great regret to the Health Committee that we started our inquiry today without access to the detailed and impartial review of the evidence that we need to make a contribution to this inquiry. Will the Secretary of State please set out when he will publish it?

Mr Jeremy Hunt: I agree with my hon. Friend about the importance of transparency and publishing in a timely manner. I will look again at the planned publication date for the report she wants to see, which will be published so that Parliament can debate it properly. The normal practice is for advice to Ministers to be published at the same time as policy decisions are made, as happened with the Chantler review and the Francis report.

T8. [901553] **Caroline Flint** (Don Valley) (Lab): The Royal College of Nursing reports that it is becoming clear that for the first time since the early 2000s there is a critical shortage of registered nurses in the UK. Both the UK and global nursing labour markets are changing, and our increasing reliance on alternative sources is not sustainable. In 2014, 37,645 students across the UK were turned away from nursing courses. Is it not time the Minister admitted that the situation is not good enough and that the Government need drastically to scale up those places to reduce dependency on overseas nursing staff?

Ben Gummer: The thrust of the right hon. Lady's question is correct. That is why we have near-record numbers of nurses in training and a record number of nurses in practice, and we will continue to see growth over the next five years.

David Mowat (Warrington South) (Con): Last year the NHS paid £300 million to claimants' lawyers. Indeed, for small and medium claims, the lawyers made two to three times as much as the claimants themselves. Is there more we can do to stop this abusive behaviour?

Mr Jeremy Hunt: There certainly is. We spend £1.3 billion every year on litigation claims—money that could be used to look after patients on the front line. The way to avoid spending that money is to have safer care, and that is why it is so important that we have a seven-day service.

T10. [901555] **Patricia Gibson** (North Ayrshire and Arran) (SNP): As the Secretary of State will know, the Scottish Government are once again in the vanguard in introducing crucial legislation—the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Bill, which will eradicate more than 60,000 journeys per week where children are exposed to dangerous second-hand smoke. Will he advise on what plans are in place for the rest of the UK to follow Scotland's example?

The Parliamentary Under-Secretary of State for Health (Jane Ellison): I have to tell the hon. Lady that the law for England and Wales changed on 1 October, so in fact we are in the vanguard, not Scotland.

Mims Davies (Eastleigh) (Con): Given this Government's continued excellent commitment to investing in our NHS and reducing preventable mortality, does the Minister agree that keeping healthcare provision as local as possible is very important for Moorgreen hospital in my constituency?

Ben Gummer: The core purpose of the Vanguard programme is to ensure that we get local solutions to local healthcare problems. Only by making sure that we release the potential of local healthcare staff and providers, doctors and nurses, do we get the solutions we require rather than things being determined from Whitehall, as was the wont of previous Administrations that we will not follow.

Jenny Chapman (Darlington) (Lab): I can think of few things more frightening than being in labour and being turned away from a maternity unit that someone has visited, become familiar with, and got to know the staff. Over a third of units closed their doors to women in labour last year. What is the Minister going to do about this, and why does he think it has been happening?

Mr Jeremy Hunt: The hon. Lady is absolutely right; we need more midwives. We recruited more midwives in the previous Parliament, and we do need to expand maternity provision as we have a growing birth rate. I am happy to look at the problems in her area. However, we also have a maternity review coming up early next year, led by Baroness Cumberlege, that will help us to address this problem sustainably.

Philip Davies (Shipley) (Con): What health problems are caused by first-cousin marriages, and how much does dealing with those problems cost the NHS each year?

Jane Ellison: I cannot give my hon. Friend a specific answer, but I would be very happy to get back to him because I know there has been some local discussion about this in the city that he represents. I know of the issues to which he refers.

Several hon. Members *rose—*

Mr Speaker: Order. As in the health service under any Government, demand on these occasions always tends to outstrip supply. I apologise to colleagues who did not get in, but we must now move on.

Redcar Coke Ovens

12.33 pm

Anna Turley (Redcar) (Lab/Co-op) (*Urgent Question:*) To ask the Secretary of State for a statement on the closure announced yesterday of Redcar coke ovens, leading to the direct loss of 2,200 jobs and many thousands more in the supply chain in the local community.

The Minister for Small Business, Industry and Enterprise (Anna Soubry): Let me begin by saying that the significance of yesterday's announcement is not lost on me or any member of this Government, because we know and understand the profound implications it will have for Teesside. The hon. Member for Redcar (Anna Turley) and I will not agree on this matter, but I pay tribute to her for fighting for her constituents, as every good MP should do. I also pay tribute to the hon. Member for Middlesbrough South and East Cleveland (Tom Blenkinsop), who I suspect will also fall out with me today, for the work that he has done on behalf of his constituents.

I say that the significance was not lost on me because it was an honour to go up to Redcar the other week to meet a number of people. We knew that SSI was in huge difficulty. To put the situation in context, it never made a profit, notwithstanding the undoubtedly outstanding workforce and a lot of good will, and the coke ovens were losing, on average, £2 million a month.

The official receiver was accordingly brought in that Friday, and in his capacity as liquidator of SSI he announced, following discussions with potential buyers, that he had received no viable offers for the coke ovens or the blast furnace and that he would therefore begin closing those facilities. The terminology is that this is a "hard closure"—it is a tough closure as well. This is not mothballing, so we have to be realistic about the implications.

This is hugely regrettable news for SSI workers, their families and the local economy more broadly. Only this morning I spoke to the chief executive of the local council, Amanda Skelton, who informed me that at least 50% of the people employed at the ovens and blast furnace live in Redcar, so we are under no illusions as to the significance of the situation for the town.

The Government remain absolutely focused on supporting those people who find themselves out of work as a result of SSI's liquidation. Through a package of up to £80 million, we will continue to invest in them and the future of the Tees valley economy.

Safety, as Members might imagine, is a top priority. We will continue to ensure that the official receiver has all the funding and support necessary to deliver a safe and orderly closure of these assets, working with the Health and Safety Executive and Environment Agency. I thank the official receiver for what he has done. He was able, with Government assistance, to keep the coke ovens going until yesterday's announcement, which is no mean achievement.

By way of example of the seriousness of the situation, when I was last in Redcar we discussed the possible sale of coke that might just have raised £800,000 that Friday morning and that might just have bought some sulphuric acid to keep the power plant going. That was the reality of the hand-to-mouth existence of SSI. That is a reflection

not of the local management, which struggled under the most difficult of conditions, but, unfortunately, of the Thai owners, notwithstanding the welcome they properly received when they bought the plant and the great hope invested in them by the local community.

I place on record my thanks to everybody—including the Community trade union, which I had the great pleasure to meet, representatives from the local authorities, local Members of Parliament and other stakeholders—who has helped to operate SSI's facilities safely during this particularly difficult period. They have done so much to try to ensure that there is a future for steel making in Redcar, but unfortunately all that good work has come to nothing.

Anna Turley: This Government have overseen a tragedy for the people of my constituency and the region. This is an act of industrial vandalism for British manufacturing. We are talking about potentially as many as 6,000 jobs in the local area, but this is about more than jobs and livelihoods: this is about people's identity, their pride, their dignity and their respect in work, and it is about the heritage and the history of our local community, where people have been involved in steel making for generations. That has been torn away.

This is about more than our past: it is about our future. Fifty apprentices were due to start with SSI on the day it paused production. Steel underpins the entirety of the Teesside economy. The Government have turned their back on my constituents and on steel making in Teesside, and they have dealt a hammer blow to the UK industry.

Why did the Government refuse to intervene on environmental grounds to secure the site? Why have they hidden behind state aid rules when other countries in Europe have stepped in to protect national assets? Why are they claiming that money would go to the Thai banks when the official receiver works on behalf of the Crown and has a responsibility to maximise the value of an asset, not to close it down? How can the Government say, in just a few days, that there were no viable options or buyers, when I understand that there were at least 11 interested parties? Why have they pulled the plug before they had properly explored the options for developing foundry coke for emerging markets in western Europe? Why have they included—this is absolutely disgraceful—statutory redundancy payments in the £80 million support package? The payments could be as much as £20 million to £30 million of that sum. They are misleading people and cheating them of the support promised to them. Finally, why have they allowed 170 years of great British steel making, which built the world from Sydney harbour bridge to Canary Wharf, just to fade away without so much as a whimper from this Government?

Anna Soubry: As I said, the hon. Lady and I are bound to fall out on these things. Let me just make this absolutely clear: this is not a decision that the Government have taken; this is a decision that the official receiver has taken. The official receiver is independent. It is his decision and, as I said, he has made it after more than a week of trying to forge an agreement with potential buyers, notably of the coke ovens. I do not believe that anybody has come forward to buy the blast furnace.

We know the reality. The reality is that there is an over-production of steel across the world and an under-consumption. We have not even got back to pre-crisis

levels; in fact, we are 25% short. The price of slab made in Redcar has almost halved in 12 months. That is why the site has never turned a profit. That is why, unfortunately, it has made losses year on year. As I said, the coke ovens were making a loss of some £2 million a month. We have done everything we can.

In relation to the environment, we disagree. We are working with the Health and Safety Executive and the Environment Agency. The truth is that those discussions had been happening for some considerable time before the company went into liquidation, because such an outcome was always the fear, faced with the harsh reality of where we are with our steel industry not only in this country but across the whole world.

Nobody is hiding behind the state aid rules. Many stories are told about what other countries do, but when we dig deep into such stories, we find that they are actually the stuff of myth. Italy is a particular example of that. *[Interruption.]* I think somebody is shouting, "Outrageous!" I am more than happy to share with—

Caroline Flint (Don Valley) (Lab): Be braver.

Anna Soubry: Oh, I don't have a problem with being brave. I can tell the right hon. Lady that if we look at the action that Italy has taken, even in the peculiar and exceptional circumstances of a group of directors facing allegations that they were poisoning the land and causing cancer, the Commission is now investigating the situation because it is concerned that there has been a breach of the state aid rules. Such is the nature of the rules, which are very onerous.

Finally, on the £80 million package we have put in, the hon. Member for Redcar makes the point that about £20 million—I think it is nearer £30 million—of that is by way of redundancy payments. Let me make it clear that that was always my understanding, and I thought that we had made that clear when we were up in Redcar. In any event, let me also make it very clear that I am not closing the door on the £80 million, because one of the things of which we are very aware is the implications for the many thousands of other people through the supply chain. Many of them have not been paid for some considerable time, such was the contractors' and subcontractors' loyalty to SSI, so the effects through the supply chain will be considerable. I certainly want to be in a position to be able to help everybody, not just the 2,100 people who have unfortunately been affected by the announcement.

David Mowat (Warrington South) (Con): Our steel industry pays the most expensive electricity prices in the EU and, indeed, in the world, and it is impossible to compete at the margin with such costs. Does the Minister agree that whenever we discuss the balance between environmental taxes and lower energy costs, the Labour party always wants to go further, faster and more unilaterally, and that has had an effect in Redcar?

Anna Soubry: My hon. Friend makes a very good point. We have to get the balance right. We all want to live in a cleaner, greener world, but there is a cost associated with that. I just want to say one thing. I had to go to Berlin yesterday, and one of the things I did was to take the opportunity to talk about the actual reality of the situation in Germany. It is right that its

energy prices for industry are lower, but those for ordinary consumers are considerably higher. Such is the Commission's concern that it is now looking at and investigating whether such a balance is a breach of state aid rules. There is a lot of strength in what my hon. Friend says, but equally, we again have some mythology. Sorting it out and getting to the facts is one reason why we are having a steel summit on Friday.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): If someone were to build a steelworks today, they would build it at Redcar because of the port, the quality of the steel, its location in relation to the European market, the skills of the people and the fact that the largest blast furnace in Britain is located there. Coke will still be pushed till Wednesday, and possibly even Saturday. I could ask many questions of the Minister, but the main one that I want answered now is why, when the Insolvency Service is under the jurisdiction of the Secretary of State, allowing him to steer and guide it, did it recommend closure of the entire site yesterday, prior to the steel summit on Friday? We thought that we would be talking about Redcar and Britain's largest blast furnace. If Britain's largest blast furnace is not part of a steel summit and a steel strategy for Britain, what is the point of the summit?

Anna Soubry: There are many points to discuss at the summit, one of which is the reality of the steel industry across the world. Let me make it absolutely clear that the official receiver is independent and free of interference from Government, and rightly so. That should never change. I would have hoped that the hon. Gentleman would understand that. We have to be absolutely clear on this. The coking ovens were losing £2 million a month. It is a tribute to—*[Interruption.]* Honestly, I would take another question, but heckling will not help the hon. Gentleman.

Kevin Brennan (Cardiff West) (Lab): That's your speciality.

Anna Soubry: It is, I know. That was the pot calling the kettle black, but this is a serious matter.

As the hon. Member for Middlesbrough South and East Cleveland (Tom Blenkinsop) knows, the official receiver ensured that there was enough coal to put into the coking ovens. That went over and above what we all thought would happen on that Friday, when there was not even enough money to buy the sulphur to keep the power station going, as the hon. Gentleman knows. Notwithstanding his efforts, those of the hon. Member for Redcar and the meeting that I had with the group of people based locally who had expressed an interest, the harsh reality is that nobody has come forward with an offer to buy the coke ovens. Are Members honestly surprised when they were losing £2 million a month?

Several hon. Members *rose*—

Mr Speaker: Order. The Minister's self-knowledge is a blessed thing and I genuinely thank her for it, but there is a balance to be struck. She is trying to respond comprehensively, which is to be respected. Equally, I want to get everybody in if possible. We will try to strike the right balance.

Philip Davies (Shipley) (Con): My hon. Friend the Member for Warrington South (David Mowat) is right about the irony of the Labour party complaining about steel plants closing when it imposed the Climate Change Act 2008 on the UK, which unilaterally put huge costs on energy that other countries did not face. Will the Minister confirm that the Government have learned the lesson and will not unilaterally impose huge energy costs and carbon emission targets on British businesses? If the Government do not make that commitment, many other manufacturing jobs will follow. We are merely exporting jobs to other countries around the world.

Anna Soubry: My hon. Friend makes a good point. However, even if we had the sort of energy prices that I would like, it would not solve the problem for our steel making industry, which is that the price of steel has almost halved because of over-production and under-consumption.

Kevin Brennan: I note that the Minister said that she and her colleagues understand the significance of this situation. That statement would have had more resonance with the House had the Secretary of State come along today.

I pay tribute to my hon. Friend the Member for Redcar (Anna Turley) and all my hon. Friends from Teesside, who have worked tirelessly on behalf of their constituents. In contrast, we now see the practical consequences of having a Conservative Business Secretary who is so ideologically opposed to the notion of Governments acting to protect our strategic economic assets in difficult times that he will not even use the words “economic strategy”, preferring the phrase “industrial approach”. I am afraid that “industrial indifference” would be a more accurate description of what we are seeing.

This is not just about the 2,100 jobs that will be directly affected at Redcar, although each one represents a tragedy for those families; this is about a long-term strategic vision for Britain’s economic and industrial future. I am afraid that for all the rhetoric about northern powerhouses and the march of the makers, at the first big test of whether this Government have any long-term strategic economic vision, the march of the makers has come to a stuttering halt.

Why have the Government been so passive about working to save the steel industry in this country when it is so strategically important? What options did they explore for mothballing to save the assets? Why do they believe it acceptable that the £80 million support package also contains statutory entitlements to redundancy pay? I was interested to hear that the Minister might not stop at £80 million, so perhaps she will tell the House a little more about how much she has in mind. Will she confirm how much it will cost the taxpayer to clean up the site safely?

What assessment has the Minister made of the economic impact of the closure on the local community and the supply chain? Did she raise the issue of Chinese dumping during her recent visit to China, or does the UK’s relationship with China now simply consist of kowtowing to the Chinese Government in a way that will mean that they have more financial interest in Britain’s strategic assets than our own British Government?

Anna Soubry: It does nobody any good—especially those who have been made redundant—when people engage in scoring cheap political points, and I think it is absolutely pathetic. The Secretary of State and I have worked together tirelessly to consider every single option for how we could assist. That consumed the time of both of us, and we did that work together. One example of that is the fact that, apparently, during all the goings on in the past about saving Redcar, no Minister ever went there. We were the first—it got both of us—and that reflected our dedication and was our attempt to ensure that we did everything we could. That is what we have done, but we must be realistic. The price of slab has almost halved due to over-production and under-consumption. Yes, I did talk about Chinese dumping and many other things related to the steel industry when I went to China, and unfortunately the account that one gets back is not good. This is a worldwide problem, and it will not be solved overnight. This is a tough time—possibly the toughest time ever—for steel industries across the world.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): Does the Minister agree that if Labour Members want more freedom for the UK Government to determine Government subsidy for important businesses such as the steel industry, they should vote to support the “leave” campaign?

Anna Soubry: Well, I—[*Interruption.*]

Mr Speaker: Order. The Minister must be heard.

Anna Soubry: My view is that we should stay within a reformed Europe, but those are exactly the sorts of conversations we need to have. We must speak to countries such as Germany and get the facts out there. The idea that only the British steel industry is suffering is not true. This problem affects all steel industries, not just in Europe but in Turkey, Brazil, and around the world. This is a real crisis throughout the world.

Marion Fellows (Motherwell and Wishaw) (SNP): I make no apology for repeating in my short contribution some of what has already been said. My constituents know only too well the terrible cost of plant closures. That has happened twice in Redcar, and my heartfelt sympathies go to each and every person involved. I know how hard the hon. Member for Redcar (Anna Turley) and other Members from Teesside have worked.

Industrial vandalism does not even begin to describe what has happened, and is happening, to steel plants in this country. Ravenscraig—I have said the name, but it now means very little. They are still cleaning up in Ravenscraig. They have tried to contain all the terrible heavy metals and industrial material. Most of it has gone, but people are finding it hard to redevelop that site simply because of what was there before. Will the Minister please pledge in Rotherham on Friday to give positive help to the UK steel industry? We must have positive help to survive the recession for all the reasons that have already been mentioned, such as high electricity costs, high rates and so on.

We have had many talks—I know the Minister wants to help; she has been commended on her positivity and her help—but we have come to the end of the line. No

more talking; we need action and more than £80 million to try, somehow, to replace all those well-paid jobs. My constituents know how that feels. Many people, including a previous Member for my constituency, went to university on the back of a training course that they received at that time. He was lucky because not everyone was able to do that, but that still did not produce the type of well-paid jobs that there used to be in that area. That is what will happen in Redcar—we all know that.

We talk about state aid, and other countries in Europe seem able to provide that. Conservative Members seem to use Europe as a battering ram. It is one thing for one side, and something else for another, and they change their minds all the time. State aid is possible; it has been done by other countries. Please consider it.

Mr Speaker: Order. We are extremely grateful to the hon. Lady and I thank her for what she said.

Anna Soubry: I am more than happy to meet the hon. Lady to explain to her the state aid rules and to bust some myths. She must be assured that the problem is one of over-consumption across the world. These are harsh economic realities, and although I wish I had a magic wand, no Government can set the price of steel. The price of slab has almost halved in 12 months. Hardly anybody is making a profit, and no Government can solve that. She can be assured that the Government are doing everything they can to support the steel industry in this country. Where we cannot support it—as we have unfortunately found in Redcar—we support those workers into new jobs.

Kevin Foster (Torbay) (Con): The Minister referred several times to the global steel market, and we know that the dumping of certain Chinese steel products has played a part in the situation at Redcar and set a worrying precedent for all other manufacturing industries, including high-tech. Will she confirm that the Government will look to use anti-dumping measures in other situations, just as they have supported their use in this instance?

Anna Soubry: It was, I think, a first when a clear ministerial direction was given that we should vote in favour of anti-dumping measures in the European Commission, and we did that. Last week we abstained from another vote, and I am more than happy to explain to my hon. Friend in more detail why we did that—Mr Speaker, quite rightly, wants me to keep my remarks short. There was a good reason for that abstention, because by doing so we were actually voting in favour of supporting the British steel industry.

Andy McDonald (Middlesbrough) (Lab): More than 20% of the people affected by this issue are from Middlesbrough, as they know only too well. Like me, they heard the Secretary of State say that he does not like industrial strategy. They know exactly what those words mean—*[Interruption.]* It is no good the Minister whingeing, because that is what the Secretary of State said, and this is how it impacts on people. The Minister hides behind state aid rules, but she or the Secretary of State could intervene if they were minded to. There is regional and environmental aid. Italy, France and Germany have stepped up, but this Government have completely lifted the white flag and surrendered. The people of Teesside will never forgive them for that and for having

to spend £1.1 billion to clean the place up. It is an absolute utter disaster, and the Government should be ashamed of themselves.

Anna Soubry: The hon. Gentleman was at the meeting—he wanted to come to it and I said he was more than welcome to attend—and he knows that nobody put up a white flag. He is not stupid, and he knows the reality—*[Interruption.]* I am not patronising; I am reminding the hon. Gentleman, because he is intelligent and he knows, that the price of steel has almost halved. We are not hiding behind state aid rules. I challenge him to tell me what we could do that is within the state aid rules, and I will have a look at that. We have explored everything.

David Rutley (Macclesfield) (Con): I recognise that the closure will have a real impact on the community. Redcar is a great part of the world and has a really skilled workforce, and the Government have taken pragmatic steps to try to assist in a difficult situation. Does my right hon. Friend agree that there are benefits to undertaking more proactive reviews of large sites in industries that are going through transformational change—including diversification initiatives, and considering alternative uses for sites—just as the Minister for Life Sciences is initiating in the pharmaceutical sector?

Anna Soubry: I am very grateful to my hon. Friend for his comments and for his question. I very much agree with him. We have to take an honest and realistic approach to all these matters, looking at conditions and at events we actually have no control over. There are, however, many things we can do. To say that we do not have a strategy is just ludicrous, because we absolutely do have one.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): With regard to the £80 million in support funding, apart from the disgraceful issue of statutory redundancies being paid out of it, when will people actually get some real money in their hands? People have not been paid for up to eight weeks now. Apart from retraining, what they need is money to buy food and pay bills before this tragedy turns into an utter disaster for those families.

Anna Soubry: Unfortunately, the hon. Lady is right when she talks about the people in the supply chain who have not been paid because of their absolute determination to try to support SSI. One of the things we absolutely looked at was whether there was anything we could do to help them. At the moment, we cannot find any way to help people along the supply chain who have not been, but who should have been, paid. It was known that the redundancies were part of the package of £80 million it, but we will have to agree to disagree on that. *[Interruption.]* Well, I certainly said it in the media, so perhaps they did not listen to the local television. In any event and most importantly, we are determined to make sure that it is not just the workforce at SSI Redcar who benefit from the package, but that it goes through the supply chain. We know there are many thousands more who suffer because of this liquidation.

Tom Pursglove (Corby) (Con): Like all Members in this House, I feel exceptionally sorry for the people of Redcar. I know the Corby steelworkers send their very

[Tom Pursglove]

best wishes. Has the Minister received representations from any other sites that perhaps find themselves in a similarly perilous position? Will she promise to continue to engage with the industry and do everything she can to help?

Anna Soubry: It is not a secret that we have a really serious crisis in the British steel industry. We identified that when we had our very good Back-Bench debate a few weeks ago. We are holding the steel summit precisely for the reasons my hon. Friend has given. We are very keen to talk to everybody, to explore all options and to do everything we can. As the Prime Minister said, steel is a vital industry. We are determined to continue to do everything we can to support it.

Mr Iain Wright (Hartlepool) (Lab): The SSI closure is a tragedy for Redcar, but yesterday's announcement has repercussions far beyond the boundaries of that town. The snuffing out of the blast furnace and coke works puts a pillow over and suffocates the entire UK steel industry and a large part of the manufacturing supply chain. It will no doubt contribute to that sector's death. What is the Minister doing not just to retrain staff but to maintain and preserve this efficient industrial asset, maintaining and preserving that capability and knowledge to ensure that competitiveness throughout our manufacturing and supply chain sector is not lost forever?

Anna Soubry: I absolutely agree with the hon. Gentleman. I absolutely know and recognise the importance of the manufacturing sector. I have already used the words the Prime Minister used in recognition of the vital part that steel plays in our manufacturing, and indeed in the country's, whole industrial base. We absolutely want to support it. That is one of the reasons why we are having the summit on Friday. It is absolutely understood and accepted that it would be wrong to lose steel—the manufacturing, rolling, pressing and everything else of steel in this country—but we are where we are. At the moment, we have gross overcapacity. That is the tragedy, as prices continue to fall.

Martin Vickers (Cleethorpes) (Con): Clearly, what has happened in Redcar is a terrible blow to its local economy. In northern Lincolnshire, our economy is very dependent on the future of the Scunthorpe works. It is clearly important that we maintain steel manufacturing capacity in the country. Will the Minister give an assurance that the Government will redouble their efforts to ensure that the Scunthorpe works continues?

Anna Soubry: Let me make it clear: I will continue to do everything we can to keep the steel industry going in this country. I am looking forward to meeting my hon. Friend later and I am going to Rotherham on Monday to meet people there. I will continue to meet, go around and visit. That is part of our determination to do everything we can to support this vital industry.

Alex Cunningham (Stockton North) (Lab): High carbon taxes and energy costs played a major role in SSI failing. Many other industries across our country are facing the self-same issues. Hundreds of my constituents

lost their jobs on Teesside last week. How many more jobs have to be lost before the Government change their policy and start to address these issues?

Anna Soubry: I think we fall out when we say it is “our” policy. We have all been agreed that we want a cleaner, greener world, but it comes at a price. As I said before, electricity prices and the cost of energy were not the reason. They did not help, but this is about the worldwide problem of over-production, under-consumption and a fall in the price of steel by up to a half of what it was 12 months ago.

Andrew Stephenson (Pendle) (Con): This is deeply regrettable and will have profound implications for the whole economy. I welcome the announcement of a steel summit to discuss the broader impacts on industry. Will the Minister say more about the organisations that will be involved?

Anna Soubry: Off the top of my head, those attending will be—as you might imagine, Mr Speaker—steel owners, manufacturers, the steel trade industry itself, trade unions, local Members of Parliament and Ministers from relevant Departments. I cannot remember now, but I think we have a couple of other people coming along to provide an independent assessment of the future of the steel industry. I do not want the summit to be too big; otherwise it will just turn into a grand talking shop. That is the one thing we do not want. I hope we will have all the key people there.

Jenny Chapman (Darlington) (Lab): My words could never convey to the Minister the sense of abandonment that is felt in communities throughout the Tees Valley. She stands there as if she has had no choices to make. Why can we not mothball this site? It would cost £30 million. Last time Redcar was in this position it took three years to find a solution. This Government are giving it only days. Why?

Anna Soubry: Because the official receiver has come to the conclusion—[*Interruption.*] No, we cannot hide behind the fact that the official receiver is in charge. The official receiver has said he cannot find a buyer. The hon. Lady says it is a mere £30 million. I am sorry, but is that for six months, 12 months or 18 months? How would she justify that to her constituents? It is not Government money, but her constituents' money. Let me make it very clear: if we do it for Redcar, then do we not do it for every other industry or business in our country that, unfortunately, cannot find a buyer for its products?

Nic Dakin (Scunthorpe) (Lab): May I, on behalf of the Scunthorpe steel community, express solidarity and support for the Teesside steel community at this very difficult time? When Jaguar Land Rover was in significant difficulty and very challenged, the then Labour Government stepped in and intervened. Jaguar Land Rover is now a byword for success. When will the Conservative Government step in and intervene so that steel can be the byword for success in the future that it has been in the past?

Anna Soubry: The hon. Gentleman knows we have done everything we can. He also knows that the state aid rules on steel are the toughest. I am more than

happy to go through them with the hon. Gentleman to see whether he can find me a way of doing what he says he wants us to do.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): We have to be frank today that the Redcar tragedy casts a dark pall over the steel summit on Friday. Will the Minister say to the stakeholders, and to others in the industry who will be attending and who are struggling with very difficult times, what she will come up with that is new so that it will not be just a talking shop? Does she, crucially, have the backing of the Chancellor, the Prime Minister and her own Secretary of State to take the actions that matter?

Anna Soubry: Let me deal with the last point first. I repeat what the Prime Minister said: this is a vital industry that we will continue to support. So yes is the short answer to that question. The hon. Gentleman knows that the state aid rules are the state aid rules. This idea or myth that other countries are doing magic things in breach of the state aid rules without any comeback is just that—an absolute myth.

The hon. Gentleman also forgets—I have to repeat it—that the price of slab has almost halved in the last 12 months. We have over-production and under-consumption across the world, and we are 25% short of where we were before 2009. If we had a magic wand, we perhaps would all want to do these things, but in the harsh reality of the world we are in, we cannot give £1 billion of taxpayers' money a year, which is what we estimated it would cost, to keep the steel industry where it is today. He cannot justify that to his constituents. That is the reality.

Angela Smith (Penistone and Stocksbridge) (Lab): May I place on the record the sympathy of the people of south Yorkshire for the people of Redcar? Of course, people in south Yorkshire know what it is like to see thousands of jobs go at a stroke.

The UK steel industry faces volatile times. The Minister has said today she understands that manufacturing as a whole will be damaged if the UK steel industry goes under, and it is under serious threat. At the steel summit on Friday—in Rotherham, by the way, not Sheffield—will she please bring forward firm proposals for UK Government support for the steel industry? Otherwise it will just be a talking shop. She needs to take responsibility and bring forward firm proposals that we can all talk seriously about on Friday.

Anna Soubry: I am grateful for the hon. Lady's comments, but I can assure her that I take full responsibility for the importance of this sector and will do everything I can to make sure we support it.

Mr Dennis Skinner (Bolsover) (Lab): Is the Minister aware that here we are, on 13 October, about three months since the general election, and we are now beginning to witness the true face in Toryism in practice? We heard for several weeks the story about looking after the working man. We heard the story about the living wage. Now that they have been tested, the Government have decided to hand over the Redcar steelworks lock, stock and barrel, just as the previous Tory Government did at Consett, Corby and many

other places. We are witnessing today the true face of Toryism. It has only taken them three months to appear as they really are. This was the day when Osborne's northern powerhouse strategy died its death.

Anna Soubry: And the question is? There was no question. Just standing up and making speeches that do not offer a solution—

Mr Skinner: I've seen it all.

Anna Soubry: So have I. [*Interruption.*] You know what, that is so out of order. [*Interruption.*] Well, I do. I find it offensive and sexist, and the hon. Gentleman should know better. I know he has a bigger majority than me, but in Broxtowe more people voted for me than for him in Bolsover. He needs to understand that there is under-consumption of steel in the world. The price of steel has almost halved. Fine words are not enough. Realism and action are required. We have to live in the real world, not the fantasy world of the '60s.

Mr Speaker: It has been suggested that improper words were used. I say to the Minister and the House that I can respond only to what I hear, and I did not hear anything. A Minister on the Treasury Bench suggested that something improper was said, but I have to deal with the here and now. The Minister has had her say, and we will now continue with questions.

Stephen Kinnock (Aberavon) (Lab): The Back-Bench debate secured by my hon. Friend the Member for Redcar (Anna Turley) was held shortly before the trip to China, which took place amid much fanfare. The Minister pledged to go to China and lobby strongly against the massive dumping of Chinese steel in our market. May we have a detailed response about what was secured as a result of those discussions?

Anna Soubry: I had a number of discussions, and I raised with the Chinese the fact that there is now a growing demand for protectionism, especially in the EU, because of these various allegations—not just on steel—of Chinese dumping. I also had discussions about the future of the Chinese economy, including its steel economy, and whether any change in their policy was expected. We were informed that things would not change, which I am sure the hon. Gentleman will agree was unfortunate, and that they would continue to produce steel in this way. That economy, although growing, is not growing as much as it could, so I am afraid that there is not much hope there. However, we continue to make the case.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): I echo Members across the Chamber in saying that my heart dropped when I heard what had happened in Redcar and Teesside during the recess. The hon. Member for Redcar (Anna Turley) has dealt with the matter very well, against all the odds. Having listened to the mealy-mouthed excuses from the Government Front Bench, I would like to remind the Minister that while her Government should have been acting to protect British industry, Mr Chancellor was off wooing the Chinese. What representations did her Government make to Chinese steel over the upcoming HS2 contracts?

Anna Soubry: These things are all in the future. I can assure the hon. Lady that everybody in the Government wants to make sure that, when the day comes and we look to buy the rails, it is British steel that is bought. I also remind her, following our debate on this, that it would be helpful if the Scottish Government made sure that in their projects they bought Scottish steel.

Greg Mulholland (Leeds North West) (LD): My father and many others in my family are proud Teessiders, so I know exactly the devastation that this will cause to local jobs, the local economy and the UK steel industry. I also want to pay tribute to the former MP for Redcar, Ian Swales, who did a wonderful job in the last Parliament. The Liberal Democrats fully support the cross-party campaign. Will the Minister listen to the Liberal Democrat leader and immediately commission a cross-departmental ministerial committee to talk about this matter? This must happen straightaway, before these flames die out and the plant is killed forever, which must not happen. Over the next few days, she must do everything she can and look at all the possible options to save this plant.

Anna Soubry: Yes, that committee, which has already been formed, will meet this afternoon. Everybody seems to have forgotten, however, that Redcar unfortunately was mothballed under the last Labour Government and that the furnaces were restarted under the coalition Government. *[Interruption.]*

Mr Speaker: Order. The hon. Member for Blyth Valley (Mr Campbell) must calm himself. I am sure he wishes to hear his colleague, Mr Wes Streeting.

Wes Streeting (Ilford North) (Lab): The fate of the Redcar steel industry and the effect on communities on Teesside demonstrate the consequences of a hands-off economic policy and the lack of an industrial strategy. May I press the Minister on the consequences for people on Teesside? She has been asked again and again by colleagues about the statutory redundancy payments they will receive. The hand-to-mouth existence of the plant she describes is nothing next to the hands-to-mouth existence that those people now face. Will she give an assurance that she will consider what more the Government can do to make sure that people receive more than the statutory redundancy package?

Anna Soubry: Yes.

Mr Speaker: I thank the Minister and colleagues for taking part in this exchange.

Saudi Penal System

1.18 pm

Andy Slaughter (Hammersmith) (Lab) (*Urgent Question*): To ask the Secretary of State if he will withdraw from the contract for training needs analysis with the Saudi penal system in the light of recent concerns, particularly the cases of Mohammed al-Nimr, Raif Badawi and Karl Andree?

The Lord Chancellor and Secretary of State for Justice (Michael Gove): I thank the hon. Gentleman for his question. It is important that the resources of the Ministry of Justice are targeted at our programme of domestic public service reform, so, as has previously been announced, we have wound up the work that Just Solutions International, the commercial arm of the National Offender Management Service, has been engaged in. This is in line with our ambition to ensure that the Department's resources are firmly focused on our domestic priorities. On the commercial work that Just Solutions International had been engaged in with Saudi Arabia, as the House is aware, the final bid was submitted this April, but discussions have been going on since then. We have now reviewed the issue further and decided to withdraw our bid.

Andy Slaughter: The power of the urgent question. What a pity, though, that once again a Secretary of State has to be dragged before the House and that what he said was not volunteered by way of ministerial statement. The Secretary of State is trying to establish a reputation as a prison reformer, and now perhaps as a champion of human rights as well. That would be highly commendable and would be better if our prisons were not in a downward spiral of violence, idleness and despair and if the right hon. Gentleman were not intent on repealing the Human Rights Act.

On 25 September, the Leader of the Opposition wrote to the Prime Minister, raising the case of Mohammed al-Nimr. The Secretary of State will be aware that Mr al-Nimr was 17 when he was arrested for peaceful protest and sentenced to death by beheading and then crucifixion. Three weeks later, the Leader of the Opposition is yet to receive a response. That letter also asked for the ending of the contract, so perhaps that response could now be forthcoming. More importantly, Mr al-Nimr remains in solitary confinement, awaiting execution.

The case of Raif Badawi—a blogger sentenced to 1,000 lashes and 10 years in prison for criticising the Saudi regime—is similarly shocking, and today we add to the list the case of Mr Karl Andree. Mr Andree is a 74-year-old British citizen from south London who has been sentenced to 350 lashes by the Saudi Government after spending more than a year in custody. I do not know whether the Secretary of State heard the interview on the “Today” programme this morning with Mr Andree's youngest son, Simon, which was all the more powerful for being rational and understated. He said there was no doubt in the family's mind that 350 lashes would kill his father, who needs medical care for his cancer, which he has had three times, and his asthma. Simon said:

“I think my father is at the bottom of the list and the bottom of the pecking order”,

when it comes to the Government. He continued:

"I feel that all the business dealings with Saudi Arabia and the UK are probably taking priority over it. All I can say is that the primary responsibility of the British Government is to their citizens. He is a British citizen and I ask the Government to plead for clemency, for him to be released."

Will the Secretary of State therefore go further—welcome though his comments were—and explain why the Government ever contemplated entering such a contract; why the reasons for continuing the contract were initially given as "commercial considerations", subsequently corrected to the "wider interests" of Her Majesty's Government; why the Prime Minister has not responded to the letter from the Leader of the Opposition; and what is being done in each of the three specific cases I have raised?

We know that these are not isolated cases. Indeed, guidance given to British prisoners in Saudi says that the death penalty can be imposed for a wide range of offences,

"including murder, rape, armed robbery, repeated drug use, apostasy, adultery, witchcraft and sorcery and can be carried out by beheading with a sword, stoning or firing squad, followed by crucifixion."

Amnesty International says that at least 175 people have been executed in the last year. It is simply not good enough that human rights get no regard. Of course this is a balancing act, but in the end, the Secretary of State has to take responsibility and he needs to answer the further questions I have put to him today.

Michael Gove: I thank the hon. Gentleman for raising these serious issues and for the appropriately sombre and serious way in which he couched his questions. First, this Government take very seriously questions of human rights, and in particular the obligation to protect the human rights of British citizens abroad. That is why the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Bournemouth East (Mr Ellwood), who has responsibility for the middle east, has been talking to Mr Andree's family, and it is also why the Government have been interceding at the highest level in all three of the cases that the hon. Gentleman raises.

It is important that that sensitive and diplomatic work is carried on in circumstances that ensure that we can influence not just the Saudi Government, but other Governments, in a way that allows them to make progress in a manner consistent with ensuring that our case can be made effectively. That is why I believe that the actions of the Minister for the middle east—and indeed those of the Foreign Secretary and the diplomatic service—in ensuring that human rights considerations can be carried forward have been right and wise.

It is also important to bear in mind that there is security co-operation between Britain and Saudi Arabia, which has, as the Prime Minister and others have pointed out, saved British lives in the past. We would never compromise our commitment to human rights, but we must also recognise that it is in the interests of the most important human right of all—the right to live in safety and security—that we should continue with necessary security co-operation with the Saudi and other Governments.

The hon. Gentleman asks why no letter of reply was written to the Leader of the Opposition. I can only apologise for any delay in writing to him, and I hope that today's statement goes some way to raising the

concerns that he understandably raised in his party conference speech and in correspondence. More broadly, I want to assure the hon. Gentleman and the House that the whole focus of the Ministry of Justice will be on maintaining the rule of law, upholding human rights and making sure that our citizens are protected effectively with a justice system in which all can take pride and have confidence.

Robert Neill (Bromley and Chislehurst) (Con): The Lord Chancellor is to be congratulated on his decision. I and fellow members of the Justice Committee welcome it warmly. It reinforces Britain's status on justice and human rights matters. It also proportionately and sensibly continues the necessary work that we need to do on security matters with Saudi Arabia. My right hon. Friend has got the balance right, which some Opposition Members did not do when they were in office.

Michael Gove: I am grateful to the Chairman of the Select Committee for making that point. It is always the case that Governments have to balance the vital importance of upholding human rights with necessary security considerations, and I am grateful to my hon. Friend for the confidence he places in the Government's decision in this case.

Stewart Malcolm McDonald (Glasgow South) (SNP): The power of the urgent question indeed. This is a victory, if we believe press reports, for the Secretary of State himself, but also for the Gulf Centre for Human Rights, which has been vociferous in challenging the decision.

This is not, of course, an easy issue. The contract was being negotiated against a backdrop of a Government who have beheaded more people than Daesh, who are about to lash a British pensioner 350 times, potentially crucify a teenager and have sentenced a blogger to a slow death sentence, so I can genuinely understand why a Government would seek to involve themselves in changing how they manage the justice system. However, questions need to be asked about the whole approach to and relationship with Saudi Arabia, and about why the Government have dropped abolishing the death penalty as a priority in their international work abroad. What assistance did this Government give to the Government of Saudi Arabia so that they could chair a committee on human rights within the United Nations? Why did the British Government sanction flags flying at half-mast when the King of Saudi Arabia died—something that the Scottish Conservative leader Ruth Davidson called "a steaming pile of nonsense"?

I welcome today's move, but this cannot be the end of our examination of our relationship with Saudi Arabia. One thing the Justice Secretary could do would be to place all papers relating to this deal in the public domain, so that Parliament can examine them retrospectively.

Michael Gove: I am grateful to the hon. Gentleman for his detailed questions. Some, of course, strayed into diplomatic matters, which are not the responsibility of the Ministry of Justice, but I can confirm that whenever any monarch of any country dies, the flag is flown at half-mast. It is a long-standing convention—one that has been honoured in the past and continues to be honoured.

[*Michael Gove*]

The hon. Gentleman's broader point about the administration of justice within Saudi Arabia was well made. We have profound concerns about the respect accorded to human rights within Saudi Arabia, but it is also the case—I must stress this—that the most effective way of ensuring that human rights progress can be made in Saudi Arabia, both for its citizens and for others, is to allow the Foreign Office to continue its diplomatic work, which balances the strong relationships built up over time with an absolute insistence that in all countries and at all times, we oppose the death penalty. We will never resile from that.

Sir Alan Duncan (Rutland and Melton) (Con): Deny it though he might, many are left with the impression that this decision has been guided more by my right hon. Friend's rather caustic personal view of Saudi Arabia than by any legitimate concerns of his Department's policy on justice. Is it not the case that when we look at a country's judicial system of which we do not in many respects approve, engagement is far better than disengagement, and that disengagement may be a comfortable moral position, but can lead to no progress whatsoever?

Michael Gove: I take my right hon. Friend's comments very seriously. He is absolutely right to say that constructive engagement with Governments like Saudi Arabia's is always the wisest course. However, it is also the case that there is always a balance to be struck in the nature of the engagement that we make. The decision was made across Government that the Just Solutions International branch of the National Offender Management Service should be wound up, and this decision is consequent on that cross-Government decision.

As I have said before at the Dispatch Box, it is vital that we support the Foreign Office, its skilled diplomats and its excellent Ministers in the work that they continue to do to influence not just the Saudi Government, but other Governments who are considering how they can improve their own domestic human rights record and, indeed, promote the rule of law.

Mr David Winnick (Walsall North) (Lab): Is it not almost farcical that the Saudi ambassador to the United Nations is actually chairing a panel that selects officials to decide on human rights violations? I am not aware that the United Kingdom has protested about that; it was probably a party to the appointment.

Is it not also the case that the Saudi Government do not take too seriously the various disapprovals expressed occasionally by Ministers, because they know that Britain will continue to sell arms on a substantial scale to a country where executions occur, as we heard from my hon. Friend the Member for Hammersmith (Andy Slaughter)? Britain's dealings with that state do not present a very pretty picture.

Michael Gove: The hon. Gentleman has made two points. The first relates to the involvement of Saudi Arabia in the United Nations. Again, I should stress that this is a matter for another Department. However, I think that we should encourage the involvement of countries in international institutions when we can bring

pressure and influence to bear on them to meet higher standards when it comes to the rule of law and human rights. That is an ongoing process; it is a dialogue.

In the same spirit, I should also stress that there are, of course, individual British companies that do business in Saudi Arabia, and there are shared security interests as well. Any responsible Government will always want to balance those interests with standing up for and making the case for progress in the realm of human rights, and that has been the consistent policy of this Government.

Damian Green (Ashford) (Con): I congratulate my right hon. Friend on being an example of a Secretary of State who has made a decision because, quite simply, it was the right thing to do. Can he reassure the House that in future, when that difficult balance is being struck between our legitimate security and foreign policy considerations and the needs of human rights, those human rights needs may be placed slightly higher in the mix than they have been in the past under Governments of all colours?

Michael Gove: My right hon. Friend has made a characteristically wise point, and I absolutely agree with him. It is important that we put the interests of advancing human rights at the heart of everything that the Government do, and that is one of the reasons why I am pleased that my hon. Friend the Member for Esher and Walton (Mr Raab), who is the Minister responsible for civil liberties, has revised the way in which the Ministry of Justice engages internationally in order to ensure that human rights enjoy greater prominence.

Mr Alistair Carmichael (Orkney and Shetland) (LD): The Secretary of State has made exactly the right decision today. He has done the right thing, and I think it important for him, in particular, to be given credit for having done it. In order to better inform the debate about the very difficult balancing act that he has had to perform—along with his ministerial colleagues—will he now consider publishing the documents behind this deal? In particular, will he publish the memorandum of understanding that was signed by his Ministry and the Home Office with Saudi authorities in March this year?

Michael Gove: I am grateful to the right hon. Gentleman for his generous words, but I must stress that this is a cross-Government decision. It was reached after discussion across Government, and it is a shared, collective decision of the whole Government. It is, of course, in that spirit that I entirely understand why the right hon. Gentleman would like further and better particulars. However, I must also respect the nature of diplomatic engagement. It is necessarily the case, and understandable, that when we are seeking to influence countries to act in a way which we believe to be in their interests but which may ultimately involve a change of policy at any given point, we wish to maintain confidence in the nature of that relationship, and that means that such conversations must sometimes remain confidential.

Mr Stewart Jackson (Peterborough) (Con): I warmly congratulate my right hon. Friend. I think that he speaks for the House when he articulates the reasons for this decision. As he will know, the United Kingdom was recently voted the No. 1 nation in the world for "soft

power”, partly owing to an acceptance across the world that we are not willing to be complicit in, or tacitly support, egregious abuses of human rights, including those perpetrated by the Wahhabi-dominated Saudi regime. Will my right hon. Friend confirm that we will keep under review all actions to signal our disapproval of its conduct, including the most robust actions in the future?

Michael Gove: Let me absolutely emphasise that the Minister for the middle east and the Foreign Secretary make representations regularly not just to the Saudi Government, but to other Governments whose behaviour gives us cause for concern in respect of human rights matters. However, as my hon. Friend acknowledged in his question, there is always a balance to be struck by the Government between—quite rightly—standing up for human rights, and recognising our broader security and other relationships which help to keep British citizens safe.

Ann Clwyd (Cynon Valley) (Lab): When answering questions put by the Foreign Affairs Committee the other week, the permanent secretary to the Foreign Office said that human rights were fairly low down in the list of priorities, or certainly not as far up as the Secretary of State suggests. The UK’s College of Policing provides training courses for Saudi police. What training is being given, and at what price?

Michael Gove: The right hon. Lady’s record of commitment in advancing human rights globally is second to none in this place. I should stress that I am not a Foreign Office Minister, but it is clear to me from all my dealings with the Foreign Office that it places advancing the cause of human rights and protecting fundamental freedoms at the heart of British diplomacy. We are guided by our values first. However, when we are co-operating with countries across the world, it is important for us to recognise—even as we argue first and foremost for respect for human rights—that there are shared security concerns. I think that the particular work that is undertaken in relation to policing, although another Government Department is responsible for it, falls fairly and squarely into that category.

Dr Phillip Lee (Bracknell) (Con): I am sure that everyone in the Chamber would agree that the Saudi penal system needs reform. Having made his decision, will the Secretary of State outline what he thinks the Government’s future strategy should be in relation to improving that penal system, and, indeed, other similar systems around the world?

Michael Gove: I think it important that we continue to work diplomatically to encourage countries not only to improve their penal systems, but to improve their respect for the rule of law. One of the activities in which the Foreign Office is most energetic is ensuring that the strong relationships that have been nurtured over years by our diplomats and Ministers are used to reinforce and encourage progress and reform in all the countries with which we have relationships.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): I welcome the Secretary of State’s decision, but will he also have discussions with the Foreign Secretary? I listened to Karl Andree’s son on the “Today” programme this

morning, and it was clear from what he said that the Foreign Office’s interpretation of “regular visits” was not what he thought his father was receiving. Can we take greater care that our prisoners abroad are looked after properly?

Michael Gove: I understand from my hon. Friend the Minister for the middle east, who has taken a very close personal interest in this case, that he has been and will continue to be in touch with the family, and I know that every resource that we have to help Mr Andree is being deployed.

Bob Blackman (Harrow East) (Con): We rightly condemn barbaric regimes with which we have no relationship whatsoever, but Saudi Arabia is clearly a key ally in the middle east. As a friend, we have more influence. Will my right hon. Friend ensure that the House sends the message that the barbaric treatment of British people in Saudi prisons is unacceptable, and that he uses his influence to improve the prison system in Saudi Arabia?

Michael Gove: Our diplomats, operating in our embassy in Saudi Arabia, regularly visit any British citizens who may find themselves caught up in conflict or in the Saudi Arabia criminal justice system, and, as well as providing that consular support, we obviously exercise whatever diplomatic influence we can. However, my hon. Friend is right to stress that the broader security co-operation between Saudi Arabia and the United Kingdom is friendly, and that it is in the interests of our citizens for it to be maintained so that we can safeguard their security.

Fiona Mactaggart (Slough) (Lab): The Secretary of State has taken a sensible decision today. He also rightly pointed out that Britain’s role internationally is to encourage other countries to respect the rule of law and that our diplomats spend a lot of time campaigning against the death penalty. However, the rule of law in Saudi Arabia includes amputations and floggings. What will Britain do to try to encourage those countries whose law permits cruel and unusual punishment as part of their justice system to stop it, because that is not justice?

Michael Gove: The right hon. Lady makes a powerful point. It is important to recognise that Saudi Arabia is a deeply conservative country and is going through a period of transition. We want to encourage that transition and modernisation within that country while at the same time respecting the nature of any diplomatic conversation and any diplomatic relationship. That is why it is right that the Foreign Office—its diplomats and Ministers—continue the good work they are doing in encouraging the Saudi regime to adopt a more modern approach.

Mr Peter Bone (Wellingborough) (Con): The Secretary of State has explained very clearly this difficult balancing act. I want to know how it works in practice, because we have to work with countries whose human rights records we not approve of, but how do we actually approach this? Do we talk one to one? How is this actually done?

Michael Gove: We engage with the Saudi Government on every level. Of course it is the case that we have regular daily diplomatic contact. Consular support is

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given to British citizens in Saudi Arabia, too. It is also the case that there is a contact at ministerial level and head of Government level. As my hon. Friend recognised, there is a balance to be struck, and it must be guided first of all by Britain's national interest, which resides in keeping our citizens safe, but also in standing up for the values our citizens believe in and would like us to promote.

Valerie Vaz (Walsall South) (Lab): The Justice Secretary says the Government were interceding in the cases raised by my hon. Friend the Member for Hammersmith (Andy Slaughter). In the case of Raif Badawi, could the Secretary of State find out why the prosecutors are now asking for a retrial with a possible death sentence?

Michael Gove: That is a very important point, and the Foreign Office are in discussions with the Saudi Government about precisely that case.

Tom Pursglove (Corby) (Con): The *Telegraph* has reported in the last few minutes that the Foreign Office has been assured that the flogging will not be carried out. Can the Secretary of State clarify matters in that regard?

Michael Gove: It was always the case that our Foreign Office was seeking to ensure that no flogging would be carried out, and it is also important to stress that, understandably, press and media reporting of these events can sometimes be affected by strong emotional feelings, but it is also the case that even as these strong emotional feelings and powerful voices are raised, quietly and behind the scenes our diplomats and Foreign Ministers are working hard to safeguard the interests of British citizens, and we should be glad that the skills of our diplomats are being deployed in order to safeguard our citizens' interests.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): I have made several representations to both the Prime Minister and the Foreign Office—I am glad to see the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Bournemouth East (Mr Ellwood), in the Chamber—over the case of Ali Mohammed al-Nimr. I have yet to receive a reply. This young man is still due to be brutally executed by beheading and crucifixion. Would the Secretary of State perhaps like to comment on this case now within the context of the Saudi prison contract, and also in light of numerous brutal and repeated human rights abuses within Saudi, such as that of Mohammed al-Nimr, not to mention the fact that one person is executed every two days, often by gruesome and medieval methods? There is also the growing number of civilian deaths in Yemen by air strikes conducted by the Saudi Arabia-led coalition. I am wondering—and others will be as well—how the Government can continue to have such a close, intertwined relationship with the Saudis. [Interruption.] What can the Secretary of State tell us today to reassure people that the Government will not

continue to support and facilitate human rights abuses? I have heard in the Chamber as well that safety and security—[Interruption.]

Mr Speaker: Order. I have been very fair—some would say indulgent—to the hon. Lady. She must accept that her oration—it was more of an oration than a question—is, for now, over, but we thank her for what she said.

Michael Gove: We both know, Mr Speaker, that the hon. Lady feels very strongly about this issue and has raised it on a number of occasions. I am glad to say that my hon. Friend the Member for Bournemouth East, the Minister for the middle east, would be delighted to talk to her outside the Chamber to update her. There have been specific domestic reasons why, in Saudi Arabia, we have not had all the conversations we might have wanted to, but we continue at every point to ensure we make the case that we believe the death penalty is wrong.

Mr Speaker: If I and the House heard the hon. Member for Corby (Tom Pursglove) correctly, and if he is correct in his understanding, the barbaric flogging which has occasioned much interest today will not now take place, and I do not think the Secretary of State demurred from that observation.

Michael Gove: My hon. Friend the Member for Corby (Tom Pursglove) is at an advantage in that he has information that I do not have, but that is my understanding and that was what the Government were working towards.

Mr Speaker: I am most grateful to the Secretary of State for what he has said and to colleagues for participating in this exchange.

BILLS PRESENTED

HOUSING AND PLANNING

Presentation and First Reading (Standing Order No. 57)

Mr Secretary Greg Clark, supported by the Prime Minister, Mr Chancellor of the Exchequer, Secretary Theresa May, Secretary Michael Gove, Secretary Sajid Javid, Secretary Iain Duncan Smith, Secretary Patrick McLoughlin, Secretary Elizabeth Truss, Mr Marcus Jones and Brandon Lewis, presented a Bill to make provision about housing, estate agents, rent charges, planning and compulsory purchase.

Bill read the First time; to be read a Second time tomorrow; and to be printed (Bill 75) with explanatory notes (Bill 75—EN).

NEGLIGENCE AND DAMAGES

Presentation and First Reading (Standing Order No. 57)

Mr Andy McDonald presented a Bill to make provision about liability for negligence in relation to psychiatric illness; to amend the law relating to damages in respect of personal injuries and death; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 4 December; and to be printed (Bill 76).

No Fault Divorce

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

1.47 pm

Mr Richard Bacon (South Norfolk) (Con): I beg to move,

That leave be given to bring in a Bill to make provision for the dissolution of a marriage or civil partnership when each party has separately made a declaration that the marriage or civil partnership has irretrievably broken down without a requirement by either party to satisfy the Court of any other facts; and for connected purposes.

I am pleased to request the leave of the House to bring in a Bill to provide, during the court proceedings to dissolve a marriage, for the option of divorce without blame, often called no fault divorce. Let me begin by saying that I do not wish to make divorce “easier”, because I do not think divorce should be easy. Currently, one can get divorced in just five months, so what is called “quickie divorce” is already available. A couple wishing to take advantage of my proposal would take somewhat, but not inordinately, longer to get divorced—probably one year—but without any requirement to throw mud at each other, as is currently the case, and with more time for reflection on whether divorce was what they really wanted for themselves and their children.

Divorce is a tragedy. It would be better for us all if there were more stable and successful marriages and, as a consequence of that, fewer divorces. Indeed, just as the wedding ceremony states that a marriage is not to be taken in hand “unadvisedly, lightly, or wantonly” but rather “reverently, discreetly, advisedly”, so, at least in my opinion, should divorce only be countenanced in the same way, after the most profound reflection.

In English law, the only ground upon which a petition for divorce may be presented to the court by either party to a marriage is that the marriage has broken down irretrievably. Under the Matrimonial Causes Act 1973, the court hearing a petition for divorce shall not hold the marriage to have broken down irretrievably unless the petitioner seeking a divorce satisfies the court of one or more of five facts: that the respondent has committed adultery; or engaged in unreasonable behaviour; or desertion; or that the parties to the marriage have been separated for a continuous period of at least two years and the respondent consents to a decree being granted; or that the parties to the marriage have been separated continuously for at least five years.

The law did at one time, and quite recently, provide for a type of divorce known as no fault divorce under part 2 of the Family Law Act 1996, but this was never fully implemented. The provisions at the time were intended to achieve two ends: first, to save saveable marriages; and, secondly, to reduce distress and conflict when a marriage did need to be dissolved. However, that legislation had a difficult passage through Parliament. That was in part because of a lack of enthusiasm on the part of many—and opposition on the part of some—of the Government’s own supporters at the time. According to a House of Commons Library note, 112 Conservative Members voted against the Government in a free Commons vote on the retention of fault-based divorce. In order to save the Bill from defeat, the Government of the day

had to accept 137 amendments in the Commons. Many amendments had already been made in the House of Lords.

Some of the amendments reflected concern about the need to uphold the institution of marriage. Others were intended to ensure that the possibility of reconciliation be fully explored by the increased use of counselling and marriage support. Yet others reflected the wish that the interests of children should be given greater protection. The result was that what had started as a simple process became exceedingly complex. Indeed, the Labour party’s spokesman on the Bill in the House of Commons, the right hon. Paul Boateng, who is now in the other place, is said to have described the Bill as a “dog’s breakfast”. Although it passed on to the statute book as the Family Law Act 1996, the implementation of the new scheme was delayed while certain aspects of it were piloted.

As it turned out, the proposals foundered on the concept of information meetings, which were an integral part of the policy. Those meetings provided, in one place, general information about marriage saving as well as the divorce process, but what people wanted was information that was tailored to their individual circumstances. Participants welcomed receiving information, but for most people the meetings came too late to save the marriage and tended to cause parties who were uncertain about their marriage to become more inclined towards divorce. Furthermore, in the majority of cases, only the person petitioning for divorce attended the meeting. In the end, most of the provisions in part 2 of the Family Law Act 1996 were never brought into force and have now been repealed by section 18 of the Children and Families Act 2014, after the then Government concluded that they were “unworkable”.

The law as it stands creates its own problems. According to research carried out by YouGov on behalf of Resolution, which represents almost 5,000 family solicitors, more than 27% of couples citing unreasonable behaviour admitted that their claims were not true but were the easiest way of getting a divorce. Plainly there is a public interest in the justice system not encouraging people to make things up. There is also a contradiction in the current law. Although the whole thrust of current policy is supposedly about taking disputes away from the courts and towards reconciliation, mediation and alternative dispute resolution, people seeking a divorce who wish to avoid apportioning blame often find themselves required by the law to follow a path they do not wish to take. In effect, they are required to throw mud at each other.

There is now a widespread view among lawyers that this issue should be revisited. In March 2012, Sir Nicholas Wall, then president of the family division, said at the annual conference of Resolution:

“My position is very simple. I am a strong believer in marriage, but I see no good arguments against no fault divorce. At the moment, as it seems to me we have a system—so far as divorce itself is concerned—which is in fact administrative, but which masquerades as judicial.”

Lord Justice Munby, who now heads the family division, echoed this point of view, stating that it was time to consider removing the need for a judge to oversee “divorce by consent”. Actually, I beg to differ somewhat from those learned judges. I would prefer that judicial involvement remained. I say this not simply because the marriage contract is a contract—which, of course, it

[Mr Richard Bacon]

is—and the courts should therefore have some supervisory role, in some circumstances. On that basis, one might argue that the supervision of the courts was not always required. After all, there are many areas of life involving a contract freely entered into by two parties where, if the parties wish to terminate the contract by mutual consent, they can do so without detaining the courts for one moment. However, if one party does not wish to terminate the contract, the protection of the courts needs to be available. The same is true in marriage.

I would go somewhat further. My own view is that the breaking of a marriage is a step of such magnitude—with such potentially serious consequences for the whole of society, not least for taxpayers—that, unlike in other contracts, the courts should have some supervisory role, however minimal, in all circumstances. I agree with Lady Hale, the deputy president of the Supreme Court, when she said:

“We should make it take longer to get a divorce and encourage people to sort out what happens to the home, children, money before, rather than after, they get a divorce.”

The conclusion I draw is that the previous legislation—however well-intentioned—was trying to accomplish too much. I propose one simple amendment to the law: the option of divorce without blame. A petitioner who wished to do so, rather than offering the court one of the five facts currently required—adultery, unreasonable behaviour, desertion, et cetera—could instead satisfy the court that a marriage had broken down irretrievably with a sixth fact, namely that both parties to the marriage had separately signed a declaration that the marriage had broken down irretrievably.

This declaration would by itself satisfy the court without the need to show any other facts. It would apply only when both parties had agreed and, consequently, signed such a declaration. It would not in any way alter—or, still less, abolish—the existing concept of blame. Those who wished to avail themselves of the other provisions of the law which require blame—which may sometimes, although decreasingly so, be a factor in financial settlements and arrangements for children—could do so. My simple change would mean that those who wished to avoid apportioning blame in a divorce could do so. The only other provision in my Bill would be a cooling-off period of one year before a decree of divorce could be made absolute, so that couples would have time to reflect on whether a divorce was really what they wanted.

I would favour easier access to counselling. I would also favour more discretion for the judge to inquire into the intentions of the couple and the extent to which they had sought counselling. I would not object to making some form of counselling mandatory. These are all desirable, but it is not necessary to deal with all of them at once or in one Bill. These matters could be dealt with separately, if at all. Any attempt to reform the law on divorce should be modest in its ambitions, simple to understand and simple to implement. My Bill would not deliver all that some of the more radical reformers wish to see, but it would provide a route for divorcing couples to reduce acrimony and tension during what is already a very traumatic process, if they wished to use it. It would be more likely to gain widespread consent, and I commend it to the House.

1.56 pm

Sir Edward Leigh (Gainsborough) (Con): I thank my hon. Friend the Member for South Norfolk (Mr Bacon) for the way in which he has presented the case on this difficult matter. In one way, his arguments are very convincing. We heard all of them during the passage of the Family Law Act 1996, in which I took a great deal of interest. The then Government had a majority of one in the Standing Committee, and I was it. The Committee was very lively, loads of amendments were passed and many of these arguments flowed back and forth.

Some of my hon. Friend's arguments sound compelling, and people might ask why we have not had more debate on this matter. No fault divorce has been occurring around the world for decades—even for half a century in some places—and we now have the means to evaluate its impact. That is what I want to talk about today. Of course I would like to make the moral case for marriage and for a lifelong commitment to children, but the House probably knows my views on those questions and I am not going to convince anyone I have not already convinced by repeating them, so let us look at the evidence.

The social researchers have done their job and the evidence is now available. If this were merely a matter of allowing a few cases of obvious irrevocable breakdown to be dealt with more quickly, cheaply and less destructively, very few people would oppose the idea. It would be a common-sense thing to do. But, while that is what my hon. Friend seeks, very honourably, to achieve, that is not the sole impact of no fault divorce. Unfortunately, all the available evidence points to the introduction of no fault divorce having a large, widespread and demonstrable effect on the societies in which it has been introduced. That is true across the spectrum of developed nations, from Canada and certain American states to Sweden and elsewhere.

The Prime Minister was right to highlight last week the numerous social problems we have yet to tackle, and we now have a much better understanding of how fundamental marriage is to preventing many of those problems. Despite the obvious problems that sometimes occur in a marriage, the emphasis in recent years has been on strengthening marriage as an institution. Bringing in no fault divorce, while seeking to ameliorate one problem, would undermine that new appreciation by making divorce easier, and thus increasing the number of divorces. That is the crucial point.

Let us look at the evidence from Canada. In 1968, the year the divorce legislation was amended to provide for no fault divorce, Canada's divorce rate was 50 per 100,000 people. Within a year, that had risen to 150 per 100,000 people and by 1970 it had reached 300 per 100,000 people. That is a sixfold increase in just two years, after a century of relatively stable divorce rates. Scholars have noted similar results in US states correlating to when states introduced no fault divorce. The first significant study of no fault divorce was published in 1986, and all the further major published papers since then have concluded that the divorce rate increased at the same time as the introduction of no fault divorce. Do we want to increase the divorce rate? We know that the preponderance of evidence suggests that we will end up having more divorces and a higher divorce rate if no fault divorce is brought in.

What about the other impacts? A study in the US argued that 75% of low-income divorced women with children had not been poor when they were married, but Douglas Allen also points out in the *Harvard Journal of Law & Public Policy* that

“the real negative impact of the no-fault divorce regime was on children, and increasing the divorce rate meant increasing numbers of disadvantaged children.”

That is what is happening in the United States, but what about Britain? Let us look at the 2009 evidence review produced by the then Department for Children, Schools, and Families. That report found that a child not growing up in a two-parent family household is more likely to grow up in poorer housing; experience behavioural problems; perform less well in school and gain fewer educational qualifications; need more medical treatment; leave school and home when young; become sexually active, pregnant, or a parent at an early age; and report more depressive symptoms and higher levels of smoking, drinking and other drug use during adolescence and adulthood.

Family breakdown is one of the key drivers in poverty for women. The scholar Allen Parkman has discovered that women living in American states with no fault divorce worked on average four and a half hours more per week than their counterparts in fault-based states. It also serves to widen the gap between the rich and the poor even further; a University of Essex study shows that half of all single parents are living in poverty. Even in that bright Nordic wonderland of Sweden the all-powerful and ever-generous welfare state has proved totally ineffective at breaking the link between family breakdown and poverty. There, parental separation is the biggest driver into child poverty by a large margin; among children in single-parent families, the incidence of poverty is more than three times as high, at 24%, than it is for those in families with two parents, where the figure is 8.1%. Furthermore, the number of Swedish households in poverty headed by a single parent is more than four times the number of households in poverty headed by couples.

We all know that hard cases make bad law. My hon. Friend's motives in moving the motion are unassailable—they are even commendable. Not for a moment can we pretend that the current situation is good, efficient, useful or anything like ideal—I accept that. But when seeking to change that situation, we

need to make sure that our actions do not have unintended consequences that fix one thing and make other things much worse. In the face of all this social research and all this evidence—I have had time to go into only some of it—we cannot pretend that no fault divorce will, on balance, have a positive impact on our society. That is what we have to look to, and I have set out what the evidence shows.

As I said at the beginning of my speech, I am not making any argument to do with morality; this is about evidence, scientific research and observable outcomes. Parliament does not exist in a vacuum. A Bill to bring about no fault divorce would have implications throughout the country and I suspect that that is why successive Labour and Conservative Governments have, in the end, balked at it. Other developed countries have introduced it, so we are capable of assessing its likely impact. I accept that there can be no doubt that it will lead to a simpler, less traumatic, less costly way of dissolving marriages that have suffered irretrievable breakdown, but the evidence shows that it comes with further consequences. Do we want to see more disadvantaged children? Do we want to see women poorer? Do we want to see women working longer hours? Do we want to see the wide variety of social problems that the Prime Minister so justly highlighted in Manchester last week deepen further in our society? The answer must surely be no.

This is an important issue and it deserves further debate on Second Reading. I will therefore not attempt to vote down the Bill on First Reading. But before a Bill such as this is passed into law we have to pause, look at the evidence and consider its impact on the most disadvantaged in society. My view is that, after that Second Reading debate, we may well conclude, as our forebears did, that, for all its faults, the current divorce law is worth sticking with.

Question put (Standing Order No.23) and agreed to.

Ordered,

That Mr Richard Bacon, Mr Keith Simpson, Mr Henry Bellingham, Ms Gisela Stuart, Fiona Mactaggart, Kit Malthouse and Norman Lamb present the Bill.

Mr Richard Bacon accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 4 December, and to be printed (Bill 77).

Immigration Bill

Second Reading

Madam Deputy Speaker (Natascha Engel): I must inform the House that Mr Speaker has selected the amendment standing in the name of the Leader of the Opposition.

2.6 pm

The Secretary of State for the Home Department (Mrs Theresa May): I beg to move, That the Bill be now read a Second time.

If we are to continue building an immigration system that is fair to British citizens and people who come here legitimately to play by the rules and contribute to our society, we must ensure that it is balanced and sustainable, and that net migration can be managed. When properly managed, immigration enriches this country, as we benefit from the skills, talent and entrepreneurial flair that people bring to our society. But, as I said in my recent speech, when net migration is too high, and the pace of change is too fast, it puts pressure on schools, hospitals, accommodation, transport and social services, and it can drive down wages for people on low incomes. So we must achieve the right balance, rejecting both extremes of the debate, from those who oppose immigration altogether to those who want entirely open borders. That is why, since 2010, we have worked to build an immigration system that works in the national interest, one that is fair to British taxpayers and legitimate migrants, and tough on those who flout the rules or abuse our hospitality as a nation.

Over the past five years we have taken firm action to reform the chaotic and uncontrolled immigration system we inherited, and to ensure that people are coming here for the right reasons. We reformed the immigration rules for migrant workers and students, while continuing to welcome the brightest and the best. We have struck off nearly 900 bogus colleges since 2010, and at the same time we have seen a rise of 17% in the number of sponsored student visa applications for universities and a rise of 33% for Russell Group universities. We transformed the immigration routes for migrant workers and introduced a cap of 20,700 for non-European economic area migrant workers, and we have seen an increase in sponsored visa applications for highly skilled workers. We reformed family visas, to prevent misuse of that route, and we have made sure that people can financially support family members coming to the UK. We have also protected our public services from abuse by making important changes to the way people access benefits and the NHS.

Andy Burnham (Leigh) (Lab): It will not have escaped the House's attention that the Home Secretary has struck a markedly different tone in her opening remarks this afternoon from the one she struck at her party conference in Manchester last week. The change in tone is very welcome, but she said at her conference, in contrast to what she said just a moment ago, that the overall economic benefit of migration is "close to zero". Can she today give the House some evidence to back up that claim?

Mrs May: Nice try, but perhaps the right hon. Gentleman should read the speech I gave last week, as he would see that I am saying exactly what I said then. In that speech,

I also quoted the many reports, from the OECD and others such as the Migration Advisory Committee, that have made that judgment in relation to the economic benefit of migration.

The Immigration Act 2014 put the law firmly on the side of those who respect it, not of those who break it. We made it easier and faster to remove those with no right to be here, streamlined the appeals process in order to curb abuse, and restricted access to bank accounts and rental properties for people here illegally. Thanks to our reforms, more than 11,000 people who were in the UK illegally have now had their UK driving licence revoked.

New powers have already enabled us to deport more than 1,000 foreign criminals, requiring them to make any appeal from outside the UK after they have left. More than 8,000 proposed marriages have been referred to the Home Office, with 120 of them being identified as shams. More than £100 million has been injected into the national health service as a result of the new immigration health surcharge. Those achievements are helping us to build an immigration system that is fairer, stronger and more effective.

Ian Austin (Dudley North) (Lab): How can the Home Secretary describe those things as achievements when she has so lamentably failed to keep the promise that she made at the election before last, which was to reduce net immigration to the tens of thousands? The figure has in fact gone up to more than 330,000.

Mrs May: I can easily describe those things as achievements. They are achievements that the Labour Government, which ended in 2010, signally failed to secure. That Government did nothing, for example, about people coming to use the health service and then failing to contribute to it. We have changed the rules and more than £100 million has been injected into the national health service.

Caroline Lucas (Brighton, Pavilion) (Green): Does the Home Secretary not recognise that this is a nasty, punitive Bill that will inevitably risk yet more racism and discrimination and undermine the social cohesion that she says she cares about? At the very least, will she guarantee full financial compensation to anyone whose livelihood is undermined by action taken by immigration officers that later turns out to have been falsely and wrongly taken?

Mrs May: I will tell the hon. Lady what impacts on social cohesion. It is when our constituents see people here in this country illegally and able to continue to be in this country illegally. It is fair that we deal with those who abuse our system and who do the wrong thing. It is fair not only to people who have been born and brought up in the United Kingdom, but to those who have legitimately migrated to the UK, have played by the rules and have done the right thing.

Richard Fuller (Bedford) (Con): On my right hon. Friend's particular answer to that question, the problem is that it is very difficult for someone to see that a person is an illegal immigrant. What they see is someone who is different. Does she not accept that, within this law, there is the potential for discrimination to be increased if this is pursued too aggressively?

Mrs May: I recognise the concern that my hon. Friend shows in relation to these issues. He has taken a particular interest in matters relating to immigration, but I will repeat what I have just said to the hon. Member for Brighton, Pavilion (Caroline Lucas): it is only fair to people who come here, who make their contribution to our society and who play by the rules that we take efforts to ensure that those who have no right to be here and who are abusing our systems are dealt with appropriately. That is why it is important that we have taken action on things such as access to bank accounts and driving licences.

Graham Jones (Hyndburn) (Lab) *rose*—

Mrs May: I will give way to the hon. Gentleman, but then I must make some progress.

Graham Jones: The Home Secretary says that this Bill is the answer, but only 12 months ago we had another Immigration Act that was the answer. How many more Immigration Acts will we have from this Government in the next five years?

Mrs May: I sat in this Chamber for 13 years while a Labour Government were producing Acts time and time again. One thing that one learns in this role is that, in the immigration arena, one has constantly to be looking to see that the system is what it should be. There were some things that we were not able to do in the last Immigration Act that we are now able to do in this new Bill.

Mr Charles Walker (Bromley) (Con): Will my right hon. Friend give way?

Mrs May: I did say that I would make a little progress.

Mr Walker: Just very briefly, please.

Mrs May: I am sure that my hon. Friend will try to catch my eye later on. I will make a little more progress if I may.

I referred to our achievements and said that they were helping us to build an immigration system that is fairer, stronger and more effective, but if we are to ensure that we can protect our public services from abuse and that the system works in the national interest, and if we are to tackle the illegal labour market where vulnerable people are often exploited by unscrupulous employers and subjected to appalling conditions, then further reform is needed. The new Immigration Bill will help us to do that in a number of ways.

Part 1 is about tackling illegal working and preventing the exploitation of workers. The House will appreciate that illegal working is one of the principal pull factors for people coming to the UK to live and work illegally, but those who do so are particularly vulnerable and can find themselves living and working in dangerous and degrading conditions. The illegal labour market can also depress or hold back pay and conditions for the local sector, and undercut reputable businesses. Increasingly, we are seeing labour market exploitation becoming an organised criminal activity, and it is clear that Government regulators responsible for enforcing workers' rights are in need of reform.

In June 2014, the independent Migration Advisory Committee called for better co-ordination between the various enforcement agencies so that employment rights can be enforced more effectively. Members of this House have pressed that issue on many occasions. In our election manifesto, we committed to introducing tougher labour market regulation to tackle illegal working and exploitation. This Bill will allow us to do that. It establishes a new statutory director of labour market enforcement who will be responsible for providing a central hub of intelligence and for facilitating the flexible allocation of resources across the different regulators. In addition, this morning we published a consultation on the future of labour market enforcement, and I will place a copy of it in the House Library.

John Redwood (Wokingham) (Con): I welcome these measures to crack down on exploitative and illegal working—they are wholly admirable—but is not the easiest way to deal with illegal migration to say to someone when they first arrive in our country without the right papers, visa or permissions that they should leave then and not give them entry?

Mrs May: My right hon. Friend is right. If somebody is admitted at the border, or is found at the border without the right papers, without their visa and without the right to be here in the United Kingdom, they may be turned around and returned to the country from which they have come. As he knows, if somebody is able to come into the country by other routes and get here illegally, identification is rather harder.

Mr Charles Walker: What we must do in this country is get better at removing people when we discover that they are here illegally. What frustrates my constituents and their Member of Parliament is that the appeals process can go on for year after year. People have worked out that, once they have arrived in this country, it is very difficult for us to remove them.

Mrs May: My hon. Friend puts his finger on an important point. We have already been able to take some action in this area. We have reduced the number of appeals routes, from 17 to four, and, in the previous Immigration Act, we took some action with the “deport first, appeal later” arrangements, but that was restricted to a particular category of individuals. We will extend that in this Bill. Once again, we will ensure that it is easier for us to remove people who have no right to be here, without them having this continuous process of appeal after appeal.

Lady Hermon (North Down) (Ind): One major achievement of this Government is the introduction of the Modern Slavery Act 2015. As that was her legislation, the Home Secretary will know that it had specific defences for those who had been trafficked into the UK as a result of slavery. Will those defences be carried through in this Immigration Bill?

Mrs May: The defences that we have written into the Modern Slavery Act will still apply. Indeed, there are other areas where, if we take action in relation to abuse of certain parts of the system, that defence and that issue of trafficking will continue to apply. I spoke last week of using the so-called Spanish protocol. For example,

[*Mrs May*]

if someone comes to the United Kingdom from another European Union country and tries to claim asylum, the claim would initially be determined as inadmissible, but if there were evidence that someone had been trafficked, we would look again at the issue. Certainly, we will continue to have defences for those who have been trafficked.

I was talking about the establishment of the new director of labour market enforcement and the consultation document we have issued today. Once we have considered the responses to that consultation, we will strengthen the Bill further.

The Bill will also allow us to make illegal working a criminal offence. That will not only make Britain a less attractive place for people to come and work illegally, but will provide a firmer legal foundation for seizing earnings from illegal working as the proceeds of crime. Most employers obey the law, but we believe that a number of employers are deliberately turning a blind eye and not checking whether their employees have the right to work in the UK. That is not acceptable, so we will introduce tougher sanctions for these employers and make it easier to bring criminal prosecutions against them. We also know that a significant proportion of illegal working happens on licensed premises. Measures in the Bill will ensure that those working illegally or employing illegal workers cannot obtain licences to sell alcohol or run late-night takeaway premises. Immigration officers will also have new powers to close businesses where illegal working continues to take place.

Simon Hoare (North Dorset) (Con): The creation of the statutory director of labour market enforcement is very welcome, but to whom will he or she be accountable and through what mechanism will he or she report either to Parliament or to the Department?

Mrs May: There will be joint accountability to Secretaries of State—to me, as Home Secretary, and to the Secretary of State for Business, Innovation and Skills. That is important, because some of the operation on labour market enforcement takes place in the Home Office through the Gangmasters Licensing Authority and some through bodies in the Department for Business, Innovation and Skills, so there will be a joint reporting mechanism.

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

Mrs May: I will give way once more, then I will make some progress.

Mr MacNeil: I have raised this matter with the right hon. Lady during Home Office questions, and it concerns fishing boats, particularly on the west coast of Scotland. Those on the boats, and the communities and I, welcome migrants who come to work. Migrants have been deported against what we feel are the community's wishes and the wishes of those on the boats and the migrants. Migrant workers come here to work for a short period and get the money, and they usually go back to the Philippines and west Africa to work. What will she do to ensure that the community's wishes are respected? Can we have a situation like that in Switzerland, where visas are

spread through the cantons? The Scottish Government want to enable people who are wanted in Scotland to come to work in Scotland, but the argument in England is somehow stopping that, damaging our economy and tying up fishing boats as a result.

Mrs May: The hon. Gentleman knows full well that the operation of visa arrangements for the United Kingdom enables people who fit the requirements—for example, as a tier 2 worker—to come to the UK. However, on illegal working, there are parts of the fishing industry in which we have seen examples of people effectively being trafficked into slavery. It is important that we can undertake the enforcement needed to protect those people and identify them.

Mr MacNeil *rose*—

Mrs May: I think I have answered the hon. Gentleman's question, and I did say I was going to make some progress after I had responded to his intervention.

We have already begun to target illegal working through a co-ordinated approach that brings together agencies from across Government to prevent illegal working in high-risk sectors. My right hon. Friend the Minister for Immigration met industry leaders from the construction industry this morning to identify how we can work together to root out that particular problem.

Part 2 of the Bill is about access to services. We will tighten up access to public and other services to protect them from abuse by people who are here illegally. We have already introduced a requirement for landlords to check the immigration status of prospective tenants. It is only right for people to be able to access private accommodation if they are in the UK legally. That is only fair on people who play by the rules, who scrimp and save to buy their first home, and who come here legally and work hard. I hope that that is a point on which all Members of the House can agree. That is why we intend to roll the requirement out across the UK. However, the immigration status of a current tenant is not enough to allow a landlord to regain possession of his or her property. The Bill will remedy that legislative gap and make it easier for private landlords to evict people who have no right to be in the UK.

We will also create new criminal offences to target rogue landlords who repeatedly fail to carry out checks or take steps to remove people who are here illegally. Let me be clear that this is not about asking landlords to become immigration experts. Those who want to undertake simple steps will have nothing to fear and will not face prosecution or penalties.

We will also build on our measures to prevent people from driving while in the UK illegally. Historically, it has been far too easy for people illegally in the UK to obtain a UK driving licence and that is why, as I mentioned earlier, we created new powers under the 2014 Act to revoke UK driving licences belonging to people who were here illegally.

Ms Karen Buck (Westminster North) (Lab): Many of us live in areas, such as my constituency, that are already highly diverse. People who are foreign-born and black and minority ethnic residents of very long standing are disproportionately likely to be in the private rented sector. Can the Home Secretary assure me that the

proposals do not act as a discriminatory measure against those people or to prevent landlords from letting properties from those who are quite legitimately entitled to be here but who do not have the necessary proof? The Residential Landlords Association is deeply worried, so why has she not published the assessment of her own investigation?

Mrs May: We will. We made it clear yesterday during Home Office questions that we will ensure that evaluation results are published before the debate in Committee, so that people will be able to see what is happening. I absolutely agree with the hon. Lady that people in particular communities are perhaps more likely to rent than to buy or to be able to afford to buy their own properties. It is absolutely right that we should have a vibrant private rented sector, but it is in the interests of those who are here legitimately for places to be available for them that are not being taken up by people who have no right to be in the United Kingdom. That is what our Bill is doing.

Several hon. Members *rose*—

Mrs May: I will give way to the hon. Member for Brent North (Barry Gardiner), but then I will make some progress as a number of people wish to speak in the debate.

Barry Gardiner (Brent North) (Lab): I am very grateful to the Home Secretary. She will appreciate that a private sector landlord can have no knowledge of when a college has been deregistered by her Department and therefore when a tenant who is a student might be here illegally after the 60-day period has expired. That means that many landlords in student-dominated areas will be reluctant to take on tenants who have names that they regard as possibly foreign. That is the sort of discrimination that concerns many people in my area.

Mrs May: As I said earlier, we are not expecting landlords to be immigration experts. That is precisely why the Home Office has set up arrangements to provide the helpline and advice, so that it is simple for landlords to contact the Home Office and get the information that will help them make a judgment.

I mentioned the measures on driving licences earlier, and the Bill takes them a step further. We will create new powers to ensure that revoked licences are taken out of circulation and to strengthen the consequences for people using revoked licences. We will also make it a criminal offence to drive while unlawfully in the UK and we will provide a power to detain and forfeit vehicles used in the offence.

We will further restrict access to banking services. Under the 2014 Act, we took necessary steps to prevent people in the UK illegally from setting up current accounts with banks and building societies. The Bill will expand on these measures by creating an obligation for banks and building societies to carry out periodic checks on the immigration status of current account holders. When an account holder is identified as in the UK illegally, following a court order the account can be frozen or closed by the bank or building society.

Parts 3, 4 and 5 of the Bill are about removing from the UK people with no right to be here. Immigration officers already do an excellent job of enforcing our

laws and where appropriate removing people who are in the UK illegally, but we must do more. The 2014 Act shows that “deport first, appeal later” works when foreign criminals make human rights claims. Our manifesto committed us to extending that to all human rights claims. The Bill will now deliver on that commitment, allowing us to remove people with no right to be in the UK before they can appeal, provided that does not breach their human rights or cause serious irreversible harm. The Bill will also ensure that when foreign criminals are released on bail, we can satellite tag them so that we know their whereabouts, and thus better protect the law-abiding majority.

When people have no right to be in the UK, we expect them to leave, but some people are being sent the wrong message. The Bill reflects the Government’s commitment to providing support for destitute asylum seekers in line with our international obligations. However, those with no right to be here are expected to return home and the Bill will restrict the support we give to people who are here illegally.

Part 6 is about protecting our borders. It is imperative that we have control over our borders and know who is coming into the UK. Through the Bill, we will give our Border Force officers additional powers to intercept vessels at sea.

Mr Douglas Carswell (Clacton) (UKIP): I applaud the Home Secretary’s responsible measures in the Bill to control migration and I am sure that they will be widely supported throughout the country. Given that almost half of those settling in the UK last year were from the European Union, how can she achieve control of our borders without provisions in the Bill to control EU migration, notwithstanding our EU treaty obligations?

Mrs May: If I had been asked to put a bet on the subject that the hon. Gentleman was going to raise, I would have placed it on EU migration. As he knows full well, the Government have already taken some steps to reduce the pull factors for migration from inside the European Union through changes that we have made to the benefit system, and we have already set out further changes to the benefit system that we are looking to make in that regard.

Through this Bill, we will give our Border Force officers additional powers to intercept vessels at sea, as well as impose greater penalties on airline or port operators who fail to present passengers to immigration control. We must act now to prevent the unprecedented levels of people smuggling that we have seen recently and stop people unlawfully entering the UK—

Mr Alistair Carmichael (Orkney and Shetland) (LD): Will the Home Secretary give way?

Mrs May: I am going to make some progress.

Not only is border security crucial for immigration purposes, but it serves a vital public protection purpose protecting both the British public and people making treacherous journeys to reach UK borders.

Part 7 is about the language skills of public sector workers. At present there are many customer-facing roles that do not require the jobholder to speak fluent

[Mrs May]

English. Where communicating with the British public is a vital part of the job, fluent English must be a prerequisite.

Several hon. Members *rose*—

Mrs May: I am going to make some progress.

Through this Bill we will legislate to ensure that that becomes a reality. Today we have published a consultation on the code of practice that public bodies will have to comply with, and a copy has been placed in the Library of the House.

Part 8 establishes a new immigration skills charge for businesses bringing workers into the country. Currently, many businesses are hiring workers from overseas, rather than taking the long-term decision to train our workforce here at home. We need to discourage a default position of looking overseas to fill the skills gap, and the Bill will remedy that by introducing a charge for employers recruiting from outside the European economic area, which will encourage businesses to source skilled labour from the domestic workforce. The funds raised from the charge will contribute to training domestic workers and, in particular, to funding apprenticeships.

Fixing the immigration system cannot be done overnight. Despite the positive progress that has been made over the past five years, the system we inherited was riddled with problems. We must act now to stop rogue landlords and people smugglers exploiting vulnerable people, to protect our public services from abuse and to ensure that people with no right to be in this country are not allowed to extend their stay. This Bill will build on the progress made through the 2014 Act, ensuring greater fairness for British citizens and legitimate migrants, and making sure that the law comes down firmly on the side of those who abide by our laws and play by the rules. I commend the Bill to the House.

2.32 pm

Andy Burnham (Leigh) (Lab): I beg to move,

That this House, whilst affirming its belief that there should be firm and fair controls on illegal immigration including new immigration enforcement powers and immigration status checks on current account holders, and particularly welcoming proposals for a Director of Labour Market Enforcement and to strengthen sanctions to be applied to employers of illegal workers, declines to give a Second Reading to the Immigration Bill because the measures overall in the Bill will not decrease illegal immigration, will reduce social cohesion and will punish the children of illegal immigrants for their parents' illegal immigration, because the Government has failed to publish the report on the pilot Right to Rent scheme in the West Midlands which could cause widespread indirect discrimination and because the Bill enables the Home Secretary to remove from the UK migrants who are appealing against a refused asylum claim before the appeal has been determined, notwithstanding the slow appeal process and the high error rate in Home Office decisions.

Let me start by setting this debate in an essential and important piece of context and with a point that the Home Secretary skated over at the start of her speech: the most recent evidence is clear—immigration provides a net benefit to our economy. It is not, as was claimed last week, “close to zero” but, according to authoritative and independent research, can be quantified at around £25 billion. That migrants contribute more to the public

purse than they take out is a simple fact that cannot be repeated often enough in debates such as this. Similarly, in the NHS, we are far more likely to be treated by a migrant than to stand behind one in a queue. The culture and identity of our country—for centuries an open, outward-looking, seafaring nation—has itself been shaped by centuries of inward immigration, and it is all the richer for it.

David T. C. Davies (Monmouth) (Con): When I was on the Home Affairs Committee a few years, I put that very point to experts and I was told that nobody had ever worked out the costs of migration—the costs of providing health care, education and all the other public services that people take for granted—and done a proper cost-benefit analysis. Therefore I should like to know where the report that the right hon. Gentleman refers to comes from.

Andy Burnham: I can refer the hon. Gentleman to it. It is research carried out over a number of years by Imperial College, and I will be happy to send it to him. I suggest that he should perhaps spend more time looking at the evidence about immigration, rather than resorting to rhetoric, as I know he is wont to do.

All of that having been said at the beginning, the nature and scale of immigration to the UK has changed in the past decade, particularly since the expansion of the European Union into eastern Europe. Anyone who spent any length of time on doorsteps in the first half of this year cannot dispute the fact that immigration remains one of the highest concerns of the public, and the truth is that public and political debate has failed to keep pace with public concern, resulting in a feeling that the political class is out of touch.

Mr Stewart Jackson (Peterborough) (Con) *rose*—

Andy Burnham: That would be a good point at which to bring in the hon. Gentleman.

Mr Jackson: May I take the shadow Home Secretary back to academic evidence about the impact of immigration? Given that the labour force survey by the ONS in July found that 75% of eastern European migrants were in poorly paid work and that they were more likely to access benefits, can he point to any specific empirical data which support the concept that east European migrants do not have an impact on low wages, depressing them or pushing them down?

Andy Burnham: I shall come on to that. [HON. MEMBERS: “Ah!”] It is a fair point and I shall come on to it. May I again refer the hon. Gentleman and his colleagues to the research? The UCL Centre for Research and Analysis of Migration talks about the positive economic benefit of migration overall. He needs to concern himself with the evidence before he intervenes in the House.

As I said a moment ago, the House has not kept pace with public concern, and as I said in my speech to the Labour conference, I want to change that. People listening to debates in the Chamber or in the media will often hear politicians and business leaders make the point that I made at the beginning—that immigration provides an overall net benefit. Although this is true, and to take the hon. Gentleman's point on board, what such broad

statements fail adequately to acknowledge is that the effect of immigration is not uniform across the country, but that it has a differential impact in different areas.

Some of the most rapid changes have been felt in the poorest areas and former industrial areas away from the big urban centres. In my constituency, immigration has had an impact on job security, wages, access to housing and public services, but Parliament has been far too slow to acknowledge and act on those concerns. The danger is that that creates a vacuum and allows myths to flourish.

Mrs May: The right hon. Gentleman says that Parliament has been slow to accept that immigration can have an impact, particularly on people at the lower end of the income scale, driving wages down, and it can have an impact on public services. For the past five years, I and the parties in government have been saying precisely this, and the Labour party has been objecting and opposing that.

Andy Burnham: I am afraid I have to point out to the Home Secretary that she was not entirely factual at the Dispatch Box this afternoon. She said that the previous Government did nothing to restrict access to the NHS by illegal migrants. As Health Secretary I brought through measures to restrict access to the national health service. What I am setting out in my remarks today is a balanced approach, which she failed to do in hers. I recognised at the beginning the overall benefits of immigration to this country, but I am acknowledging that there are specific and legitimate concerns that need to be dealt with, because a failure to do that creates a vacuum and allows myths to flourish.

Given that, the right response is certainly not to respond in kind with rhetoric, but instead with practical and proportionate measures to restore public confidence that our system and our rules are both firm and fair.

Catherine West (Hornsey and Wood Green) (Lab): Will my right hon. Friend expand on how many prosecutions there have been in relation to minimum wage regulations and so on in areas of migration where there is clearly an issue in relation to the depressing of wages? How proactive have the Government been when employers have not adopted best practice?

Andy Burnham: There have been barely any prosecutions because the Government have cut the resources devoted to enforcement. I welcome the Home Secretary's proposal to create a director of labour market enforcement, but will she ensure that that director, whoever he or she is, gets to grips with the problem that my hon. Friend has just raised?

Ian Austin: The shadow Home Secretary is completely right to say that the costs and benefits of immigration are not shared across the country. Communities such as ours do not attract many millionaire American bankers, French City traders or German hedge fund managers; we have a completely different sort of immigration that puts pressure on public services. Does he agree that the benefits must be shared equally across the country to enable such communities to provide the housing, employ the teachers and all the rest of it so that we can cope with those pressures?

Andy Burnham: My hon. Friend is absolutely right. The challenge is to capture the benefits and then have rules that make immigration work for everybody. Let me give him two practical suggestions that I have put forward. First, I believe that we need changes to the EU free movement rules, as part of the renegotiation talks, to stop the undercutting of wages and protect the going rate for skilled workers. Secondly, I believe that unspent EU structural funds, which this Government are not drawing down, should be made available through a rapid migration fund to areas, such as his and mine, that face the biggest pressures on public services, for example to employ extra primary school teachers and GPs. At the moment those areas get no help in dealing with those pressures, so no wonder they feel neglected.

Mr MacNeil: I do not know whether the right hon. Gentleman saw yesterday's edition of the *Financial Times*, which mentioned refugees—we know how some people react to refugees. It stated:

“By streaming into Germany, but not into other eurozone countries, the refugees”

will contribute to

“an improvement in Germany's relative competitive position”

over the next 10 to 20 years. Refugees and migrants benefit the economy, the country and all of us.

Andy Burnham: The hon. Gentleman makes an important point. Overall, refugees tend to be younger and not to have dependants. Consequently, the figures I gave at the beginning, which show that they net contribute, rather than take out of the public purse, must be borne in mind when we engage in a debate of this kind.

Several hon. Members rose—

Andy Burnham: I will make some progress before giving way again.

As our reasoned amendment makes clear, we are prepared to support practical, proportionate and evidence-based measures that will achieve the stated aims of tackling illegal immigration and illegal working.

Mrs May: I am grateful to the right hon. Gentleman for his generosity in giving way to me a second time. He refers again to the fact that he quoted the net benefit of migration in his speech. In 2014 the Centre for Research and Analysis of Migration, when looking at the fiscal effects of immigration to the UK, estimated that migrants contributed around £25 billion to the economy between 2001 and 2011. However, looking at all the migrants who had arrived since 1995, the estimates produced by that organisation suggested a net fiscal cost of around £114 billion. There is some evidence for the right hon. Gentleman.

Andy Burnham: I am afraid that the right hon. Lady has not learnt the lessons of her experience in Manchester last week, when she made a number of assertions without having the evidence to support them. She has got the evidence that overall there is a net contribution—she just quoted it. She, more than anyone else in this House, should stick to the evidence at all times and not resort to rhetoric.

Several hon. Members rose—

Andy Burnham: I will give way in a moment, after I have made some progress.

I have said that we will support measures to create a director of labour market enforcement, building on legislation passed by the previous Labour Government, particularly the Gangmasters (Licensing) Act 2004. We also support many of the measures set out in part 3 of the Bill to improve enforcement and equip immigration officers with all the necessary powers to do their difficult job in a more complex and changing world. I am pleased to see the Government acting to address the weak points in the UK border, particularly at smaller regional airports and seaports. We support the measures set out in part 6 to tackle problems before people arrive in the UK by extending the reach of the Border Force into UK territorial waters.

John Redwood: The right hon. Gentleman made a very interesting point when he accepted that EU migration was causing problems in the labour market and difficulties with wages. He said that we should limit or change free movement. Can he just flesh out how he thinks we should limit free movement, because I think I would be with him?

Andy Burnham: When I mentioned that, in reply to my hon. Friend the Member for Dudley North (Ian Austin), I said that we wanted measures to protect the going rate, and then I heard noises from the Government Benches. Where were they when we were trying to get through the agency workers proposals and the posted workers proposals? If Government Members now support putting a floor beneath all British workers, that is a major conversion, but one that I welcome. Let us have a renegotiation that strengthens the workers' rights provided by Europe, rather than stripping them away. These are the changes that I want to see. Let us protect the wages of electricians and plumbers. Let us not allow them to be undercut by agency workers who come in and are employed on the minimum wage, beneath the wages of the skilled workforce. If we can agree on that ahead of the EU referendum, that would be a major positive consensus that we could take to the British public.

Several hon. Members *rose—*

Andy Burnham: I will give way to the hon. Member for Ochil and South Perthshire (Ms Ahmed-Sheikh), who has been very persistent.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): I am grateful to the right hon. Gentleman. I agree with much of the sentiment behind his remarks this afternoon. However, I recall during the general election campaign catching sight of the Labour party website, which appeared to be selling mugs stating, "Controls on immigration". Is this another example of a Labour U-turn, or is he in a full 360-degree spin on this issue as well?

Andy Burnham: I am not responsible for all Labour party merchandise. I did not purchase one of those mugs and I am not particularly proud of them. However, if the hon. Lady is saying that there should be no controls on immigration, I am afraid that we will have to part company on that, because there do need to be firm and fair rules to ensure that our immigration system works in the public interest.

Several hon. Members *rose—*

Andy Burnham: I will give way once more before making some progress.

Barry Gardiner: Does my right hon. Friend share my astonishment at the figures the Home Secretary quoted, because included in the figures that she quoted as costs were what most of us would regard as the investment in the education of children in this country who will in due course be productive in the labour force? To count that as a cost, rather than an investment, rather biases the figures in her favour.

Andy Burnham: I was surprised. A fact-check was issued on that very point, and it is quite clear that the central estimates in the paper by UCL's Centre for Research and Analysis of Migration suggests that European immigrants have made a net contribution of around £20 billion, and immigrants outside Europe make a small net contribution of around £5 billion—[*Interruption.*] The Home Secretary seems to dispute this, but that is why she got into trouble last week, because she did not have balance in her speech. If she is not careful she is going to develop a reputation for lacking balance on this issue.

Mr Steve Baker (Wycombe) (Con): Will the shadow Home Secretary give way?

Andy Burnham: No, I am going to make some progress.

The other measure that we support in the Bill is the requirement for all front-line public service staff to speak fluent English, which of course is a sensible proposal. However, I believe that, in legislating on these matters, we all have a responsibility to bear in mind at all times that this is the most difficult and sensitive of policy areas. Unlike other issues that we debate in this House, this one has the potential to cause real harm and strife in our communities.

We will support the Government when they get the balance right, but I want to be clear about what we will not do. We will not support legislation that is introduced in haste or that is not backed up by clear evidence. That is the problem with the Bill. Parts of it appear to have been drafted on the same beer mat and in the same pub as the Home Secretary's speech to the Conservative party conference in Manchester. It is legislation driven by a desire to be seen to be doing something and to get headlines.

Caroline Lucas: Does the right hon. Gentleman agree that international student numbers should be removed entirely from net migration figures, because otherwise we risk losing key international talent as well as undermining many local economies, such as Brighton's, that depend on them to a great deal?

Andy Burnham: I think that is where the Home Secretary is beginning to cut an isolated figure, as she did last week at her party's conference. I understand that her own Cabinet colleagues are making the same argument to her—the Chancellor of the Exchequer got dangerously close to making the same argument on his recent trip to China. The hon. Lady is right. If we are looking for an area where there is economic benefit to the country in

the long term, it is absolutely that of welcoming to this country students who will then commit themselves to the country for the rest of their working lives.

The critical response to the Home Secretary's speech last week did not come just from the usual suspects on the Labour Benches. *The Daily Telegraph* called it

"awful, ugly, misleading, cynical and irresponsible",

while the Institute of Directors, no less, dismissed it as

"irresponsible rhetoric and pandering to anti-immigration sentiment"—

serious words. They were not alone. The public can spot any attempt to play politics with this issue from a million miles away, and that is why the Home Secretary got the reaction she did. She claimed in Manchester that immigration was undermining social cohesion. I put it to her that legislating in haste without clear evidence and bringing forward half-baked, divisive measures is far more likely to do precisely that.

Mr Charles Walker: I know that the right hon. Gentleman is concerned about immigration, but the Leader of the Opposition, his boss, has said that there should be no borders in this country anywhere—forget the European Union. He said during the Labour leadership contest that we should have open borders. Does the right hon. Gentleman share that view?

Andy Burnham: I stood alongside him and he said no such thing, so I will move on from that pointless intervention.

A number of organisations—Amnesty International, the United Nations High Commissioner for Refugees, the Equality and Human Rights Commission, Justice, the TUC and the Joint Council for the Welfare of Immigrants—have expressed serious reservations about the Bill. They believe it could damage social cohesion, force children into destitution, undermine efforts to tackle human trafficking and modern slavery, erode human rights and civil liberties, and lead to widespread discrimination.

Let me take those issues in turn, starting with the potential for discrimination. Clause 12 in part 2 amends the Immigration Act 2014 to make it a criminal offence for a landlord to rent premises to an individual with no immigration status, punishable by five years in prison. The measure is intended to underpin the national roll-out of the Government's right to rent scheme, as the Home Secretary said. I am not against asking landlords to carry out reasonable checks of identity documents, as they already do, but there are a couple of points to make. First, landlords are not border or immigration experts, they are not trained in reading official paperwork from around the world, and they are not experts in spotting forged documents, so on what basis are we planning to outsource immigration control to them? Will not the regulatory burden that this will impose on landlords be way beyond the capacity that many can manage? Secondly, given all that, is it really proportionate to threaten them with jail, and will not that have a major impact on the housing market and the way it works?

The House will recall that in the previous Parliament the Government tried to bring forward the same proposals, but given the huge implications, not least for private landlords, they were forced to back down and pilot

them. A commitment was given to this House that the findings of the pilot would be presented to us before the Government proceeded any further. That was the commitment given by those on the Front Bench. We learned yesterday that that commitment will not be honoured. Although the Home Office has conducted its study, it will not present its findings until the Committee stage. That is not good enough. This House should not be in a position where it is being asked by the Home Secretary to vote tonight on measures that could have a huge impact in every constituency represented here today without evidence for what those measures might do. It is not just a discourtesy; it is downright dangerous. She is asking us to be complicit in legislating in haste, and this House should have none of it.

Let me explain why. We know that right to rent could cause widespread discrimination, not just against migrants but against British citizens. In the absence of the Government's study, an independent survey was carried out by the Joint Council for the Welfare of Immigrants. It found that in the west midlands, the pilot area, 42% of landlords said that right to rent had made them less likely to consider someone who does not have a British passport, while 27% were now more reluctant—as my hon. Friend the Member for Brent North (Barry Gardiner) has said—to engage with those with foreign accents or names. Those are very serious findings. Why on earth is the Home Office not presenting its own information to the House so that we can establish whether it is correct?

Barry Gardiner: The shadow Home Secretary will know that my constituency was the first in the UK to have more people voting at the last election who were born outside the UK but now had the right to live and vote here. The panic that these measures is causing among landlords in my constituency, and the fears that they have because of the uncertainties of this Bill, will mean widespread discrimination for incoming students and other people who landlords fear may get them into trouble. They simply will not rent these properties. That is a major problem for this Bill and for good community relations in this country.

Andy Burnham: The JCWI believes that the figures I quoted are likely to underestimate the scale of the problem because of the nature and timing of the survey, but also because the problems are likely to be magnified much further in London, where there is a much bigger private rented sector and many more migrants. It says that

"these proposals will only...deepen the discrimination"

that already exists against people like those in my hon. Friend's constituency who are seeking a tenancy.

When is the Home Secretary going to publish these conclusions, and why are we in this position today? In failing to produce the evidence, she has simply not made the case for the measures that she wants the House to vote on tonight. This is a major change in the law and she has not made the case for it.

Thankfully, the days when landlords displayed unwelcoming notices in the windows of their lodgings are gone, hopefully for good, but these document checks could legitimise a new wave of discrimination which, by being hidden, could be far harder to challenge. Only last week at the Conservative party conference, the Prime

[*Andy Burnham*]

Minister highlighted how young people from black and Asian backgrounds face discrimination when they send out their CV, purely on the basis of their name. He was right to do so, and it was refreshing to hear it from a Conservative Prime Minister. But if he was really genuine, this question follows: why is he legislating to create exactly the same situation—the same everyday discrimination—in the housing market against people with foreign-sounding names? If he really believed what he said, he should ask his Home Secretary to think again.

Let me turn to employment—another area where there could be major unintended consequences if the Bill passes in its current form. I said earlier that we support measures to tackle illegal working that build on the Immigration, Asylum and Nationality Act 2006, which I helped to take through as a junior Home Office Minister, but we have major reservations about the new offence of illegal working in clause 8. In the words of Justice, “it is unnecessary and risks undermining important efforts made over recent years to address issues such as trafficking and modern-day slavery.”

Justice does not believe the assurances that were given to the hon. Member for Brighton, Pavilion (Caroline Lucas) by the Home Secretary. The sanctions that could be applied to an individual range from confiscation of wages right up to imprisonment. Justice says:

“Fear of prosecution and imprisonment is likely to deter the vulnerable, such as trafficked women and children, who are working illegally from seeking protection and reporting rogue employers and criminal gangs.”

What evidence can the Home Secretary give the House to show that that would not be the case? More broadly, this new offence will merely strengthen the arm of unscrupulous employers and reduce the likelihood of any employee coming forward to report them. For that reason, rather than tackling illegal working, is not the Bill likely to have the opposite effect and potentially increase the size of the black economy?

Lady Hermon: May I push the right hon. Gentleman's party colleagues a little further? When campaigning to change the worst bits of this Bill—and there are some really dreadful bits—will they include the provision of guarantees whereby those who are trafficked as slaves through human trafficking and end up in the United Kingdom are given the same defences as those who are protected under the Modern Slavery Act 2015? Those defences must be replicated in this Bill. Will he confirm that his party will support those changes?

Andy Burnham: Justice does not accept the assurances that were given by the Home Secretary. I can therefore tell the hon. Lady that we will co-operate with her in Committee, if she takes part in it, to get those assurances into the Bill, because she is right to call for them.

Let me turn to human rights and civil liberties. The Bill extends the power of the Executive in a number of troubling ways. Part 4, as the Home Secretary said, proposes a major extension of the “deport first, appeal later” approach from foreign national offenders to all human rights claims. What case has the Home Office made to persuade Members that it can safely be given such sweeping powers? It has hardly covered itself in glory over the years with the speed or quality of its

decision making. Let us remember that this is a Department that today has a backlog of over 300,000 immigration cases—a Department where up to 50% of the initial decisions that it makes are found to be wrong on appeal. With these figures in mind, are we really ready to give the Home Secretary much greater powers to remove migrants before their appeals have been determined? Again, the Government are asking us to legislate before the impact of the last extension has been fully evaluated. The Equality and Human Rights Commission says that, by denying people the ability to be present at their own appeal, the Bill is potentially in breach of articles 6, 8 and 13 of the European convention on human rights.

I ask all colleagues on both sides of the House to think, before they vote tonight, of the genuine cases they have dealt with and the people they have got to know at their surgeries whom they have rightly helped to stay here in challenging a Home Office decision. They should think of them before they legislate to allow people in a similar position to be removed without being able to attend their own appeal.

Wes Streeting (Ilford North) (Lab): I can give my right hon. Friend exactly such an example. One of the many cases my office is dealing with at the moment is that of a Sri Lankan Tamil whose application has been refused and who bears the mental and physical scars of torture. His application is now on appeal. If the Home Secretary's proposals had been in place, he would already have been returned to Sri Lanka, where, given the human rights situation there, his life would potentially be at risk. I cannot support those measures and I do not understand how the Home Secretary can propose them.

Andy Burnham: I think that in their heart of hearts a lot of Government Members are not able to support the measures, because they have seen in their surgeries cases similar to that mentioned by my hon. Friend. They will know people who would have been deported if this Bill had been in place and who would not have been able to exercise their legitimate right to be present in person at their own appeal. That is why my hon. Friend is right to say that this is wrong.

The Bill also extends the power of the Executive to override the independent decisions of the first-tier tribunal with regard to immigration bail. It also allows the Home Secretary to impose bail conditions, including Executive electronic tagging. That raises important issues about the rights of people in our judicial system, and it could undermine the independence of our courts. Again, what confidence has the Home Office given us that it can be trusted with those powers? There is evidence that, under the coalition Government between 2011 and 2014, £15 million was paid out in damages for unlawful detention and abuse of the powers the Home Office already has.

Richard Fuller: Does the Labour party intend to table amendments to set a time limit for keeping people in immigration detention and to protect pregnant women and victims of torture, rape and international conflict from detention in this country?

Andy Burnham: Personally speaking, in my view those people and children should not be in detention. We need to take a look at how this country has approached

these issues over a number of years. I would be happy to work with the hon. Gentleman on a cross-party basis, to address those issues. That is what we should do.

My final concern with the Bill relates to vulnerable children. *[Interruption.]* These are important issues and the hon. Member for Northampton North (Michael Ellis) would do well to listen to them before rushing into the Lobby to vote for the proposals without any evidence to support them.

Clause 34 proposes to remove support from families with children. Let me be honest—that was piloted by our Government, but it was rightly abandoned because of the effects it had. In a parliamentary debate in 1999, when those provisions were suggested, it was said that

“all children on British soil should be given the same protection...no child should go without protection...We are concerned about the welfare of children, who should not suffer under any circumstances, whoever their parents are and whatever their basis for being in the country.”—*[Official Report, 16 June 1999; Vol. 333, c. 418-421.]*

Those are fine sentiments, and they came from the then Conservative Opposition. I say to Government Members that what was right then is right now. No child should face destitution in our country, whoever they are, wherever they come from.

One of the most powerful moments in the Prime Minister's conference was when he talked about his response to the photograph of Alan Kurdi. It was powerful because it spoke to our common humanity and our instinct to protect children, whatever their circumstances. That is why the Bill is not supportable until those measures have been dropped.

In conclusion, the House will notice that we have not gone down the route of outright opposition in framing our response. As I said at the beginning, there are measures we support and we have set them out in our reasoned amendment. However, when balanced against the other concerns that I have highlighted in my speech, the scales tip towards preventing the progress of the Bill.

If the Government are prepared to change the Bill to address the fundamental problems I have outlined, I would be prepared to reconsider our position. As long as they stay in, however, we will take a stand against them for what is right and for what we should represent as a country.

The truth is that the Bill is driven by the wrong motive—a desire to be seen to be doing something, to generate headlines. That is the problem that lies behind it. Such is the scale of the Government's failure on immigration, as my hon. Friend the Member for Dudley North said, and such is the size of the gap between the rhetoric and the reality, that they are now resorting to ever more drastic, desperate measures to give the impression of action.

The Government promised to cut net migration to tens of thousands. It currently stands at a record 330,000 and there is no evidence to suggest that anything in the Bill will bring that down. There is evidence, however, to suggest that it could cause real harm in every constituency represented in this House.

Government Members might be happy to legislate without evidence, but we will not follow them. We will give no support to a Government pandering to prejudice and legislating in haste to make Britain a more hostile and unwelcoming country. That is why I move the

reasoned amendment standing in my name and those of my right hon. and hon. Friends. If it falls, I will ask the House to oppose this unpleasant and insidious Bill.

3.6 pm

Mr Stewart Jackson (Peterborough) (Con): I congratulate the right hon. Member for Leigh (Andy Burnham) on his new role as shadow Home Secretary. I also congratulate the Government on introducing this vital Bill and pay tribute to the Home Secretary for her courage in the face of the *bien pensant* commentariat and the liberal elite. What she did last week was articulate the views of millions of people, including many in my own constituency.

I welcome the Bill, especially those measures that will have a significant impact on illegal working and on illegal immigration in relation to the housing sector, particularly the right to rent. I am puzzled by the right hon. Gentleman's remarks, because surely he can see that such housing proposals will ameliorate the sometimes pitiful condition immigrants find themselves in as a result of rapacious slum landlords. He does not seem to recognise that.

The Bill also specifically establishes the common sense premise that it is we—this sovereign Parliament—that should ultimately be responsible for who comes to our country, not some supranational body such as the European Union. Frankly, if it is good enough for the Germans to casually disregard the Schengen agreement in an emergency, we should at least, in a measured, reasonable and moderate way, be able to make our own policy.

Wes Streeting: Perhaps the hon. Gentleman could give us some insight into what the Prime Minister is asking for in his renegotiation, specifically on freedom of movement and migration.

Mr Jackson: That is a fair question, but it is way above my pay grade, so I will move swiftly on. I will, however, touch on those issues later.

The fact is that the Labour party has not learned any lessons. It has collective amnesia about what happened on 7 May. The reason it got only 232 seats is that very many of its bedrock, blue-collar supporters did not trust it on immigration and decided to elect other people—or, indeed, to vote for a party such as UKIP—because they trusted them more. That is lamentable, but that is what happened to the Labour party, although you would not think it to listen to them.

The Government also have a very strong mandate to introduce this Bill, as a result of an overall majority. It is certainly the case that, for the first time in probably 25 years, immigration is the No. 1 issue for voters. According to an Ipsos MORI poll at the end of September, it is more important than the health service, the economy, jobs and the environment—56% of people said that the No. 1 issue was immigration.

At least the former shadow Chancellor had the good grace, at the 2014 Labour conference, to apologise for the big errors that were made under the Labour Government, particularly in respect of the free movement directive. What I found positive in the speech of the right hon. Member for Leigh is that he is prepared to

[Mr Jackson]

look at the directive's impact on certain areas, whether Leigh, Dudley North, Peterborough or other parts of the country.

Goodness knows, we have to address this matter because it is a major issue of concern. In my constituency, unrestricted immigration, largely under the Labour party—to the extent that 34,000 national insurance numbers were issued to EU migrants between 2004 and 2011 in a city of 156,000 people—has had a big impact on the delivery of core public services such as housing and health. We have a primary school places crisis in my constituency because of the sheer weight of the number of people coming from the European Union. Yes, we welcome people who are hard-working, decent, civic-minded and law-abiding and who will accept our British values, but we cannot cope with unrestricted immigration. In that respect, this Government are doing exactly the right thing.

As the right hon. Gentleman and the House may know, on 31 October 2012 I introduced a ten-minute rule Bill to disapply the European Union free movement directive 2004. That was not a Europhobic response of closing the doors; it was about nuancing and finessing the free movement directive—the pull factors—as has been done in places such as Spain, which has suffered from the problem of 50% youth unemployment. Unfortunately, the Government did not take on board those arguments at the time. I commend them for now doing so. We should establish the fact that we believe in the free movement of labour and people; yet I do not think that it is unreasonable for us to make a value judgment on the people we want to come to our country. The free movement directive has not been nuanced in the way it should have been.

No evidence has ever been produced—both Migration Watch and Balanced Migration have made this point several times—that immigration is necessarily “a good thing”. There is no evidence for that. There is perhaps no evidence that it is a pernicious or bad thing, but there is certainly no cumulative evidence, in terms of the delivery of public services, that it is a good thing. If I take only the issue of low wages, it is obviously the case, as is proved by what data there are, that although immigration may not drive down wages, it certainly restrains wages at a certain level for indigenous workers, particularly low-skilled people or those with no skills and young people.

David T. C. Davies: Is my hon. Friend aware that the UCL report mentioned by the right hon. Member for Leigh (Andy Burnham) came from a university that has lobbied heavily for more immigration, presumably so that it can make money and line its own pockets from people coming here? Is he aware that the conclusion to which the right hon. Gentleman referred was based on one of various different scenarios and that the figures have been taken apart, as I have already found out just by looking it up on the internet?

Mr Jackson: I think that was the CReAM study, but it was certainly not the cream of the crop because it looked at the most optimistic scenarios and its methodology has been disputed by many other academics.

We simply cannot countenance a net migration figure of 330,000. Migration Watch was criticised some years ago for predicting—accurately—that 50,000 Romanians and Bulgarians would come to this country. As I have already mentioned, they have a higher preponderance to become benefit recipients. That may not be the case for all non-EU migrants and for first-stage EU migrants—those from France and Germany—but it certainly is the case for second-stage migrants. Why would it not be the case, given that wages are demonstrably much lower in places such as Romania and Bulgaria than they are in the UK, so they get paid less than other people while working here and they claim more?

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Will the hon. Gentleman give way?

Mr Jackson: No, I must make some progress.

There is a problem and it must be looked at. Let us consider schools: three in five schools will experience capacity problems by 2018. There are major issues in Peterborough, as I have already said. Some 68% of primary school pupils in my constituency do not speak English as their first language. That in itself is not necessarily a bad thing, but it inevitably has an impact on attainment given the resource implications for teacher training and for getting teachers with the right skills. Actually, when a Polish child speaks good English, they flourish, for instance in science and maths, but that is very difficult without specific help.

In 2013 it was estimated, I think by the Department for Communities and Local Government, that it cost £140 million a year to provide translation and interpretation services. That is a major issue, and I have already mentioned healthcare and housing.

Ian Austin: Will the hon. Gentleman give way?

Mr Jackson: No, I do not have the time, and you are looking at me in an admonishing way, Madam Deputy Speaker. May I just say two things? If I were to bring out my inner Marxist, I would say that of course big business, such as that represented by the Institute of Directors, wants to continue to import low-paid workers to drive down costs—bears do their ablutions in the wood, the Pope is still Catholic, and big business always wants people to come into this country and outprice indigenous workers—but would that big business concentrated more on apprenticeships, long-term planning and training.

Finally, let me say that I wish the Prime Minister well in his work towards finding a settlement in his negotiations with the European Union, but it is massively important that the centrality of the free movement directive is at the heart of it. I tell the House that pocket-book issues—people's jobs and future, and prosperity and growth—are important, but if people feel that there will ultimately be an irrevocable cultural change in their country that they can do nothing about, they will vote to leave the European Union. He must be very mindful of that.

Thank you, Madam Deputy Speaker, for your indulgence. We have a lot to be proud of in this country in relation to the work we have done for genuine asylum seekers, as a beacon of hope across the world and as the No. 1 country in the world for soft power, but that is not

the same as tacitly agreeing with, doing nothing about and turning a blind eye to illegal immigration. This is a good Bill that is long overdue. It is supported by my constituents and the British people. I wish it well, and I will support it enthusiastically tonight.

Several hon. Members *rose*—

Madam Deputy Speaker (Natascha Engel): Order. Before I call the SNP spokesperson, who will not be subject to a time limit, I must say that 33 Members wish to speak in the debate, which means that after he sits down there will be a limit of six minutes per speech. With that in mind, I call Stuart C. McDonald.

3.17 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I, too, congratulate the right hon. Member for Leigh (Andy Burnham) on his new role. I agree with much of what he said. We on the SNP Benches acknowledge, are proud of the fact and prefer to emphasise that people who choose this country as their new home make a tremendous contribution to our public services, our economy, our culture and, most importantly for many of our citizens, our family lives.

From our point of view, the Bill does not deserve a Second Reading because—it is important to put this on the record—we regard the Government's net migration target of tens of thousands as entirely unhelpful, as well as utterly unrealistic, and the Bill will bring its realisation not a second closer. Indeed, I genuinely doubt whether any member of the Government thinks that that target is achievable. That is why it is fundamentally dishonest to continue to go through the motions of pursuing it. A target that is virtually impossible for the Government to deliver can only further undermine public confidence in government and in immigration control. A Bill designed to pursue a bad target is likely to lead to bad law, and so it is with this Immigration Bill. In a sense, this is immigration theatre: the Government want to be seen to be doing something, so they go through the motions of yet another Immigration Bill—and to hell with the consequences.

That is our starting point in considering the Bill, and although that is clearly one of the key issues we need to address, the other issue that all hon. Members must consider, regardless of whether they agree with us about the net migration target, is different. For even those in the Chamber who want immigration to be cut back need to ask themselves: what will the Bill achieve in reality, where is the evidence for that and what will the cost be in terms of civil liberties, human rights, the rule of law, community cohesion and the other aspects of life in this country that we hold dear? Regardless of one's starting point in this debate, when those simple tests are applied, the Bill fails them utterly. It therefore does not deserve a Second Reading.

The Bill fails those simple tests because if it is to be effective and achieve anything, it requires effective Government agencies. Is there any area of policy where the Government have proven less effective, reliable and up to the job than immigration? John Reid described the immigration directorate as “not fit for purpose” in 2006. Just two years ago, the Home Secretary said that “the performance of what remains of UKBA is still not good enough.”

She described it as a “troubled organisation” that “struggles with the volume of its casework”.

She criticised its IT systems and its reliance on manual data entry and paper files. She said:

“The agency is often caught up in a vicious cycle of complex law and poor enforcement of its own policies”.—[*Official Report*, 26 March 2013; Vol. 560, c. 1500-1501.]

She abolished the UK Border Agency.

Are we really to believe that UK Visas and Immigration is now so well organised that we can feel comfortable providing it and its officers with swathes of new powers and responsibilities, while sweeping away its accountability to courts and tribunals? The Home Secretary may be formidable but, with respect, she is not a miracle worker. Another round of viciously complex legislation is the last thing we need, as anyone who deals with UK Visas and Immigration, including hon. Members, will surely understand.

The Bill also fails the tests because to be effective, it will rely on civilians, including landlords and landladies. We are setting off down a road of amateur immigration control, as if we are to become a nation of immigration officers. Again, anyone who deals regularly with immigration work, including hon. Members, will be well aware of what a complex issue this is. It is not one in which it is appropriate for amateurs to be involved in enforcement. As with decisions of the Home Office, we search for vain in the Bill for proper rights of appeal and redress against amateur enforcement decisions. Indeed, judicial scrutiny of evictions is torn apart.

The Bill fails because it is not based on evidence of what is effective in ensuring that immigration rules are complied with, as the shadow Home Secretary said. The clearest example, which he set out, is the so-called right to rent provisions. The House was assured by Ministers that the right to rent legislation would remain light touch and be tested thoroughly, with the results of the tests being used to inform further development. Yet here we are, several months after the Prime Minister announced its roll-out, with proposals to move away from the soft-touch approach envisaged by hon. Members. The House is yet to see the results of the Government's pilot scheme. I agree with the shadow Secretary of State that that is a most unacceptable way of treating the House.

What was the point of the Government consulting on asylum support, when the Bill was published just a week after the consultation closed, without any Government analysis of the responses, let alone a reaction? Much of the evidence that is available on employment, right to rent and asylum support suggests that the Bill will, in some respects, make immigration control more difficult by driving people and families away from regular contact with immigration authorities. This is a politically motivated, rather than evidence-led, piece of legislation.

The Bill not only fails the tests but becomes dangerous when we consider the costs that will come with it. Even if it might somehow shave a pitiful few thousand off the net migration figure, what price are we paying to do that? The effects of the Bill should appal traditional Conservatives. It will tie up landlords and landladies in immigration red tape and put them at risk of prison sentences. It will arm immigration officers with broad new powers. Most fundamentally, it will strike a significant blow against community cohesion.

[*Stuart C. McDonald*]

The Home Secretary spoke about community cohesion last week, yet her Government's explicit and almost dystopian goal is to create a "hostile climate", as if we can hermetically seal off the bad migrants, while the rest of the multicultural UK goes about its business as usual. That approach reached its lowest ebb with the horrendous "go home" vans, which illustrated the key point that the hostile climate that the Government seek to create affects all of us who live in it.

Patrick Grady (Glasgow North) (SNP): Will my hon. Friend join me in commending the work of the integration networks in cities and communities across Scotland? During the recess, I visited the Maryhill integration network, which does a huge job in helping people to adapt to Scottish society. The stories that I heard from immigrants and asylum seekers there would be enough to make anyone weep. Ministers ought to meet the integration networks to experience at first hand the issues that face asylum seekers in our country.

Stuart C. McDonald: That is precisely the sort of work that the Government should support, rather than going through the motions of pursuing their impossible net migration target.

Andy Burnham: I am grateful for the spirit in which the hon. Gentleman has introduced his remarks and for what he has said. He talked about right to rent. Does he agree that, in the absence of any evidence from the Government on the pilot, we have to accept what has been produced by the Joint Council for the Welfare of Immigrants? As I said in my speech, its findings are extremely troubling. If we accept those findings, it is impossible to support the Bill tonight because of its potential to cause widespread discrimination against British citizens too.

Stuart C. McDonald: I agree with the right hon. Gentleman. I, too, have read the JCWI report and will refer to its findings shortly.

In summary, the Bill pursues the wrong goals by the wrong methods and at tremendous cost, so we should decline to give it a Second Reading.

I shall outline briefly our views on the key clauses and my hon. Friends will expand on those views in the course of the debate. Not wishing to be relentlessly negative, let me turn first to one part of the Bill that is positive. We welcome the provisions at the start of the Bill that will establish a director of labour market enforcement. We have questions about resourcing, powers and whether all the necessary agencies will be involved, but the principle has our support. We agree that the focus of our attention should be on employers who exploit undocumented labour to the detriment not just of undocumented workers, but resident workers who are competing for jobs and businesses that comply with the rules.

Drew Hendry: The Government say that they want to tackle slavery and exploitation. Does my hon. Friend agree that these measures will drive more people into vulnerable situations and put them at risk of being exploited in the labour market?

Stuart C. McDonald: I agree with my hon. Friend that the Bill holds that risk. I will turn in a moment to the criminalisation of working, which might cause that problem.

Sammy Wilson (East Antrim) (DUP): The SNP spokesman is right that there should be a greater emphasis on employers who employ illegal immigrants, but does he accept that even the powers that the Government have at present are not being used against employers? Looking at civil penalty notices, less than half have been paid, a third have been written off and the rest remain unpaid. There does not seem to be enforcement against employers even under the legislation that is available.

Stuart C. McDonald: Once again, I agree absolutely with the hon. Gentleman. It has been a habit in the field of immigration to take the approach that if at first you don't succeed, legislate and legislate again. We do not need constant legislation but to use the powers that the Government already have.

The Government must focus on enforcement. We agree that we should look again at further sanctions for those who exploit undocumented labour. We will therefore look sympathetically but carefully at the wording of the proposed amended criminal offence for employers.

We have significant concern about the proposals to criminalise undocumented workers contained in clause 8. The notion of criminalising a person for working is controversial, especially given that prosecutions are already possible for breaches of immigration law under section 24 of the Immigration Act 1971, as the hon. Member for East Antrim (Sammy Wilson) said. The problem is an absence not of criminal sanctions but of proper enforcement measures by Government agencies. We believe strongly that the speculative possibility of shaving a small amount off the net migration target will be outweighed by the significant danger highlighted by organisations that work with victims of trafficking, and that some of the most vulnerable workers will be put in an even more vulnerable position. The Home Secretary and the Government have done good work on trafficking, slavery and exploitation, and it would be sad if that were to be undone by pushing exploited workers even further underground because of the fear of criminalisation. If that is the effect, such measures will make immigration and labour market enforcement harder rather than easier.

Another area where dangers outweigh speculative benefits concerns the right to rent provisions. The shadow Secretary of State referred to the helpful study by the Joint Council for the Welfare of Immigrants. Its findings are absolutely stark, and include poor compliance and widespread ignorance among the unfortunate landlords and landladies who are supposed to police the right to rent. More significantly, those findings suggest that landlords are—perhaps understandably—less likely to consider someone who does not have a British passport, which includes more than one in six of the UK population. There were also increased feelings of discrimination among people who have been refused a tenancy. We therefore object strongly to these proposals as they can only exacerbate such problems. We are equally opposed to the fact that the new more punitive measures—and indeed other measures on licensing—can be extended to Scotland by subordinate legislation without full

parliamentary scrutiny in this Chamber, and without the consent of the Scottish Parliament where decisions on housing should be made.

We have serious concerns about part 3 of the Bill which, in combination with other measures, would deliver a stunning extension of powers to immigration officers and others who are not part of the police force, and not trained or supervised accordingly. Although we intend to support the reasoned amendment, we have some difficulties with this area, and it would be useful if, when winding up the debate, the spokesperson for the official Opposition could say a little more about what new enforcement powers they want.

The Bill provides immigration officers with significant new powers to enter premises, search, seize, retain and arrest, and all in the face of serious reported abuses and evidence of the inefficient exercise of existing powers. We agree with Amnesty International that

“the Home Office should be concentrating on improving its performance with the powers it already possesses rather than being handed still more powers”

and we would require the Government to make a strong case for each new power before we could support them.

Equally troubling new powers are provided to the Home Secretary on bail conditions, which we believe undermine the authority of the independent tribunal. We saw in September that there is widespread cross-party support in this Chamber for changes to immigration detention, but those are not the changes in the Bill. That cross-party support included demand for a 28-day time limit for immigration detention. If the Bill receives a Second Reading, we look forward to tabling an amendment that will include such a time limit, and we will happily work with others to secure that.

Continuing the trend towards a limitation of appeal rights, part 4 of the Bill provides for a sweeping extension of powers to require people to leave and appeal from abroad should an application for an extension of leave be rejected. Let us remember that huge numbers of these appeals are successful, yet they will become infinitely more difficult if appellants are moved hundreds, if not thousands of miles away from their lawyers and their appeal hearing—an unfair immigration trial in absentia. UK citizens will be affected, because if this issue principally concerns family life appeal rights, that disruption will be to family life with those British citizens—families will be split apart; valuable jobs and support will be lost.

Finally, we object to the fact that “destitution” is once more the immigration policy of choice in part 5 of the Bill. We share the concerns of British Red Cross that the provisions in this Bill, including an end to section 95 support for families with children who have exhausted their appeal rights, will force families with children into destitution and put them at risk of harm. Such a measure will also increase the risk of families absconding, and pass a significant increase in costs to local authorities who will still have a duty to prevent children from becoming destitute. The shadow Secretary of State rightly acknowledged a similar pilot project by a previous Labour Government, which found that 35 out of 116 families had disappeared, losing all contact with immigration services. Such measures make immigration control harder, not easier. Again, when the evidence is considered, it tends not to support the Bill.

These are not our only concerns with the Bill, and my hon. Friends will add to my criticisms. Declining the Bill a Second Reading is just a starting point, and the Scottish National party believes that we should be rolling back from the mistakes made by the coalition Government. We should go back to the drawing board to consider how we measure a successful immigration system. At very least we should recognise that it is utterly inappropriate to include refugees, people's husbands, wives and children, as well as bright young talent and the leaders of tomorrow who want to come here to study. We should get rid of the so-called right to rent provisions, not back them up with criminal sanctions. We should roll back the financial thresholds imposed on spouse and partner visas that are driving couples apart and creating what the Children's Commissioner for England has called “Skype families”, and we should end the routine use of immigration detention.

We should address the concerns and challenges that can be caused by migration trends, and instead of scrapping schemes such as the migration impacts fund we should look at improved versions. We should consider schemes that encourage new arrivals to live in those parts of the UK that require them and will benefit from them most, including Scotland. Let devolved nations and regions have powers on immigration.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): On that point, I note there is a skills shortage occupation list for Scotland. Does the hon. Gentleman agree that there should be a skills shortage occupation list for Wales, too?

Stuart C. McDonald: I fully support such measures.

Finally, we must listen to the hugely influential legal figures who told us yesterday that the Government have got it wrong on the refugee crisis. We must introduce safe and legal routes to the UK, as well as to the EU, through broader and more humane family reunion rules, humanitarian visas and relocation schemes for those already in Europe, as well as resettlement schemes for those still in the crisis area. Those are the steps that we would want an honest, bold and forward-thinking Government to take. Instead, we have a regressive, illiberal, ill-considered and inhumane Immigration Bill that should be denied a Second Reading.

3.35 pm

Damian Collins (Folkestone and Hythe) (Con): I rise to speak in support of the Bill, which addresses a very serious issue in a way that confronts the facts as they stand.

I have the honour of representing the Folkestone and Hythe constituency, which includes the channel tunnel. This summer, my constituency was 30 miles or so from the frontline of the migration crisis as it confronted the UK. In the camp outside Calais, known as the jungle, thousands of migrants are waiting to enter the UK. The truth about the conditions in those camps is that we do not know who people are or where they have come from. We do not know which ones are legitimate asylum seekers and which ones are not. Of the surveys done by numerous people who visited the camps during the course of the summer and previously—this is not a new phenomenon—it is quite clear that people in the camps are seeking to enter this country without being detected,

[*Damian Collins*]

without papers and without tickets. They are looking to enter this country without being noticed by the authorities, and then to work, live and be accommodated here without being noticed by the authorities. Some are doing this voluntarily, but others are putting their lives in the hands of dangerous gangs who are trafficking them across Europe and into this country, and who seek to exploit them when they are here.

Anne McLaughlin (Glasgow North East) (SNP): Will the hon. Gentleman tell me more about those surveys? Who carried them out? How many people did they speak to? Did they have a box to tick that said, “I am trying to sneak into your country undetected”? That is what it sounds like to me.

Damian Collins: The hon. Lady can look at any number of reports made during the summer by various organisations that visited the camps. Why does the hon. Lady think that people are storming the channel tunnel at Coquelles every night? Why does she think people are storming the port of Calais? It is not because they have tickets, visas and passports to come here; it is because they are seeking to enter the country illegally. In doing so, it is clearly evident they are endangering their lives and the lives of other people who use those services too.

The people in the camps have the right, if they want help, to claim asylum where they are. They choose not to do so. Many people in that position are being exploited by very dangerous gangs who are moving people across Europe. The people who have the most to fear from the Bill are those who seek to exploit migrants coming to this country without papers. Migrants have been told not to claim asylum and that they will be looked after privately and secretly once they get here. Those people are exploited. It is the exploiters who have the most to fear from the Bill.

I very much welcome the work the Home Office has done to try to secure our borders. Much of the Bill deals with the consequences of people entering the country without papers and without the legal right to remain, and what we can do about that. Our first obligation is to protect the border itself. The investment the Government have made, along with the French authorities, in securing our border at Calais and Coquelles is hugely significant and hugely welcome. It has greatly reduced the numbers of migrants seeking to enter the country illegally by storming the entrances to the channel tunnel and the port of Dover. As I said before, that not only disrupts services but endangers their lives and the lives of others who use those services. It must be stopped.

I welcome the Home Secretary’s influence in persuading the French Government to provide more of their own resources in policing that frontier. I also welcome the moves passed recently by the French Senate—they are still going through the French National Assembly—to improve French law enforcement capabilities to deal with people seeking to enter this country illegally by storming the frontier at Calais and Coquelles. It is right that there are proper criminal sanctions against people who seek to use criminal damage and criminal trespass as a means to enter this country. I know, from people who work at Eurotunnel who saw the consequences of the actions during the summer, that those actions were

not only highly dangerous but threatened to disrupt and even derail services through the tunnel. That would have endangered the lives of other passengers, as well as the lives of the people committing those actions. It is right to protect the migrants and to protect our frontier, and it is right that these important new sanctions are being considered.

Peter Grant (Glenrothes) (SNP): So far the hon. Gentleman has told us an awful lot about the disruption caused by people blatantly ignoring the existing legislation. If people are going to ignore the legislation, making it tougher is not going to help; they will continue to ignore it just the same. What in the Bill will prevent people from trying to get into the UK illegally? Would it not be much better to devote the resources to securing the borders and enforcing the existing legislation, rather than introducing further legislation that will create discrimination in housing and access to other services?

Damian Collins: I set out at the beginning of my remarks the important action the Government and the Home Office have taken to try and secure the borders, but there are additional provisions in the Bill, particularly in part 6, such as the extra maritime checks and enforcement. These provisions will give Border Force the right to board and check vessels that might be carrying people seeking to cross the channel and enter this country illegally. It will give extra powers to law enforcement authorities to pick people up and check vessels to see what is going on. That is absolutely the right thing to do.

There are those who seek to provide accommodation to people with no papers and no right to be in this country and to employ them in large numbers, and it is right that they fear the sanction of being inspected, checked and discovered. They seek to exploit people who understand they have no legal right to be here and do not want the authorities to know they are here. They exploit their concerns about being discovered, and the Bill is a threat to those people and the action they would take.

Kirsten Oswald (East Renfrewshire) (SNP) *rose—*

Damian Collins: I have very little time and I would like to conclude.

It is the people traffickers and exploiters who have the most to fear from the Bill, and it is right that we give the enforcement authorities the extra powers they seek. We want a robust immigration system where people with the right to come to this country can do so, and we want to open this country to the world. We want to attract new talent and bring in people with skills. That is clear. We want a system where legitimate asylum seekers and refugees are granted safety and refuge, which has been a great hallmark of this country for many years.

We do not, however, want a system where people traffickers and smugglers from around the world can say, “If you get into the UK, you won’t be detected. You can stay and will be looked after”. They exploit people’s legitimate concerns and fears, and the Bill seeks to get to the heart of that. It aims to protect a legitimate migration system and to enhance Britain’s reputation as a country that welcomes refugees and people coming to work here but which conducts proper checks on people

to make sure they have the right to stay and are legitimate asylum seekers. The ones who have the most to fear are those who seek to evade the authorities and exploit those who evade them. I ask the House to support the Bill.

3.42 pm

Sir Gerald Kaufman (Manchester, Gorton) (Lab): The Home Secretary made her notorious speech in Manchester just a few minutes from my constituency. Had she come down the road, she would have seen tens of thousands of people who came under the contemptuous label she uttered this afternoon: “these people”. “These people”, of whom there are tens of thousands in my constituency, originate from south Asia, east and west Africa, the Caribbean and elsewhere. We are a city of diversity and integration, and the two go together.

The hon. Member for Peterborough (Mr Jackson) referred to Romanians. Recently in my constituency, an organisation has been set up by people of Romanian origin to integrate further into this country. Next Saturday in my constituency, we will be celebrating Nigerian independence day. This is a country of diversity that ever since the Romans has had people of overseas origin becoming part of its functioning. The Bill attacks them. It is an attack on anybody who is not what might be referred to as a white Anglo-Saxon Protestant.

I got a letter from Her Majesty’s Revenue and Customs about a constituent who had been asked to clarify his Christian name. To anyone of any intelligence, the man was a Muslim. That kind of approach happens under this Government: it has never happened before, even under previous Conservative Governments. The Bill creates a new subterranean, pseudo police force to carry out Government policy without being members of the Government’s staff.

Landlords have been recruited, whether they want to be or not—the National Landlords Association has issued a document expressing considerable resentment—to impose a law that they had no say in creating. The United Nations High Commission for Refugees says that landlords are less likely to rent to those with foreign accents or names, or those who do not possess a British passport. That is my parents. They never learned to speak English fluently; they never got British passports—yet they were part of this country and part of a community. Landlords and bank staff are being turned into Government agents. Under this Bill, we have a new bail system that has nothing to do judges or magistrates and nothing to do with the law—except the law created by this Government.

The national health service wants to bring people from India to be nurses in Manchester, but they cannot get the certificates because the process is so opaque. People coming here as refugees are scared stiff for their lives—something that, thank God, we in this country are not—and are subjected to all kinds of interrogation.

Andy Burnham: As well as providing him with a little more time, I would like my right hon. Friend to consider the effect on his constituency and mine of the changes to the immigration rules that the Government want to introduce with respect to earnings. This could force a lot of nurses currently working in the NHS to leave the country. Nurse training has been cut and the NHS is

over-reliant on agency staff; now the Government are about to force thousands of nurses to go back. Does he agree with me that we need a rethink and a change of heart on this issue?

Sir Gerald Kaufman: When I go, as I no doubt shortly shall, for my flu jab, the person who gives it to me would not be regarded by many people who support this Bill as British, but services are being provided for people in this country. The work situation is going to be made more difficult, with potential employees afraid that they will be prosecuted for recruiting people illegally.

I do not know whether the Home Secretary went to any of the many wonderful Asian restaurants when she was in Manchester. My constituency has a “curry mile”, which is one of the best places to go to in the whole of the world for an overseas diet. I wonder how many of them will be under suspicion by the Home Office trying to decide, minutiae by minutiae, whether people are the “right kind” of British, who seem to be the only kind of British that they want to welcome into this country.

As the TUC says, huge poverty will be created by this Government. The children of asylum seekers will live in houses for which the amount of money being made available is £30 and a little bit more. I am proud of this country; I love this country. I do not know, however, whether the Government who are introducing this Bill love the country that Britain really is rather than the country into which they would like to transform it.

3.50 pm

Rebecca Harris (Castle Point) (Con): I am grateful for the opportunity to speak in this important debate. Like many, if not most, Members, I was acutely aware long before the general election of just how important the issue of immigration had become to the people in this country. Of all the issues raised with me on the doorstep by my constituents, immigration was unquestionably the number one concern, and scenes throughout the summer, across Europe and in Calais, have done nothing but exacerbate that concern in recent months.

Like my right hon. and hon. Friends, I welcomed the reforms brought about by the Immigration Act 2014, but there is still work to be done. My constituents are absolutely clear about the fact that they want us to control our borders, and that includes dealing with those who have already managed to evade our border controls.

While there are, of course, many benefits to Britain from some controlled immigration, we must face the fact that the current levels are unsustainable. It is well documented that mass immigration forces down wages and makes it more difficult for residents like mine to find work. However, illegal immigration is the major source of frustration and grievance for my residents. I therefore welcome the Bill’s attempts to support working people by clamping down on illegal immigration. These measures will help to protect our public services, and will send a message to those who try to exploit our system for their own gain.

There are those who seek to take advantage of some of the most vulnerable people by promising them a better life in Britain, but the reality for those who arrive is often exactly the opposite, so I welcome the proposals

[*Rebecca Harris*]

to introduce new, tougher sanctions for rogue employers. It is right that we make it an offence for anyone to employ someone whom he or she knows, or has reason to suspect, is an illegal worker. We cannot allow ruthless criminal gangs to continue to exploit the vulnerable, or to bring undocumented, even potentially dangerous, individuals into the country. The Bill sends a clear message to those gangs: “You will not win.” It also sends a clear message to potential illegal migrants that it will not be as easy to establish themselves in the United Kingdom as they were promised it would be.

Since 2010 the Government have worked hard to support new businesses, many of which have been set up in my constituency. We should be ensuring that those hard-working, law-abiding entrepreneurs are rewarded. Equally, we must punish those who continue to flout the law by employing illegal labour and giving themselves an unfair and illegal competitive advantage. Illegal labour not only exploits the workers whom it employs, but denies work to UK citizens and drives down wages. Businesses that ignore the law should be closed, and those who run them should be prosecuted, and seen to be prosecuted, for their actions.

Legal immigrants can make, and often have made, an enormous and valuable contribution to our society, but there is no doubt that illegal migration, and even the current levels of legal migration, have an adverse effect on our most important public services. By 2024, if current levels are maintained, we shall have to find an extra 900,000 school places. There is already pressure on primary school places in my constituency, and there is even pressure for schools to be built to provide more places. We already have to build 210,000 new homes every year to keep up with population fluctuations. It is hard for anyone to argue that such numbers are sustainable. It is not bigoted to note those facts; we need a pragmatic solution to the problems.

In Castle Point we have a shortage of housing, a shortage of space for housing, and, most acutely, a serious shortage of affordable and private rental accommodation. Hard-working families must wait for accommodation, sometimes for months and months. They naturally feel that it is just plain wrong if even part of the reason for that is illegal workers taking up private rental properties.

Lady Hermon: I know that the hon. Lady takes a particular interest in Northern Ireland, and I hope that she will therefore be as alarmed as I am—along with, I am sure, others on these Benches—that part 7 of the Bill, which requires public sector workers to speak fluent English, does not extend to Northern Ireland. The last time I checked, Northern Ireland was guaranteed its place in the United Kingdom by the Belfast agreement. Why should not part 7, which the hon. Lady praises, apply to it?

Rebecca Harris: I apologise for not having picked up on that point, but I am sure we will be addressing it very vigorously through Northern Irish channels.

Creating a new offence for rogue landlords who fail to take steps to remove illegal migrants from their properties will be a strong reassurance to the public that we are doing all we can to deal with what they feel to be

a genuine injustice. It will also be a good way to help better establish the true scale of illegal immigration. Estimates vary wildly, but it is clear that the public perception is that it is a much more widespread problem than reported. Therefore measures that make it harder to live under the radar will increase public confidence, which is currently very much lacking. This Government have already made it much more difficult for immigrants to come to this country and immediately have access to our public services and our welfare system. This legislation will build upon those reforms and will strengthen our commitment to ensuring that only those who come here and contribute to our society can benefit from it.

It is a duty of all us in this House to listen to our constituents and try to address their concerns. I have listened to my constituents in Castle Point and they tell me they want something done about illegal immigration in the UK. This legislation will protect our public services, will further crack down on illegal immigration and will limit the access of illegal migrants to essential services. I welcome these proposals and urge Members to support them.

3.56 pm

Ian Austin (Dudley North) (Lab): In April 1939, a 10-year-old Jewish boy from a place called Ostrava in what was then Czechoslovakia was put on a train by his mum and teenage sisters. He never saw them again; they were killed during the war.

He was the only member of his family able to leave. He arrived in the UK only able to speak three words of English but became the youngest grammar school head teacher in the country, and was honoured by the Queen with an MBE for his education and charity work. He adopted four children, of whom I am the second, so I know all about the benefits that immigration can bring to individuals, our communities and our country.

I also know that immigration is something many people are very worried about. Research from the Oxford Migration Observatory shows immigration has ranked in the top five issues for many years and has ranked as the top issue for our country in many of the most recent polls. There is no point in mainstream politicians trying to ignore this or refusing to listen to people. It is our job to listen to people on this and come up with fair and reasonable ways of addressing their concerns. It is when we fail to do so that reasonable people with legitimate concerns turn to UKIP or, in the past, the BNP.

So I have worked hard to listen to local people in Dudley and I have held dozens of community meetings over the last couple of years on this issue. The truth is that most people are reasonable, fair and pragmatic when it comes to immigration and other contentious issues. Detailed research from British Future shows most people wanting fair controls on immigration but not a closed border. Mainstream politicians should be working in their communities to come up with fair and reasonable solutions to tackle exploitation, the undercutting of wages or some of the other challenges presented by immigration.

That is not, as some have said, “trying to out-UKIP UKIP”. It is being part of a mainstream Labour party that takes the concerns and worries that ordinary people have seriously. The vast majority of the hundreds of people who came to my meetings on immigration and

the many thousands who completed the detailed surveys I have distributed agree that we should welcome people who come to Britain and work hard and contribute, and they agree that Britain has always provided a safe haven for people fleeing persecution abroad.

Because of that, I welcome plans to help to train the next generation of skilled workers here in Britain instead of hiring from abroad. Our proposals at the election would have required large firms to take on a local apprentice every time they took on a skilled foreign worker, so I think this should go further, but it is good that some funding from skilled worker visas will now be put towards apprenticeships.

Mr Andrew Turner (Isle of Wight) (Con): Is the hon. Gentleman just talking about people from outside Europe, or is he talking about people from within Europe as well? Should there be the same requirements in respect of both?

Ian Austin: I think that jobs should be advertised in Britain before they are advertised abroad. I also think that if large firms or public sector organisations cannot find people in Britain with the necessary skills and have to employ someone from abroad, they should also have to provide an apprenticeship for a British youngster so that we can train up the next generation of British people as well.

At the last election, we also proposed tougher measures to tackle the illegal exploitation of foreign workers, and the creation of a new Home Office unit to enforce the law, so I support the Bill's proposals for a director of labour market enforcement and for stronger sanctions against those who employ illegal workers. I have always thought that if you want to live in Britain you must be prepared to work hard and pay your way, obey the law and learn to speak English, because there is no other way to play a full role in British society, so it is right that the Bill will make it easier to monitor foreign nationals who have broken the law and to ensure that customer-facing public workers speak fluent English. Most people will think it is also completely right that the Bill proposes to tackle illegal immigration and its links with organised crime, people trafficking and exploitation, which have a knock-on effect on our communities, on wages and on public services.

As we heard earlier, however, the Government have not yet provided any evidence that the trial of plans to intensify the right to rent scheme, which requires landlords to check the immigration status of prospective tenants, has cut illegal migration. Indeed, there are worrying signs that it has made it much harder for British people from other backgrounds to find a home. I do not think that reasonable people would support a measure that could prevent British people who have worked and contributed to this country for decades from finding a home just because they have a foreign-sounding name or a different accent.

The Government must go much further to enforce the minimum wage so that unscrupulous employers cannot exploit foreign labour to cut costs and drive down wages. I want bigger fines for breaking the rules, and a ban on recruitment agencies hiring solely from overseas. We should also introduce changes to benefit entitlement right now, instead of waiting for the outcome of the Prime Minister's negotiations with the EU. There

should be a much clearer relationship between benefits and contributions so that people receive benefits if they have worked and paid in for at least two years. Furthermore, there is absolutely no reason why people should be able to claim child benefit for children who are living abroad. People in Dudley also want to see tighter border controls. We proposed to introduce a levy on US visitors to pay for 1,000 extra border guards and to do more to strengthen checks for illegal immigrants in Calais.

I would like to see the Government acknowledge that the costs and benefits of immigration are not shared equally across the United Kingdom. Lots of people have moved to places such as Dudley in search of work and a better life, and they are making a contribution. However, immigration can clearly put pressure on public services such as housing, schools and the NHS. The answer, of course, is to build more housing, stop cutting the NHS and ensure that schools have the teachers and staff that they need in order to cope. That could be funded by the benefits of immigration in other parts of the country. We do not get many millionaire American bankers, German city traders or French hedge fund managers moving to the black country. I would like to see an immigration Bill that ensures that the benefits migration brings to some parts of Britain help to fund the extra housing, NHS staff and teachers necessary to reduce the pressures in communities like mine.

I support some measures in the Bill, but I can think of other measures that would address mainstream concerns about immigration while providing fair, reasonable and progressive ways of doing so. Let us focus our efforts on the unscrupulous employers and organised gangs that bring people to this country illegally. Let us strengthen our border force so that Britain can have confidence that the rules are being enforced, and let us ensure that the costs and benefits of immigration are shared across the country.

4.3 pm

Mr Henry Bellingham (North West Norfolk) (Con): It is a great pleasure to follow the hon. Member for Dudley North (Ian Austin), who is the voice of reason in his party. It is also a pleasure to follow my hon. Friends the Members for Peterborough (Mr Jackson), for Folkestone and Hythe (Damian Collins) and for Castle Point (Rebecca Harris), as well as the Father of the House, the right hon. Member for Manchester, Gorton (Sir Gerald Kaufman), who gave one of his inimitable performances a few minutes ago. It is always a pleasure to hear what he has to say.

The Home Secretary made a candid and honest speech the other day. I do not believe that there is anything controversial in stating that every sovereign state should be the sole judge and arbiter of the level of immigration that can be sensibly absorbed and taken care of. The only way effectively to analyse this question is to examine the integration of the migrant communities into Britain and to look at their impact on essential services such as schools, housing and the NHS. Her conclusions were in line with the view expressed by the vast majority of people in this country—that the current levels of migration are totally unsustainable. That is why the UK must address the challenge of completely regaining control of its borders. That means carrying on the policy of strict controls on non-EU migration, but this must be in

[*Mr Henry Bellingham*]

the national interest—I wish to say something about the nursing profession in a moment. It also must mean Britain looking again at the EU principle of the free movement of people across Europe. I feel that strongly. To my mind, it will be one of the red lines that will come up in the future referendum, and I say that as someone who wants to have reasons for voting to stay in Europe, if at all possible.

Peter Grant: Does the hon. Gentleman also have a concern about the 700,000 to 1 million UK citizens who live in other EU countries? Is he suggesting that they should not be allowed to live there and should be forced to come back to the UK, where they clearly do not want to be?

Mr Bellingham: I agree with the hon. Gentleman 100% on that. One must distinguish between the right to travel in the UK and people retiring, and people going to and working in any country they feel like and claiming benefits. This is a huge issue, but it is a debate we cannot have now, because you would call me to order, Mr Deputy Speaker.

The Bill contains a number of important measures, and I agree with the Home Secretary that it builds on the coalition's Immigration Act 2014. I welcome the approach of looking with a relentless focus at the mechanisms of the labour market. In the past, a constituency such as mine, with a large food and agricultural sector, has been plagued by the actions of illegal gangmasters—now licensed under the Gangmasters Licensing Authority—and the unscrupulous behaviour of some rogue employers and rogue landlords. That is why we need additional measures to deal with and clamp down on those residual practices taking place. My hon. Friend the Member for Castle Point put it well when she pointed out that there is still some way to go, and we must have zero tolerance towards any malpractice.

In many ways, the Bill is a modest measure and many parts of it are long overdue. I particularly welcome the new powers that are going to be given to immigration officers and the powers that are going to be given to Border Force to target boats in British waters. I find it bizarre that hitherto Border Force has had no power to target boats in British waters that officers suspect of helping illegal migrants enter Britain, and I am glad that that is going to be changed.

As I said, I want briefly to say something about the nursing crisis in this country, not only because I have been in talks with my local hospital, but because I noticed that yesterday Jan Stevens, the chief nurse at London's biggest NHS hospital trust, pointed out that there is likely to be a real problem in that trust and in other hospitals as a result of the cap being applied. She has estimated that it will affect up to nearly 3,700 nurses working in the UK and will deter others from coming here. She said:

"It would be catastrophic if we had to send all our international nurses home as a result of the cap."

The Queen Elizabeth hospital in my constituency is excellent, but it faces a number of financial challenges, the biggest of which is the amount of money being spent on agency nurses—that figure is rising very rapidly. I know that the hospital, under the excellent leadership

of Dorothy Hosein, the chief executive officer, and Edward Libbey, the chairman, has been making every effort to employ local nurses. They have held a number of events locally, including roadshows to try to attract people back into nursing, but after a great deal of effort they have secured the return of only one local nurse into the hospital. In the past, they have recruited a significant number of EU nurses from places such as Portugal and Spain, but I have to tell the House that this pool of talent is slowly diminishing and they now have to look further afield, to India and the Philippines, where there is a ready supply of nurses who speak very good English, who want to come here and who are properly qualified.

Ian Austin: Is the answer to this to enable more British youngsters to train as nurses in this country and to expand the number of training places available? Surely that is the answer.

Mr Bellingham: I entirely agree, but it is of no consolation to a hospital in Norfolk that needs to recruit 90 nurses over the next few months to avoid those penal payments to agencies. I agree that this is a matter that the NHS and the Ministers in the Department of Health must deal with. There is a long lead-in time; we cannot suddenly train nurses. There are many retired nurses whom we need to bring back into the profession, but many of them cannot come back, or do not want to come back.

Fiona Mactaggart (Slough) (Lab): I am not sure whether the hon. Gentleman was at today's Health questions, but the Minister proudly claimed that he had record numbers of nurses in training. In fact, there are four applicants for every nurse training place in Britain today, and we are training fewer nurses than we did in 2009.

Mr Bellingham: I absolutely take on board what the right hon. Lady says. It is very important indeed that Ministers look urgently and with relentless energy at that problem. If they do not look at it or at the training and the supply of nurses, these problems will continue. In the meantime, I ask the Minister of State to look very carefully at what I have said and tell me exactly what the updated position is of the Migration Advisory Committee. I gather that it is looking at evidence being produced by a number of trusts around the country. If the problem is not addressed, hospitals such as the one in my constituency will be running up debts completely beyond their control.

We are living in an ever more troubled and turbulent world. I do not think that any of us could have been anything but moved by those pictures of Alan Kurdi, the three-year-old Syrian boy who was drowned along with 12 other Syrians. When I look at the tragedy going on in Syria, I fear that it will be replicated in other countries around the world such as in Yemen and Egypt. Sudan, too, is in a very vulnerable state. I support the vulnerable persons' relocation scheme, but feel that it is essential that we target people in country, which is why I strongly favour the idea of safe havens, overseen by the UN and the EU. It makes far more sense to have safe havens in the south of Dimashq and in the al-Suwayda province along the Jordanian border.

It is a turbulent world and we face many challenges, but this Bill is a small, but essential step in helping Britain to secure its borders.

4.12 pm

Paul Blomfield (Sheffield Central) (Lab): I wish to concentrate my remarks on part 1 of the Bill.

Less than two years ago, in November 2013, the Home Secretary said that combating modern slavery was her top priority. It was an aim that won wide support on both sides of the House and it found expression in the Modern Slavery Act 2015, but this Bill risks undoing the progress made with that Act.

I am sure that the Government do not intend to undermine their own legislation so soon after it has become law, but all the evidence shows that the more vulnerable workers are, the stronger the hand of the gangmasters over them and the less likely they are to come forward and report their abusers. So what does this Bill do? It increases their vulnerability and strengthens the hand of the gangmasters. It does that by threatening exploited workers with 12 months in prison if they are deemed to have committed the offence of “illegal working” in clause 8.

Let us be in no doubt: many will think that they have committed that offence even if they have not. Some 78% of those the National Crime Agency says have been exploited for labour in the UK actually have the right to work here as European economic area nationals, but rights awareness among these workers is very low, and options are limited, which allows unscrupulous employers to hold the threat of removal, and now imprisonment, over them—even when it is not a real possibility.

The charity Focus on Labour Exploitation, which works directly with victims of trafficking and of which I am a trustee, has identified three drivers of labour exploitation: the feeling among migrant workers that they deserve less, or have fewer rights than UK citizens; the lack of checks on labour standards in the workplace, from health and safety to minimum wage enforcement; and a fear of officials, especially immigration officials.

On each of the three drivers, the Bill makes the situation worse. First, on the rights of migrant workers, it puts the focus on immigration status as a condition of asserting labour rights. On that note, it would be helpful to hear from the Minister why the definition of “worker” in the Gangmasters (Licensing) Act 2004 has not been used. The Bill criminalises the exploited worker who, whether they are committing the offence of illegal working or not, can be treated or threatened by a gangmaster as if they are.

Secondly, on labour market enforcement, it is deeply unfortunate that the review was published only today, meaning that we did not have the opportunity to consider it fully before the debate, and that the consultation will still close on 9 November, not giving adequate time for proper consideration of the proposals. From the quick look I have had at the Government’s proposals, I have found no evidence of the increased resources or powers that are clearly needed for the director of labour market enforcement. Last year, the Migration Advisory Committee powerfully found that

“on average, a firm can expect a visit from HMRC inspectors once in every 250 years and expect to be prosecuted once in a million years.”

Let us be clear that those of us who were calling for an extension of the Gangmasters Licensing Authority’s remit during the debate on the Modern Slavery Bill meant a genuine extension, building on the good work in the sectors where it already operates, and not the pick-and-mix approach with no additional resources suggested by the Bill and the consultation.

The third driver of labour exploitation is the overlap between labour market enforcement and immigration enforcement, which is at the heart of the Bill. The very decision to include labour in market enforcement measures in an Immigration Bill is hugely counter-productive, and the mistrust of immigration officials exists regardless of migrant status. The consequence will be that labour exploitation is not rooted out and that it will continue, contrary to all the wishes of this Government, to be a pull factor for migration.

In May, the Prime Minister set out the need for what he described as the labour market enforcement agency, of which the post of director suggested in the Bill falls far short. He set out that ambition to prevent exploitation and to stop migrants undercutting British workers.

Mr Alistair Carmichael: There is one further area of what we might call “legacy work” from the Modern Slavery Act, which is the position of overseas domestic workers. That was being reviewed by James Ewins, but we have heard nothing about it. Does the hon. Gentleman share my hope that we will hear something about that review during the Bill’s passage?

Paul Blomfield: I thank the right hon. Gentleman for his intervention, as he puts his finger on one of the crucial issues in the 2015 Act about which many of us have reservations and which needs to be addressed. That is exactly the point that I am making: unless we give migrants the confidence to come forward and whistleblow on exploitation we will weaken the position and strengthen the hands of the gangmasters. Sadly, the Bill as it stands will fail to meet the Prime Minister’s aspiration to prevent exploitation and to stop migrants undercutting British workers. I genuinely hope that the Minister, for whom I have high regard, will take on board the comments of those of us who worked constructively with the Government during the passage of the Modern Slavery Bill so that we do not undo its legacy.

4.19 pm

Andrew Stephenson (Pendle) (Con): I am pleased to support the Bill, which will, I know, enjoy the support of many of the residents I represent across Pendle for the range of important measures it introduces and for those that it strengthens. There is, of course, deep concern that our migration system needs to be much better controlled in general and, perhaps above all, there is concern that politicians have failed to get to grips with the scale of net migration. That came across loud and clear on the doorstep during the election campaign, as has been said by many hon. Members.

Therefore I welcome the Bill as part of the Government’s ongoing work to restore trust in politics and to improve our immigration system for those who need it to work, both British residents and migrants alike. Not least, there is a concern about the harm that some migrants suffer when they arrive in Britain, only to be introduced

[*Andrew Stephenson*]

to a life of exploitation and abuse. I wish to focus particularly on the Government's proposals to tackle labour market abuses and illegal working—issues which, sadly, we have had to deal with in Pendle and across east Lancashire.

On 11 September—last month—one of Britain's first interim slavery and trafficking risk orders was successfully applied for by Lancashire police and served on a man from Nelson in my constituency because of his alleged treatment of two migrants from Poland, whom he stands accused of exploiting and forcing into servitude. The case is to be heard in court next month so it may be best for me not to comment further until we know its outcome. However, I am encouraged that our police now have these powers given to them through the previous Government's historic Modern Slavery Act 2015 to protect those at risk from modern slavery, very many of whom will be migrants forced to work or live in appalling conditions for appalling pay, if they are even paid at all. The Bill will help us to tackle such issues further.

Many in Pendle will be surprised to learn that under the current rules there is little to prevent a business found to have used illegal workers from carrying on its business. Some employers will continue to operate their business, and there is a risk that they may still use illegal workers, possibly not detected by immigration officers as they were not present at the premises at the time of the visit. The new powers for immigration officers to close down premises for up to two days, like the closure notices served on premises associated with nuisance or disorder, may often not be appropriate, especially if an employer is co-operating with officials or where it could affect a large number of staff who were working legally. However, these additional powers send the right message and could be useful in disrupting businesses that rely on exploiting illegal workers. Alongside making it easier to bring prosecutions against those who knowingly employ an illegal worker, this puts the responsibility on unscrupulous business owners and employers—exactly where it should be.

I welcome the proposal for a director of labour market enforcement. In 2013 I asked the then Immigration Minister, my right hon. Friend the Parliamentary Secretary to the Treasury, to set out how many illegal working enforcement visits there had been on a yearly basis across the north-west of England. The answer showed that these visits fluctuate year by year, with hundreds more in one year than in the next. This feast-to-famine approach cannot be the best available, and reports of illegal working in the area I represent are, if anything, increasing steadily. It is therefore reassuring to know that there will be a central point for co-ordination of information and resources if we have the director. Illegal working does not come and go from year to year, so the efforts to keep on top of the problem should not do so either if we are to prevent illegal working and, most importantly, protect migrant workers from exploitation.

I am aware of the criticism that this role will not go as far as a fair employment commission would go, which has been proposed elsewhere. I hope the Minister can address how far the director's remit should extend and whether it ought also to include local authorities with statutory responsibilities to enforce health and safety

legislation and the Health and Safety Executive—a point that has been made by the Immigration Law Practitioners Association and a number of other groups.

The Bill builds on the reforms we have made to the Immigration Act 2014 to tackle illegal immigration from the bottom up. Both across the globe and here in the UK, we see that migrant workers are particularly vulnerable to labour market exploitation, and many find themselves living and working in dangerous and degrading conditions.

Lady Hermon: The hon. Gentleman made it clear that he will support the Bill. I have listened carefully to his speech and I am pleased that prosecutions are being brought in the circumstances that he outlined. However, some of us are very disturbed that the increased powers to be given to immigration officers under the Bill include the power to strip search for nationality documents. How can he and those who share the Government Benches with him defend that?

Andrew Stephenson: I think that the measures outlined in the Bill represent an important step forward. A series of measures have been introduced under this Government, as the Home Secretary set out today. The Bill takes us a step further in the right direction. The people who pay the highest cost and who are the most vulnerable and exploited are the migrants themselves—it is the gangmasters and criminals who are making the money and profiteering—so we must have them at the centre of everything we do. I feel—the hon. Lady might disagree—that the Government's approach is right. The Bill helps to fulfil the Conservative party's manifesto commitment to introduce tougher labour market regulations to tackle illegal working and exploitation.

I conclude by briefly paying tribute to Lancashire police for the excellent work they are doing to protect people from the sort of criminal activity I have been talking about. The team is gearing up for its human trafficking week of action later this month, and it is also holding an anti-slavery day over the weekend. Lancashire police are working with immigration agencies to educate businesses that might be linked to illegal employment and to enforce the current rules. I strongly welcome the work of our dedicated police officers and immigration officials. I welcome just as strongly the tough measures contained in the Bill, which are necessary to ensure that vulnerable people in Pendle are protected from exploitation and that those who make use of illegal workers feel the full force of the law.

4.26 pm

Fiona Mactaggart (Slough) (Lab): I think that it is universally accepted that the British people want properly controlled immigration. Their objection is to unfair and uncontrolled immigration. This Bill has been dressed up as a powerful response to that demand for effective immigration control, but it is in fact the opposite; it is a sign that the Home Office has given up on doing its job.

Instead of fixing that which is broken—the ports of entry that passengers go through without seeing an immigration officer; the practice, when police officers intercept people who have been smuggled in lorries, of sending them on their way and asking them kindly to present themselves at the Home Office in Croydon; and even appeals where, having refused an application, the

Home Office fails to send a representative to defend the decision—the Home Office has instead allowed terrible delays in listing appeals, resulting in people who have no valid claim to remain here staying longer and putting down roots so that they become more difficult to remove.

The Home Office has rejected calls to extend the role and remit of the Gangmasters Licensing Authority so that practical action can be taken to prevent labour exploitation in sectors where we know it exists, such as the hotel trade and construction. Instead, it is delegating the problem to us—to ordinary people and not just employers, who rightly should check the immigration status of people who apply to work for them, in order to protect themselves and their customers. Those employers regularly complain to me that the information on the advice line is at best confusing, and at worst wrong.

We are told that there will be an advice line for some of the new groups who will have to check someone's immigration status. Banks already have some experience, but landlords will now be expected to refer to an advice line in order to spy on the immigration status of their tenants. In effect, the Bill is setting us all up as snoopers on other people's immigration status. We know that that is ineffective. Of 75,000 allegations to the Home Office in 2013, there were 4,000 arrests and only 1,000 removals. Even privatised Capita, when given 120,000 records of overstayers, managed to persuade only 1,000 to leave.

I have been advising people about immigration status for over 35 years, but I still need to check with up-to-date experts about what some of my constituents' entitlements are. The Home Office is not providing the tools that would allow citizens to be sure of the status of someone who might seek services from them. The result is unsurprising, and it is confirmed by the Joint Council for the Welfare of Immigrants report on west midlands landlords: people will just stop taking the risk.

Britain, having been a tolerant and welcoming society in which iconic British successes have often been created by refugees and migrants—businesses such as Marks & Spencer and inventions such as the Mini, which was designed here by an Italian—will become a place where people with foreign names and accents face a kind of pass law system in which, in order to play a full part in society, they have to keep proving their status and the fact that they have rights. The MPs who opposed the national ID card system did so on the basis that it was an infringement of civil liberties. The consequence of failing to introduce such a system is that all of us will have to make these checks, and minorities will bear the brunt of infringements of their civil liberties.

Simon Hoare: I do not know when the hon. Lady last rented a property or opened a bank account, but when doing so, as British citizens, we are all required to provide information, be it a passport, a utility bill, proof of address or a driving licence, and so on. Surely it is just common sense that when landlords are letting a property these safeguards and checks should be made. They are made on the rest of us, as things stand now.

Fiona Mactaggart: The point is that if someone has a full British passport, it is very easy to say that they are entitled. The Residential Landlords Association predicts, rightly in my view, that the consequence of this measure will be that people who do not have a British passport, even those who are British—we should remember that

some 12 million people in Britain do not carry a passport—will find themselves discriminated against because the landlord thinks that the situation is difficult.

We need to make sure that the only landlords prosecuted are those to whom Ministers have referred, who are sometimes complicit in illegal migration and the exploitation of vulnerable migrant workers. Can the Minister point to a provision saying that only people like the pimps who are exploiting trafficked workers in brothels will be prosecuted but innocent landlords who make a mistake and do not understand the documents will not? I do not believe that this Bill is going to help these women. The clause 8 offence of illegal working will apply to them, as my hon. Friend the Member for Sheffield Central (Paul Blomfield) clearly explained. Will the Minister give specific details about what action he will take to make sure that victims who are coerced by others to work are not criminalised by the offence? Will they have a statutory defence under the Bill? We know that the results of the assessment of landlords experiment will not be available until after this debate, but has he conducted an assessment of the impact of these measures on victims of modern slavery?

This Bill is horribly un-British. It gives immigration officers extreme powers without submitting them to abiding by protections like the Police and Criminal Evidence Act 1984—protections that police officers have to abide by. It forces people to appeal from overseas, and by doing so ignores the rights of children who will be separated from their parents. The Children's Commissioner has said that the current arrangements already fail to meet our obligations on children's rights.

Overseas appeals will not deal with cases such as the one in my constituency of a husband whose documents showed that he lived in Slough while his wife lived in Bradford, so the Home Office said, "This is a marriage of convenience." In fact, Slough was the only place he could get work, so he was coming down there to work from Monday to Friday and then returning to his family at the weekend. Without an oral hearing, he would not have been able to win his case. He did win it, and the immigration judge praised him for working so hard to support his family. This Bill is going to lead to un-British injustice, and we should reject it.

4.33 pm

David T. C. Davies (Monmouth) (Con): I am delighted to speak in full support of what the Government are doing to tackle the problem of illegal immigration, and to put on record my support for every single word of the speech that the Home Secretary made at the recent Conservative party conference. The Government are absolutely right to be doing this. Nobody has any problem with legal migration into Britain; no Conservative Member has suggested that there is a problem with it. Speaking for myself, I am married to somebody who migrated into this country from eastern Europe. My children are bilingual and have dual nationality. My sister-in-law is Chinese. Davies family Christmas get-togethers can be like the United Nations.

This is not about racism or xenophobia at all. Conservative Members are concerned that migration needs to be managed in a careful fashion, and to be legal and controlled. Illegal mass migration is causing all sorts of problems, not just for the UK, but for many of those who have been illegally brought into this country.

[David T. C. Davies]

Pressure is being put on housing and it is important that we take action against rogue landlords. I remember going out with the police in a part of London—I think it was Ealing, but it may have been elsewhere—and they openly said, “Look at all these sheds that have been converted into accommodation. It’s all for people who have come over here illegally.” It is such a widespread problem that very little is being done about it.

Fiona Mactaggart: I represent a constituency in which many such sheds exist, and the housing pressures in Slough are such that most of the residents of those sheds are now perfectly legal.

David T. C. Davies: We do not know that, do we? But we will no doubt be able to find out because we are giving people the powers to check.

There is pressure on schools when pupils cannot speak English. There is a cost for translators and the issue also causes problems for the health service. It undermines wages and creates wider public concerns.

Liz Saville Roberts: I am glad to hear the hon. Gentleman say that his children are bilingual. English-language courses are, of course, free. Given that the Welsh language has equal status under the Welsh Language Act 1993, does he agree that the Government should ensure that Welsh-language courses should also be free?

David T. C. Davies: Diolch am hynny—thanks for that—but the hon. Lady is tempting me down another path. I would love to come back to this matter on another occasion, because a lot of money is wasted on translating documents that nobody would ever read into Welsh and not quite enough money is spent on supporting people who want to learn the Welsh language, but that is more a matter for the Welsh Assembly than for us.

I think there is wider public concern about illegal immigration. That concern is too often dismissed as narrow-minded racism when that is not the case. It is reasonable for people who live in established communities to get nervous when they suddenly find that English—or, indeed, in some parts of north Wales, Welsh—is no longer the language they hear on the streets from day to day. In some of the larger cities, people become nervous when they see cultural changes that they cannot go along with, such as women wearing burkas and trailing 6 feet behind their husbands, female genital mutilation and forced marriage. It is no good dismissing those concerns as racism—they are not. I think we are a very tolerant bunch of people in Britain, but all of us, no matter what our origins, have a right to assume that anyone who chooses to come to this country really ought not only to respect the language of their chosen country and to learn it as best as they possibly can, but to fit in with that country’s culture and values rather than expect to be able to impose their own cultural values.

I recently visited the “jungle” in Calais, to find out for myself what was going on and to talk to some of the people trying to make the illegal crossing. I have nothing against any of them personally—what they are doing is perfectly understandable—but the Government recognise that they have a responsibility to tackle the problem.

A lot of what I saw is unlikely to be shown on the next episode of “Songs of Praise” when it goes there. Only a small minority of people in the “jungle” actually came from Syria. The vast majority, as far as I could tell, came from elsewhere, including Iraq, Pakistan and even Iran, which is one of the more stable countries in the middle east. I have no doubt that some of them were fleeing instability and war, but Britain will never, ever be able to cope with the number of people who live in countries that have a measure of instability. They include most of sub-Saharan Africa, virtually all of the middle east and a large chunk of Asia to boot. We simply will not be able to cope with the vast number of people who could legitimately claim that they come from a country where there is a certain amount of instability.

Another issue I had was that the vast majority of these people were young men. If they were all genuine refugees fleeing war, where were their wives and children? Why had they left them behind to face whatever it was they claimed to be facing? Others there were perfectly honest. One gentleman from Pakistan told me openly, “I am going to Britain because it is easier to work there and get cash in hand,” and he made a gesture to show what he meant. That is why the Government are right to tackle the problem.

I was concerned that people were living in all sorts of different areas in the “jungle” in Calais: the Iraqis were in one area, the Pakistanis in another and other people somewhere else. I was told by residents of the camp that the reason for that was that it is a very dangerous place after dark and that there is a lot of tension that sometimes results in violence. With the best will in the world, if we try to do what Germany is doing and allow hundreds of thousands of people to come into this country from widely different cultures—including, perhaps, cultures that have been at war with each other—that will cause a major law and order problem. The Germans have already found that there have been outbreaks of violence between Turkish and Kurdish people. We therefore need to be honest about the problems that we face.

We must remember that many of the migrants are making the dangerous journey because they are under the impression that, once they make it into Europe, they will be allowed to stay and nobody can chuck them out. As well as causing problems for other people, they are risking their own lives. Some figures suggest that at least 1% of them die on that illegal journey. They often pay money over to human traffickers. One man told me on film—I have put it on YouTube—that he paid €18,000 to human traffickers to get him as far as Calais. Criminal gangs are making vast sums out of people’s misery and exploitation.

The Government are absolutely right to do something about the problem. I am glad that some of the issues are recognised by Labour Members, although I am sorry that they are not willing to show their support for tougher migration controls in the Lobbies tonight. I reassure the Government that not only will the vast majority of, if not all, Conservatives support them, but the vast majority of people in the wider world who vote for all sorts of different parties will also support what they are trying to do.

4.41 pm

Imran Hussain (Bradford East) (Lab): I will be brief, as time does not permit otherwise, but I want to make three points.

My right hon. Friend the Member for Slough (Fiona Mactaggart) made the first point very eloquently and clearly. Although I welcome the strengthening of sanctions for employers who employ illegal workers, often in abusive circumstances, I have an issue with the new offence of illegal working as applied to employees. The new offence will serve to criminalise workers for the smallest wrongdoings, while making it harder for bosses who exploit their workforce to be caught and brought to justice. Indeed, as the TUC has pointed out, undocumented migrants are unlikely to report bosses who have exploited them, particularly when they know that they could end up in court themselves.

Rather than helping workers, the Bill means that bad employers could threaten to report undocumented workers if they complain about their terms and conditions. Instead, the Bill needs to provide undocumented migrants with employment rights, which would be separate from their immigration status, so that they can be treated equally. Nothing is gained by forcing already harassed individuals further underground.

Secondly, the measures will restrict irregular migrants' access to residential tenancies. During the passage of the previous Immigration Bill in 2014, the Government made numerous assurances about the pilot scheme in the west midlands. They stated that it would be fully evaluated and that any lessons learned would be applied before decisions were made about a wider roll-out. However, it now seems that the Government have backtracked on that promise. Essentially, they have denied the House the opportunity of a full and transparent evaluation of the pilot.

Nevertheless, as hon. Members have mentioned, research by the Joint Council for the Welfare of Immigrants shows that the workings of the scheme are extremely disturbing. Its research shows that the policy resulted in many cases of racial discrimination, including against many BME tenants who have every right to rent in the UK. The evidence also shows that landlords are prepared to discriminate against those with a complex immigration status. Indeed, many landlords have found the whole thing fairly baffling and have undertaken the checks incorrectly. Because of the scheme, landlords in the west midlands have even charged ridiculous amounts for the checks or have raised rents as a precaution.

As if that was not bad enough, the policy seems to have failed in its stated objective of deterring irregular migrants from settling in the UK. Given that evidence, we have to ask why the Government are so determined to railroad the Bill through. I believe that until any study shows otherwise, we should be scrapping these measures, rather than rolling them out nationally. I am sure that the Minister will agree with me that any measure increasing racial discrimination should be opposed.

The third issue, which perhaps causes me the gravest concern, is the failure of the Bill to address immigration detention. The unashamed use of limitless detention by the Home Office for, as Liberty has put it, "administrative convenience" is one of the greatest stains on this country's human rights record. Many victims of torture or sexual violence are placed in captivity for undetermined lengths of time. It is a bureaucratic nightmare from which there are inadequate avenues of escape.

The Bill was an opportunity to deal with that matter, but, as in so many areas, it fails to address the most fundamental issues. I sincerely hope that the Government

will address the issues that I have raised. I urge them to table amendments to do so in Committee.

Finally, I welcome the Prime Minister's announcement that he will make Islamophobia a specific crime that will be reported alongside similar crimes relating to religion. I am sure that hon. Members across the House will join me in welcoming that important step forward.

David T. C. Davies: Will the hon. Gentleman give way?

Imran Hussain: I will in a moment.

We must all do as much as possible to eradicate discrimination in all its forms. Unfortunately, the Bill allows some forms of discrimination through the back door, especially against BME communities. That must be blocked and stopped.

4.47 pm

Kelly Tolhurst (Rochester and Strood) (Con): The subject of immigration has created much thought and emotion in my constituency over a long period, whether it relates to EU or non-EU immigration, illegal immigration or refugees and asylum seekers. Often when the subject is discussed, those categories are not separated.

Over recent months, we have seen heart-rending images of people migrating across the Mediterranean and across Europe, risking their lives to flee conflict and conditions that in no way resemble those that we are privileged to have in the UK. The Bill focuses predominantly on illegal immigration and should not be confused with the action that is being taken to deal with the refugee situation across Europe.

There has been a significant increase in net migration to the UK. It is true that immigration has made a positive contribution to our country. We all recognise the benefits that it can bring. However, it is right that the Bill seeks to crack down on illegal immigration and to deter people who do not have a legal right to live in this country from staying in the UK or making their way here without going through the correct procedures to obtain entry.

My hon. Friends the Members for Folkestone and Hythe (Damian Collins) and for Monmouth (David T. C. Davies) have spoken about the Calais camps. Last week, my hon. Friends the Members for Faversham and Mid Kent (Helen Whately) and for Gravesham (Mr Holloway) and I visited the illegal camp in Calais with the Bishop of Dover. I wanted to see the conditions for myself and to see what was actually happening in Calais. I also wanted to speak to some of the thousands of young men, who were predominantly from Afghanistan or Eritrea, to find out how long they had been there, how they had got there, why they had left their home countries and why they wanted to come to the UK. While speaking to the inhabitants of the camp, it became incredibly clear that they were making their way to the UK because they had a perception that things would be better for them. Although some were registering with the authorities in France, many were not. Some articulated a belief that there were many more opportunities in the UK, and that it would be easy to obtain illegal work here. The camp is currently estimated to be housing between 5,000 and 6,000 people, and it is suggested that around 100 people a day arrive from across France.

[*Kelly Tolhurst*]

The Bill builds on attempts to tackle illegal working by migrants, as well as individuals who seek to exploit and profit from vulnerable migrant workers. It will introduce tougher enforcement, and make it easier to prosecute employers who ignore the law. It will provide a deterrent to those who wish to stay here when they have no legal right to remain, and it will also deter those who wish to make the journey to the UK with the intention of working here illegally.

In my constituency this summer unbelievable images of a transaction of people were witnessed and filmed by one of my constituents. The event clearly appeared to be part of organised criminal activity, and we witnessed at first hand the exploitation of some of these vulnerable people. I welcome the measures in the Bill. It is right that individuals who have followed the correct procedures to apply for asylum in the UK are supported, but it is also right that asylum seekers who have been refused and have exhausted all rights of appeal should not then be supported by the British taxpayer.

Over recent months the county of Kent has seen a significant increase in the number of unaccompanied minors who have presented themselves. That has put immense pressure on the resources and services of local authorities. I know that local authorities will be nervous about the potential impact of these measures, and of increased pressures that they may place on the county's resources and those of the south-east as a whole.

I wish to support the Bill because I believe that it goes some way towards tackling the attractiveness of the UK as a place to come to work and live in illegally. It also spells out clearly that individuals who intend to exploit or profit from migrants will be dealt with by these provisions.

4.52 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): I hope the House will indulge me if I display a small measure of weariness in my remarks on this Bill. Since I was first elected in 2001, this is the seventh Immigration Bill to come before the House, or the eighth if we include the UK Borders Act 2007. When the answer has not been found in legislation or regulation, successive Governments have sought to tackle the challenges of immigration through reorganisation.

When I was first elected, entry at British ports and airports was regulated through Customs and Excise. In my constituency three customs officers were stationed in Shetland, but I was told at the time that we did not need officers on the ground because there was nothing for them to do. I now watch with wry amusement as the UK Border Force regularly flies its officers into my constituency to deal with the welcome increase in cruise traffic over the summer months—work that could have been done by our local customs officers if we still had them.

In the early days matters of nationality and immigration were dealt with by the Home Office through the then Immigration and Nationality Directorate. Customs and Excise was split to create the UK Border Agency, but that ran into some difficulty—I will not revisit that grief here—and it was eventually split into the UK Border Agency and the UK Border Force. We now have the further split of the UK Visas and Immigration which is dealing with this issue.

We have had seven, possibly eight Bills, and 45 changes to the immigration rules during the current Home Secretary's time in office. As a constituency Member, I look at the cases that present themselves in my constituency surgeries. I am afraid I see a situation where the quality of service provided, to us as taxpayers and to those who want to come here legitimately, gets worse and worse. The quality of initial decision-making by entry clearance officers is rivalled possibly only by work capability assessments in terms of their vulnerability to attack on appeal. The length of time it takes for decisions to be made and the number of cases that have to go to tribunals to receive proper consideration seems only to increase. This brought to us to the point where, two years ago, it was the Home Secretary herself who identified

“a vicious cycle of complex law and poor enforcements of its own policies”—[*Official Report*, 26 March 2013; Vol. 560, c. 1501.]

as being the cause of the poor performance of the UK Borders Agency.

Immigration is a complex and delicate area of public policy. It behoves us all to approach it with a measure of humility and to recognise that nobody has a monopoly on wisdom. I strongly suspect that if the answer to the challenge of immigration lay in legislation and regulation, we would have met that challenge years ago. I am certain that it will not be met by leading that debate—those of us in the House must lead that debate—through the promotion of anecdote and prejudice over evidence. In that regard, I deeply regretted both the tone and the content of the Home Secretary's recent speech to the Conservative party conference.

Simply put, the Immigration Bill is not fit for purpose. The refugee crisis is showing no sign of slowing down and not one of the Bill's 56 clauses looks at finding a solution or easing the pressure on Europe's borders. For that reason, my right hon. and hon. Friends will oppose it. More than that, the Bill's starting point is, as the Home Secretary said in her pitch for the leadership at the Tory party conference, that the benefits of immigration are close to zero. That is wrong. Yes, we need to control immigration and to ensure that our public services can cope with growth, but we must never lose sight of the fact that without immigration our NHS would grind to a halt, our economy would falter and we would be far poorer culturally. The Home Secretary has decided it is better to crack down on appeals rather than to get the decision right the first time, to turn landlords into immigration officers rather than to accelerate the introduction of exit checks, and to make failed asylum seekers destitute rather than to support them to get back home.

Time does not permit me to run over the full range of concerns I have about giving the Bill a Second Reading, but I do just want to touch very briefly on one: the continued failure, as the hon. Member for Bradford East (Imran Hussain) highlighted, to deal with immigration detention. There is no other area where we, as a state, deprive members of the public of their liberty without proper judicial supervision and without limit of time. It is outrageous that no action has been taken on that. That is one of the few reasons why it would be timely to have a Bill of this sort. We are awaiting the outcome of the Shaw review. I would like to hear from the Minister in his reply whether that review will be able to inform the House's consideration of the Bill as it progresses.

4.58 pm

Kevin Hollinrake (Thirsk and Malton) (Con): I was very keen to speak in support of the Bill, because I feel it recognises the deep concern the public have over immigration and, most importantly, it sends the message both home and abroad that illegal migrants are not welcome in the UK. If they do come, they will have great difficulty in finding somewhere to live and great difficulty in finding somewhere to work.

Despite those concerns, most people see the benefits of good migration. We need good migration, not mass migration. Good migration is good for the economy, our society and local communities. We need skilled workers and diversity enriches us, but not all immigration is good immigration. It can put a strain on schools, hospitals, dental and doctors' surgeries and housing, and it can depress wages, particularly for those struggling on lower incomes. It can, of course, also see those migrants exploited. Net immigration, at 330,000, is too high and puts too much pressure on those services.

Over the next 20 years, the UK's population is due to grow from 65 million to 75 million. My hon. Friend the Member for Monmouth (David T. C. Davies) pointed out that the situation in other EU countries, such as Germany, is entirely different. The populations of those countries are either falling or stable. The UK is a victim of its own success. I welcome the Government's effort to lower immigration from outside the EU, but those gains have been wiped out by migration from within the EU. I also welcome the Bill because it clamps down on illegal working and illegal residency.

Good migration is good for our economy. We must not deter good people, who are much needed for our high-tech industries, hospitals and hospitality industries, or the students who pay their way and come to our world-leading universities. I welcome, however, the Government action to close 900 bogus colleges since 2010. Business is worried about the changes to students' access to the UK, but it will adapt given time.

The right to rent is a concern, and I refer the House to my entry in the Register of Members' Financial Interests—estate agency, the ideal preparation for a career in politics. Agents and landlords might be hit by disproportionate sanctions, including up to five years in jail. These are complex procedures. The EU has approved up to 400 different documents as demonstrating a right to residency. We have to support and simplify procedures, or it will effectively lead to discrimination.

As I said, immigration is good for society. We get a fusion of races and cultures living, learning and working together, but I have seen at first hand the effects of unchecked immigration in some of our towns and cities across east Lancashire and west Yorkshire, where communities are divided and people live, learn and work in separate areas. There has been too much immigration and a lack of thought and planning. We must clamp down on illegal immigration, and I welcome the initiative for public sector workers being able to speak fluent English.

In conclusion, we must ensure that our migration is good migration and send out the message that we will not tolerate illegal migration. Employers, agents, our banks and landlords all have their part to play, but the Government must support their efforts with good advice and appropriate resources. The Bill will give us more

control and get us back to a sensible and sustainable immigration policy. I will absolutely be supporting it this evening.

5.3 pm

Joanna Cherry (Edinburgh South West) (SNP): I declare an interest: like many other hon. Members, my mother is an immigrant, and one who, like many other immigrants in the UK, has given a lifetime's service in the NHS.

It is as a lawyer I wish to speak in this debate, however, because I am concerned about the Bill's attack on civil liberties, the removal of in-country appeals in human rights cases, the Bill's lack of respect for the rule of law and due process and the shift from judicial to Executive control of the immigration bail system. The independent all-party law reform and human rights organisation Justice, of which I am a member, has prepared a detailed analysis of aspects of the Bill pertaining to the rule of law. I recommend that Members have a look at its full analysis of these matters. Justice has grave concerns about the legal aspects of the Bill, as does the SNP.

I wish to focus on three specific areas: the extension of the enforcement powers of immigration officers; the new immigration bail system and the extension of the "deport first, appeal later" rules to all human rights appeals. As has already been said about the powers of immigration officers, they are significantly extended by the Bill. This concerns me for a number of reasons. Immigration officers and also detainee custody officers, prison officers and prison custody officers are not part of the regular police force, and they are not trained to the same degree or supervised in the same way. The power granted to immigration officers to enter and search premises without a search warrant solely because they have reasonable grounds to believe that a person in a premises is in possession of a driving licence and is not lawfully resident in the UK is a significant and arguably disproportionate extension of their current powers. Given concerns about the ability of the Home Office accurately to identify who is and is not lawfully resident in the UK, there are obvious risks for both British citizens and legal migrants, as well as illegal migrants, that their rights to respect for their private and family life and indeed their home under article 8 of European convention on human rights will be breached.

Another matter that concerns me is the broadly defined category of documents that immigration officers and other officers are empowered to search. While the power of immigration officers to search and seize these documents has the safeguard that they must not seize documents that they have reason to believe are legally privileged, there is no such safeguard in connection with searches by detainee custody officers, prison officers and prison custody officers when they are looking for relevant nationality documents subject to seizure. That is a grave concern. I believe that before these powers are conferred en masse, the Government need to examine how existing powers are being used and should make the case before Parliament for each additional power that is being sought.

On the bail system, individuals previously granted temporary admission, release or release under restrictions will all be subject to immigration bail. The Secretary of State will be empowered to vary conditions. The Bill

[Joanna Cherry]

will bring many more people within the immigration bail regime, while simultaneously shifting control of bail and restrictions on liberty from the judiciary to the Executive. That will include a far-reaching power for the Home Secretary to place electronic monitoring and residence conditions on bail in all cases. A large number of asylum seekers previously granted temporary admission will now be seen exclusively through a prism of detention and bail, casting aspersions of illegitimacy and even criminality. Those affected are real people. I have constituents in Edinburgh South West who are asylum seekers. They are not criminals who should be subject to bail: they are refugees.

That brings me to the extension of the “deport first, appeal later” rule to all human rights appeals, not just those liable to deportation. It is important to be clear that this rule is being extended not just to illegal immigrants, but to all immigrants, including those who have been lawfully resident up until the Home Office rightly or wrongly refuses their applications. The appeals fact sheet issued by the Home Office makes it absolutely clear that this power will be used to separate families, including parents, from children. That cannot be right. Moreover, if people are “sent back to where they came from”—an emotive phrase—before they can raise their appeal, there will be very real practical and emotional difficulties for them in pursuing that appeal. Again, I urge hon. Members to look at Justice’s detailed analysis of the practical and emotional difficulties that immigrants sent back to where they came from will face in progressing their appeal.

I am conscious of the lack of time I have left. I was anxious to highlight the rule of law aspects of the Bill. For the reasons I have suggested and for other reasons to be advanced by my hon. Friends in the Scottish National party as the debate progresses, I urge Members to decline to give this Bill a Second Reading.

5.9 pm

Byron Davies (Gower) (Con): I am pleased to speak about this important Bill, and I look forward to taking a full and active part in scrutinising it as it continues its passage through Parliament. It is fair to say that the Bill has created much debate in all corners of British public life. From non-governmental organisations to the media, we have seen some excellent and incisive analysis of it, albeit some rather less so.

I have received—as, I am sure, have all Members—much correspondence from my constituents about the issue of immigration, and I shall draw on some of it later. I am very proud of the people whom I represent in Gower, given their good judgment and their scrutiny of the Bill, and I am pleased that constituents are playing such an active role in the legislative function of Parliament. It must be borne in mind that the British people voted for the Conservative manifesto and want to see it implemented.

I want to touch on a number of aspects of the Bill. Britain is, of course, an attractive place for migrants to live in. We have a diverse society, and that is nowhere more evident than here in London. However, while it is easy to list the virtues of living in Britain, it has been forgotten in some quarters during today’s debate that many migrant workers come to this country to face horrendous exploitation. They find themselves working

and living in degrading conditions that are not fit for any human, and regrettably, as we have seen recently, Wales, which includes my constituency, is not exempt from that.

The exploitation of migrants is becoming an increasingly organised criminal activity, which I witnessed and worked to combat when I was a National Crime Squad police officer, and I commend the Government for their actions to curb that activity. I fully support the measures in part 1 to establish a director of labour market enforcement, who would be required to produce a labour market enforcement strategy and report annually to the Home Secretary and the Business Secretary.

Our manifesto committed us to introducing tougher market regulation, and we must support that. Not one single human life should be put through the ordeal and the conditions that we see and hear of all too often. We, as a Parliament, must make clear that that is simply not acceptable and will not be allowed to go unchallenged. I am pleased that the criminal sanction in the Immigration, Asylum and Nationality Act 2006 is to be amended to make it easier to bring prosecutions against individuals who knowingly employ illegal workers when the individual has been indirectly involved in the offence. We must put those protections in place and I applaud the Government for introducing them.

Part 2, “Access to services”, creates four new offences to target rogue landlords and agents who deliberately and repeatedly fail to comply with the right to rent scheme, or fail to evict individuals who they know, or have reasonable cause to believe, are disqualified from renting as a result of their immigration status. That is an important point and it leads us to a wider point relating to the issue of immigration in our society. There is no doubt that that topic has caused schisms in parts of British society, and the debate has raged for years between those who, in some cases, hold widely differing views. What has become clear, however, is that the British people want the Government to act to reduce net migration.

As a Conservative, I should add that it cannot be just the Government who take action. It is also up to individuals, whether landlords or businesses, to act to curb illegal immigration. Although it is, of course, the Government’s place to set the legislative framework, we must also put some onus on rogue landlords and agents who abuse the system. This is not about penalising legitimate businesses or landlords; quite the opposite. It is about helping legitimate landlords if they need help, and about stopping those who abuse the system for their own ends.

I commend the Government’s decision to give police and immigration officers new powers to search for and seize UK driving licences which are in the possession of a person who is not lawfully resident in the UK. The Bill also introduces a new criminal offence of driving in the UK while an illegal immigrant, while courts will have the power to order the forfeiture of the vehicle. However, I find myself agreeing with a point made earlier by the right hon. Member for Slough (Fiona Mactaggart) about immigration officers respecting the values of the Police and Criminal Evidence Act 1984.

For 13 years, the Labour Government allowed unchecked and unchallenged immigration. They spoke of acting, but did not give the police or immigration officers the powers to do their job. It was all well and good for that

Labour Government to pay lip service to solving the problems with grand but empty gestures and the famous soundbites of new Labour, but there was no action to back up the rhetoric. I am pleased that this Government have taken action and have provided the tools that services need to do the job that is being asked of them.

I want to raise an issue that has concerned some of my constituents. They fear that children will suffer from the withdrawal of financial support from their parents, which could leave them homeless and suffering severe hardship. I am sure that the Minister, who has worked through the Bill extremely diligently, will have tried to ensure that any adverse effect on children will be mitigated. Therefore, I ask him to provide some assurances that this is the case, as a child's future can be critically affected in their early years and morally we must do everything we can to protect them and give them every chance to lead a full and happy life.

I thank the Minister and his team for their hard work on the Bill. I will be supporting the Government as they take these vital steps on immigration reform.

5.14 pm

Richard Arkless (Dumfries and Galloway) (SNP): I will not take my full six minutes. I merely want to touch on two separate components of this Bill: the proposed employment levy on immigrant workers, and the availability of bank accounts and driving licences for failed immigration applicants.

I fear this Bill, and these particular sections, will only fuel the misconceptions that surround immigration. They risk tarring every immigrant with the same ill-informed brush. Worse still, they risk disfranchising many UK citizens, purely on the basis that they may have a foreign-sounding name, a bank account and, heaven forbid, a driving licence and a car. This, of course, may not be the intention of the Bill—I hope it is not—but it is the unintended consequences which concern me, and we in this place should be alive to them.

This Bill creates powers to impose an immigration skills charge on employers for skilled workers they sponsor from outside the EU. I would prefer to call it the “immigrant tax” to be paid by small and medium-sized enterprises, a potentially devastating combination. This provision will deter employers from employing people from outside the EU. We will see genuinely skilled migrants, many of whom might even have a world-class education from one of our universities in the UK or Scotland, slip through our fingers. The message it sends out is clear: immigrants are considered different, more expensive—unwanted. It flies in the face of substantial empirical and personal evidence which outlines the greatly positive fiscal and social contribution immigrants have made to the UK—it is not, as the Home Secretary said at the weekend, close to zero.

I fear we would not have an NHS had this policy been implemented a generation ago. What will the next generation look like? This is unacceptable at a time when the country as a whole should be tasked with innovating and expanding its ambitions. We can only do this if we welcome thinkers and innovators from outside our shores, as well as supporting those inside them.

Hannah Bardell (Livingston) (SNP): Earlier this year, I, along with a Conservative Member who is in the Chamber, visited Pakistan and we heard a number of

people complain about the visa arrangements and how that was holding back opportunities for students from Pakistan to study in Scotland and across the UK. Does my hon. Friend agree that this part of the policy is very dangerous?

Richard Arkless: I think it is incredibly dangerous and one of the things that has struck me since I became an MP, with the many constituents who come to my surgeries, is the mess the immigration system is in. Things take too long, decisions are often bad, and in my experience it is vulnerable people who are trying to better their lives who are paying the consequences for this, which I find completely unacceptable.

Rehman Chishti (Gillingham and Rainham) (Con): On the point about the delegation to Pakistan, of course people in Pakistan and here in the UK want a fairer system of immigration. We have to ensure the rules are fair so that genuine students can come and study, but does the hon. Gentleman agree that what we saw previously, with 600 bogus colleges, and people coming here when they should not have and when they did not want to be students, was wrong? The system we are putting in place will address that, so that genuine students from Pakistan can come here and study.

Richard Arkless: Forgive me for being cynical, but the number given earlier in the debate was 900 and now it is 600. That underlines the fact that there is misinformation; there is no evidence base for this Bill. There is no evidence base for the assertion of 900 or 600. What is the right figure? We need to know the facts.

The opportunities for prejudice and discrimination will be rife as a result of this Bill. It places a duty on banks and building societies to carry out regular checks on the immigration status of individuals and to notify the Home Office when a person becomes disqualified from holding a current account. I have a degree of sympathy with that proposal, on the face of it. A failed immigration applicant should not have access to banking or other services, but I worry about the unintended consequences, not least for our own citizens from other cultures or for perfectly legitimate immigrants. How many failed immigration applicants actually have a stash of cash that would need to be frozen? Would freezing such assets serve any purpose, save that of scoring obvious political points? These provisions could result in serious intrusion into the lives of all our citizens if they were applied in the wrong circumstances.

The Bill also contains the power to seize and detain vehicles driven by illegal immigrants. It provides for the prosecution and imprisonment and/or fining of those who drive if they are illegal immigrants, even if they are in possession of a valid driving licence from another state. Again, on the face of it, that might appear sensible, but I have to ask: do we really have a problem with lots of failed immigration applicants clogging up our streets and creating traffic jams with their cars, or is this just another point-scoring exercise?

How these provisions are to be regulated and enforced should be a matter for rigorous debate in this place. It is clear that the Bill is fixated on reducing the net migration figures, and in so doing—as has been admitted by Conservative Members—reducing the attractiveness of the UK as a place where skilled migration is welcomed.

[Richard Arkless]

The Home Secretary's dangerously aggressive speech to her party's conference was a class act in striking more fear where it does not belong. The Bill will extend that fear to those who might not even have done anything wrong. How many UK citizens with foreign-sounding names will have their lives disrupted and become disfranchised as a result of these measures before we realise that this has been a mistake? I believe that the nut that this sledgehammer of a Bill has been designed to smash will pale into insignificance beside the can of worms that the provisions will open.

5.21 pm

Richard Fuller (Bedford) (Con): Some of the speeches from Opposition Members have done a bit of a disservice to our Home Secretary. I think that history will reveal her to have been an outstanding Home Secretary, given her capacity to cover the range of issues that the Home Office has to deal with, and the immediacy and potency of some of those issues. Those Members have also missed some of the breakthroughs that she has made in identifying issues of abuse, particularly in relation to people trafficking, and of discrimination in relation to stop and search that other Home Secretaries have not addressed. We must put that on the record to balance the argument.

As many people have said, it is undoubtedly true that immigration is the No. 1 issue. It is equally true to say that the vast majority of people who believe that to be the case are not anti-immigrant. However, they have specific things that they want to see in our immigration policies. They want to know that the system is under control. They want to know that the numbers of people coming to this country are reasonable and that our borders are secure. They want to know that the people who come here make not just an average contribution—a break-even contribution—but an above-average contribution to our country. As we have heard from people who are themselves the daughters of migrants, they also want to know that the people who come here will do their best to integrate into the country that they now call home. And of course, they want those people who they believe have no right to be here to leave or to be removed.

As I look through the Bill, I miss the provisions relating to many of those early points. The focus of much of it is on that last point. It says, "Please leave." It asks, "What can we do to encourage you to leave?" I ask the Minister to listen to what hon. Members have said about the importance of evidence in pursuing the policies in the Bill. If we cannot supply evidence to support the measures we are taking, I fear that some of the negative consequences—some of which have perhaps been presented today with a bit of hyperbole—might indeed come to pass.

I am worried that the Bill focuses too strongly on symptoms rather than on the underlying causes of the concerns about immigration in this country. Our previous Bills have contained a number of measures that have precisely targeted the causes, dealing with bogus colleges, spousal visas and even the English test. I do not see much in this Bill to reinforce my belief that that is a continuing thread of the efforts of our Government's policies.

Above all, we want measures that deal with immigration but avoid things that are costly, ineffective or unjust. Will the Minister therefore support efforts that would limit detention in certain circumstances? He is aware of a case involving a pregnant woman. He wrote to me at the end of last year saying that her healthcare had been adequately provided—he was relying on second-hand advice—but as we found out last week in the High Court that was not the case. Continuing with the detention of pregnant women leaves us open to these sorts of abuses in the future. This Bill is an opportunity to correct that, address the position of victims of torture and rape, and introduce a limit on the period of detention for people who are subject to immigration regulations.

As has been said, this is not just about the extension of powers, but about how well we are using the powers we already have. I urge the Minister to provide more information in Committee about how the current powers are being used and why they are not sufficient. Many of us do not wish to see landlords and business people used as the front line of our Border Force; we are concerned about the potential for them to be criminalised. We are also concerned that as we put further pressure on people's ability to stay in this country we will drive them to vagrancy and crime. I am sure that is not the intention, but I am also sure the Minister can see the potential for that in some of these measures. We have to get the balance right. The same applies on the issue I raised in my question to the Home Secretary about potential discrimination, which has been widely mentioned today.

The Minister for Immigration (James Brokenshire): My hon. Friend has been taking the issues of immigration and detention seriously, as he has Yarl's Wood on his doorstep in his constituency, and we have discussed them on many occasions. On detention, welfare and vulnerability, may I say to him that the Stephen Shaw report, which has recently been finalised, is addressing all those factors, and that we will be considering and acting on its recommendations carefully? I hope that gives him some reassurance about the attention and focus we are giving to the issues that I know he holds dear.

Richard Fuller: That is very reassuring, particularly as it comes from such a capable Minister.

I am used to being a bit out of kilter with the norm of political views about immigration here—it used to be just me and perhaps the former Member for Brent Central and the hon. Member for Islington North (Jeremy Corbyn). Of course, Sarah Teather has gone on to better things and the hon. Gentleman has gone on to be leader of the Labour party, so I am left here talking from a bit of a different angle from everyone else. The focus of much of this is illegal immigrants, and there is one word that nobody has used about illegal immigrants—compassion. I wish to discuss that.

Whether we like it or not, we are talking today about a lot of the toxic legacy of the Labour party's lack of control of immigration. When I became a Member of Parliament in 2010, there were people who had been in this country for five, six or seven years when they had no right to be here, and there were children who had grown up in our schools when their parents had no right to be here. People should not blame the Conservative party for trying to clear up the mess that was left, but

my party and this Government need to see not only effectiveness, but compassion. What is compassionate about sending a child who turns 18 back to a country that they have never really understood? Where is the compassion in taking money away from someone while they are waiting for their case to be resolved? Where is the compassion for someone who is holding on to stay in this country when they have no right to remain here? Where is the compassion in leaving them for years and just making their life harder and harder in the hope that somehow they just leave?

We can talk about effectiveness, but it is our values, too, as a country that we are talking about. I, for one, want to make sure that the Bills we pass in this country stand up for the best principles of our country as well.

5.29 pm

Anne McLaughlin (Glasgow North East) (SNP): Mr Deputy Speaker, I just have a new favourite Tory in the hon. Member for Bedford (Richard Fuller). *[Interruption.]* I have never had one before. He is my first favourite Tory, which he may come to regret.

I may have been a Member of this House only since May, but even to an untrained eye it is clear that there is no better example of how not to legislate than the Bill in front of us today. It ignores the data gathered from the pilot project in the west midlands. It creates new enforcement powers when previous powers from the Immigration Act 1971 are seldom used, and it shifts the responsibilities of the understaffed immigration officers on to untrained and unaccountable private individuals.

The Bill represents a disproportionate infringement on the rights of individuals, with only a limited relationship between the legislation and its policy objectives. It is of little benefit to the common good; it is, in short, a shambles.

Restrictions on time allow me to focus on only one area, so I want to look at housing. The assessment of the pilot project in the west midlands by the Joint Council for the Welfare of Immigrants should act as a massive, shining red light on what is obviously a faulty policy. It identified clear problems with the so-called “right to rent” approach, none of which has yet been addressed by the Government. It also shines a light on the shameful failure of the Government to publish their own assessment of the pilot. They said yesterday that they would publish it before the Committee stage; they should have published it before today. As a member of that Committee, I want an assurance that it will be published in time for me to be able to assess it—in other words, in time for me to be able to do my job properly.

Despite the Government’s codes of practice, which they assured us would stop any discrimination, it is clear from the joint council’s report that there was an increase in discrimination in those areas in which the pilot was undertaken. Some 42% of landlords said that they were less likely to consider those without a British passport and 65% of landlords said that they were less likely to consider tenants who could not provide documents immediately.

The Government are creating a culture of fear. Although landlords do not wish to discriminate, the Residential Landlords Association said:

“Whilst the Residential Landlords Association condemns all acts of racism”—

as it should—

“the threat of sanctions will inevitably lead many landlords to err on the side of caution and not rent to anyone whose nationality cannot be easily proved.”

Clearly, it is fearful that this Bill will force landlords to act in a way that could be racist. What it is also clearly saying is that it does not want to do that, but the fear of being criminalised or even jailed may leave landlords with no other choice. The Government need to listen to their concerns, and if this legislation is not defeated—

Kirsten Oswald (East Renfrewshire) (SNP): Does my hon. Friend agree that the requirement on landlords to check the immigration status of their tenants will surely encourage, even inadvertently, less favourable treatment, possibly discrimination, for anyone who does not look or sound British and also make it disproportionately harder for people to access appropriate housing?

Anne McLaughlin: I agree with every word from my hon. Friend. Indeed, it is one of the points that I really wanted to underline. If this Bill does go through, the Government must give landlords the resources they need to understand exactly what is required of them.

On the subject of racism, there is no doubt in my mind that intemperate language and legislation that is based on the presumption that all immigrants can be illegal will increase racism. I have heard many positive things today about multiculturalism, anti-racism and welcoming people who have come from other countries. I invite all those Members who have an interest in this subject to attend the Westminster Hall debate secured by my hon. Friend the Member for Lanark and Hamilton East (Angela Crawley), which celebrates Black History Month in October.

In practical terms, this Bill will make it much harder for those legally resident in the UK, originally from elsewhere, to rent a property here. It will leave some with no choice but to turn to unscrupulous landlords, which brings with it uncertainty and sometimes danger. There are also very real concerns regarding the privacy of the individual under this Bill. Those legally resident in the UK will have copies of their personal documentation kept in the hands of unaccountable private landlords for a period of years. As those include bank account details, this poorly drafted legislation also opens up endless possibilities of identity theft and illegal activity. If the Government wish to improve enforcement, why not start using the legislation on the statute book? Why not ensure that immigration officers are properly resourced so that they can do their job?

It is not just about professional landlords. A generation of property owners have bought their council house or their children’s university flat and have subsequently let it out. The Government want those property owners to do the work of trained immigration officials. What happened to the line oft quoted by Tories that an Englishman’s home is his castle? The Bill seeks to turn yon castle into an immigration office. The Bill does not reflect reasonable concerns on immigration but is rather a tokenistic attempt to appeal to a narrow segment of voters, reflected most clearly by the Government’s blatantly unnecessary language proposal in part 7.

Finally, I shall say one positive thing about the Bill. It has managed to unite social landlords, tenants, civil liberty campaigners and anti-racism campaigners with

[Anne McLaughlin]

employers, private landlords and many more in opposition to its proposals—[*Interruption.*] Yes, it has. As we heard today, the Institute of Directors has also attacked the proposal, and the Government would do well to heed those concerns.

5.35 pm

Mims Davies (Eastleigh) (Con): This spring, on doorsteps across my constituency, people wanted to have a say on immigration and they wanted to be heard. I welcome this debate on such an important issue and rise to support the Government and the Home Secretary.

We are fortunate to live in a country that has benefited enormously from being a true melting-pot nation, and we speak in a truly global and outward-looking country and a truly diverse city. Students across the world come to our universities seeking the finest education, global investors continue to put their faith in the economic security of the nation and our proud culture of arts boasts the positive values of immigration and true diversity. Famous Britons who were not born Britons—George Handel, Henry James and T. S. Eliot to name but a few—have come here and succeeded, and without immigration we would not have our wonderful Marks & Spencer or the chance to do the “Mobot”. However, our nation’s proud history of immigration is reflected not just by these famous and successful names. Those who quietly toil day and night, providing us with the best healthcare, reflect our history of bringing people in to add value to this country.

Some 11% of all the staff in our NHS are foreign nationals, as are 26% of doctors. It is truly in the fabric of our nation that we are the beacon of opportunity across the world, but it is vital that we do not diminish that record by undertaking a programme of uncontrolled immigration that is neither fair nor sustainable. I do not want to see immigration without the rule of law, nor do I want to see people come to our shores only to be exploited by criminal gangs and forced into poorly paid work.

Migrant workers are often vulnerable and subject to labour market exploitation. I welcome the Bill’s institution of a new statutory director of labour market enforcement and am reassured by the Home Secretary’s opening remarks about the clear reporting structures. The new role ensures that intelligence and resource allocation across the regulators is properly co-ordinated, and the measure sits alongside a crackdown on those who would seek to employ illegal workers. We must be absolutely clear in this House that those who come to the UK illegally should not be working 20-hour days for no pay. It is not fair and it is not right.

I welcome the crackdown on driving licences. Too many tragedies on our roads have happened because of those who have not been checked and who are not regulated and who cause a menace on our roads. I believe that the fluent English requirement is vital for our workforce and to balance the skills gap.

Anne McLaughlin: Can the hon. Lady tell us how many tragedies have been caused on the roads by immigrants who come here and do not have a driving licence?

Mims Davies: Having worked in road safety, I can tell the hon. Lady that our roads policing units are very keen to make sure that the people on the roads have the right papers and, of course, are driving safely and legally.

It is easy for the Opposition to make wild accusations that the contents of the Bill are wholly negative. They have much to fear because net migration under Labour was more than twice the population of Birmingham and they clearly do not have the right answers. We on the Government Benches believe that immigration should be controlled and not exploited. On the doorstep many of my constituents wanted to see immigration brought down to a reasonable level and we have pledged to do that. The Bill will deliver that commitment.

Our melting-pot nation is a global force precisely because of our diversity. That permeates our history and defines what it is to be truly British. Let us then bring Britain back to being a nation that cherishes its legacy, controls its borders and keeps immigration as a positive force for all our futures.

5.40 pm

Gavin Robinson (Belfast East) (DUP): I welcome the opportunity to engage in this debate. Throughout this afternoon I expected much more heat than light. In fairness, this has been a thorough debate and one in which much detail has been discussed. I am, however, disappointed that in many of the contributions from the Government Benches—the hon. Member for Bedford (Richard Fuller) is an honourable exception—there has been an unwillingness to hear and respond to some of the concerns expressed in the debate, and an unwillingness to appreciate how consensus around immigration, not only in the Chamber but in the country, would be much preferable to the way in which some Members have engaged.

I am not on the same page as some of those who backed the amendment before us, but I expect to hear an indication from the Minister and the Home Office that in Committee there will be an earnest willingness to address many of the difficulties that arise in the Bill. It is right that Members across the Chamber welcome the suggestion, for example, of a director of labour market enforcement as one notable proposal that is worth supporting.

Politically, there is good reason for us as parliamentarians to make it less attractive for people to breach our immigration laws and come here illegally, but in doing so we must ensure that we do not become unattractive as a people or as a country. Some of the proposals outlined in the Bill would do just that. There has been particular focus on the right to rent, and there is a flaw in putting the onus on landlords particularly. What does the Minister intend “reasonable steps” to mean? How are landlords to satisfy the authorities that they have taken reasonable steps? More importantly, the provision applies not just to those named in the tenancy, but to others in the dwelling. It is a *de facto* provision that someone could harbour an illegal immigrant and face the penalties for it. That is not only unnecessary, but its implementation will be filled with difficulty.

The hon. Member for North Down (Lady Hermon) disagrees with me about how best we should proceed, but a number of her interventions this afternoon have

been incisive. She raised an issue about those trafficked and exploited, in the context of the penalties that will apply to illegal immigrants who are employed. The answer that she got from the Home Secretary indicated that there is already such an offence in the Modern Slavery Act. That may well be the case, but for comfort a particular provision should be inserted in the Bill so that as a Parliament we can reaffirm that should somebody be rescued having been exploited or trafficked in this country, the provisions will not apply. The acceptance of an amendment of that significance in Committee would be enormously helpful.

I was shocked by part 7 of the Bill, which sets out the language requirements for public sector workers, and that is for two reasons. First, I was amazed that the ability to speak fluent English was not already a requirement in the public sector. Secondly, as the hon. Member for North Down pointed out in an intervention on the hon. Member for Castle Point (Rebecca Harris), these provisions will not apply to Northern Ireland. I hope that I am communicating well enough in English this afternoon, because it is the language of Northern Ireland. I think that it is beholden on a one nation Government to recognise that such provisions should apply to Northern Ireland and, more importantly, not to engage in a political exclusion of Northern Ireland. I say that because there is a burgeoning language sector in Northern Ireland and there are politics around that. Two minority languages—Irish and Ulster-Scots—are protected in north-south bodies, but English is our dominant and preferred language, and Northern Ireland should not be excluded from the provisions.

Part 6—I have discussed this with the hon. Member for North Down—deals with maritime enforcement and sets out who will be able to access vessels. It mentions a police constable and an immigration officer, but it does not mention the Belfast harbour police—the private police force that operates in Belfast harbour—who ensure that we can adhere to the provisions in the maritime context. I therefore believe that an amendment to include that police force is worthy of support.

Our view is that the Bill is worthy of progression to at least Committee stage, but I think that the compassion that the hon. Member for Bedford mentioned is incredibly important, and it is something that I would like to see a lot more of.

5.47 pm

Simon Hoare (North Dorset) (Con): It is a pleasure to follow the hon. Member for Belfast East (Gavin Robinson). A number of right hon. and hon. Members have made the important point—I am sure that this is neither an intention of the Bill, nor an outcome—about the sensitivity of names with regard to lettings policies. The hon. Member for Belfast East comes from a community where being allocated a house, or indeed given a job, might often have depended upon having a Protestant-sounding or Catholic-sounding name. That is a sensitivity that we should be alert to, as I have little or no doubt Government Front Benchers are.

Let me turn briefly to the reasoned amendment that stands in the name of the Leader of the Opposition and others. I think that this is the first time I have seen a U-turn performed in an amendment. The first two thirds of the amendment are in full praise and support

of the Bill, but then it rests its reason why we should not give it a Second Reading on an argument that a report that is to be published

“could cause widespread indirect discrimination”.

I do not think that that is a particularly well argued point from the Opposition. Given the amount of time that they have spent thinking about their position on immigration, I think that we might have expected a little better.

There are some very nasty people out there in our communities, and they have some very nasty views on this sensitive subject, which I have no doubt they will articulate with force and passion from their armchairs and in the saloon bars. But those nasty views are not put forward in this Bill. The Bill does not try to debate—because this is not the kernel of the argument—whether immigration is a good or bad thing, and it does not seek to further or foster racism or discrimination; it seeks purely to find better ways of defining the legal and the illegal. There is no qualitative judgment on an immigrant community the vast majority of whom play a full and active part in British life and are welcomed to our shores.

When my family and I moved house relatively recently, we were assisted by a very hard-working man from Poland. When he discovered what I did for a living, he quaked and said, “You don’t want me here, do you? I’d better go.” I said, “No, not at all.” It is a helpful irony, in many respects, that we are debating this issue on the anniversary of the birth of Lady Thatcher, who did so much to champion the rights of people from the former eastern bloc to come to the west. That free movement of people is something we should celebrate and support. We must understand, however, that it cannot and should not be unfettered. When I stood in the 2010 election—I fought Cardiff South and Penarth, and Cardiff South and Penarth fought back—established members of the immigrant, but very settled, community in Grangetown and Butetown said to me, “For God’s sake, Governments have to get a handle on this because we are starting to feel anxious. We are starting to feel that the Government have lost the plot.” That struck me as a very forceful endorsement of the main thrust of this policy and this Bill.

I am surprised by Labour’s tone with regard to the main thrust of the Bill in trying to clamp down on illegal working and exploitation. This is a matter of human welfare. We have all heard horrible stories of the terrible conditions of people forced to work in this country because they are here illegally and their existence can therefore be abused. It is absolutely right—I hope that it would unify the House—that we should focus on that and try to correct it and remove it from our national life.

I strongly welcome the proposed appeals process, but it will come as no surprise to the Minister that I, and no doubt many in this House, believe that the Home Office needs to up the speed with which it determines these appeals.

I agree with the hon. Member for Belfast East that it is a surprise that a language requirement has not existed in our public sector, and I very much welcome it.

Anne McLaughlin: The hon. Gentleman says that a requirement to speak English when working in the front line of public services has not existed until now. Has he

[Anne McLaughlin]

ever used a public service and found that the person he is dealing with does not speak English, because I have not?

Simon Hoare: It depends at what level. Certainly, within the national health service, you will hear of many patients—constituents in North Dorset have told me this—who often have difficulty communicating because local idioms of language are just missed. To have that core skill—

Kirsten Oswald: Thank you very much for giving way. I would just like to be clear that you are not suggesting that only people from North Dorset should be employed in the health services in North Dorset.

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Before the hon. Gentleman responds, let me say that I have not yet reprimanded any particular Member for doing this, but now that it has happened several times, I must remind the House that when you use the word “you”, it is in the second person and you are referring to the Chair. It is in primary level 3 English lessons. “You” is the person to whom you are talking, and in here you are talking to the Chair. If you wish to refer to an hon. Member, it is “he”, “she”, or “it”.

Simon Hoare: Shall we split the difference, Madam Deputy Speaker, and go for “it”?

Given that my part of Dorset has the highest number of retired people in the country, if we pressed everybody of working age into the national health service we would be very understaffed. This issue goes across the country and, indeed, all parts of the United Kingdom.

Provisions relating to private letting and the banks are a key part of the Bill. Yes, some in the affected sectors—plural—may bleat about it, but the Government are placing an important obligation on their shoulders. This is clearly an issue, because previous Governments have tried to address it, but the Government cannot deal with it by themselves; other agencies and people involved in British commercial and public life need to help deal with illegal immigration.

We are fortunate that the two Ministers who will pilot this Bill through the Committee stage—the Minister for Immigration and the Solicitor General—are humane and compassionate individuals. I have no doubt that they would never put their names to something that they thought would result in some of the Armageddon-like scenes suggested by Labour Members. The Bill addresses a pressing problem in a prudent and pragmatic way. It deserves the support of the House.

5.56 pm

Caroline Lucas (Brighton, Pavilion) (Green): We have heard much this afternoon about the serious flaws in the Bill. More than anything else, there is a complete lack of evidence for its proposals, and a large number of experts have highlighted their potentially damaging effects. It risks compromising community and social cohesion, putting individuals at risk in the process. I am particularly concerned about the impact of outsourcing enforcement functions to private third parties that are not subject to adequate levels of public scrutiny. Contradiction and

conjecture are a recurring theme, and I very much hope the Home Secretary will explain why the proposals have been made when there is no evidence to suggest that existing measures in the Immigration Act 2014 are not working well enough or need to be extended.

Let us take as an example the extension of the “deport first, appeal later” provisions in the previous Immigration Act. They came into force only recently and as yet there has been no impact assessment to determine their effectiveness, but the Bill seeks to widen those powers. I am worried both by the potential consequences of such an approach and by what it implies about the Home Secretary’s motivation.

Anyone who heard the Home Secretary’s speech at her party’s conference earlier this month may share my concern. Despite the stated aim of clamping down on illegal migration, the Bill goes considerably further and extends the principle of “deport first, appeal later” to all immigration cases. Not only is there a complete lack of evidence that that is required, but it signals that the underlying intention of the Bill is to undermine the very principle of freedom of movement.

The Government also clearly stated that they would not go ahead with the ill-thought-out right to rent programme without conducting an evaluation of the pilot carried out in the west midlands. Yet here we are with proposals to extend that programme to the entire country and no sign of any comprehensive evaluation from the Home Office. The hon. Member for Glasgow North East (Anne McLaughlin) made an eloquent argument in those terms.

Moreover, the Home Secretary has failed to absorb the results of the evaluations that were carried out by independent experts. The Joint Council for the Welfare of Immigrants, for example, found that the pilot forced landlords to make poor decisions and that discrimination clearly occurred against both migrants and British citizens, including making landlords less likely to rent to anyone with a “questionable” immigration status—in other words, as other hon. Members have said, anyone with a name that sounds foreign.

What we do have evidence for is the economic benefit of immigration, including in the form of a warning from the chairman of the Institute of Directors, Simon Walker, who has said that the Bill will turn away

“the world’s best and brightest”.

That is already happening in my constituency of Brighton, Pavilion, thanks to the ongoing changes to the student visa regime.

The latest changes include those to the international English language testing system for eligibility to study. An estimated third of international students who come to study at UK universities could be at risk, along with an estimated 27,000 jobs in the UK. In Brighton and Hove alone, a minimum of 1,000 jobs could be lost, although given that two major pathway providers—Into and Study Group—have head offices in the city, the number is likely to be significantly greater. There is therefore considerable concern about the extent to which international students are being blamed for rising net migration—that is why I want to repeat my call for student numbers to be removed entirely from the net migration figures—and about the fact that many students on tier 4 visas will be criminalised under the proposals if they undertake paid work. The competitiveness of

international markets is increasing and we can ill afford to reduce our attractiveness to international talent, particularly as such international students sustain our research output, which supports our economy.

The argument about international students is not only an economic one; it says something about who we are as a nation and what kind of people we think we are. Are we outward-looking, confident and welcoming, or are we fearful, inward-looking people who do not want to make the most of the huge opportunities that lie out there? Once again, the Government are pushing forward with their proposals without any impact assessment, nor do they seem to have any concern for the way in which their misleading and often divisive rhetoric affects individuals.

There is plenty in the Bill to object to, and there are also big gaps in what should be in an Immigration Bill, one of which is clearly the measures needed to tackle some of the problems in our current immigration system. The most notable problem is the Home Office's long history of poor decision making on immigration cases, as demonstrated by the high rate of successful appeals. My surgeries are full of cases that illustrate the abundant delays in processing.

The Bill not only fails to take steps to improve the situation, but in effect removes the right of redress when the Home Office makes mistakes and individuals are wrongly identified as illegal migrants. The knock-on effects may include wrongfully depriving people of their homes, bank accounts and driving licences. That would be a violation of their human rights in and of itself, but it will be further exacerbated by the changes to the right of redress.

The Bill will also have an impact on asylum seekers. Removing financial support from those who have been refused asylum risks consigning vulnerable individuals to destitution, homelessness and exploitation. Many of those individuals may well have their asylum claim upheld on appeal, but I would argue that the measures in the Bill will push them underground, reducing the likelihood that an appeal will be brought. That will create a wide set of knock-on problems, including for local authorities, which have a responsibility to protect children under the Children Acts. Even if there are strong grounds to refuse asylum, when did we become a country that is comfortable removing every kind of safety net for people who have come here and need it most?

Several hon. Members *rose—*

Madam Deputy Speaker (Mrs Eleanor Laing): Order. It is customary for hon. Members to stand if they wish to be called. I call Suella Fernandes.

6.2 pm

Suella Fernandes (Fareham) (Con): Thank you for calling me, Madam Deputy Speaker.

My father came to the UK to escape the Kenyan Asian crisis in 1968. His arrival probably saved his life. My mother was recruited in Mauritius as a girl of 18, and she has just passed her 45th year of service as a nurse. More passionate patriots cannot be imagined. It is clear that immigration has brought huge benefits to this country. We have a proud tradition of offering refuge, opportunity and a better life to those who take the risk of leaving their homeland.

I echo the sentiments of my hon. Friend the Member for Bedford (Richard Fuller) about how compassion is the golden thread running through our approach to immigration. In fact, my parents' experience has informed my strong belief that the immigrant story is a Conservative story—one of risk, starting from scratch, working hard and living frugally, all in the name of aspiration, endeavour and self-responsibility. That is why I am proud to be a member of the party proposing this Bill, which is aimed at tackling the root problems inherent in the broken immigration system that we inherited in 2010.

Little is more contentious: last year, immigration overtook the economy as the most important concern of British voters. The aspiration to reduce net migration is sensible, and the Bill goes to the heart of the existing problems in our system. It deals with the loopholes exploited by illegal immigrants, meets the need for greater enforcement and investigation powers, and reduces appeal rights to streamline the system.

Before I came into Parliament, I worked as a Treasury counsel, defending the Home Office in immigration cases, and I saw how the system has been improved over the past five years. The Immigration Act 2014 did much to tackle the pull factors that draw people here. It made it easier to deport foreign criminals by enacting the principle of "deport first, appeal later" and ending the abuse of the right to family life.

Prior to the 2014 Act, I saw at first hand how that right was stretched so far as to make it laughable and pitiful. I was involved in a case that involved the removal of a foreign criminal. One would have thought that it would be straightforward to justify the removal of a convicted class A drug smuggler, but because of the huge number of appeal rights, activist claimant lawyers and technical loopholes, as well as the backlog of cases in the courts system, it took nearly two years and thousands of pounds of taxpayers' money to finally persuade the Court of Appeal that the public interest in deportation outweighed the human right to a family life in Britain. Thankfully, the number of such cases is diminishing, as is reflected by the Court of Appeal jurisprudence in cases such as MF (Nigeria) and SS (Nigeria).

I worked on many cases involving sham marriages, bogus colleges and overturned detention decisions. I saw the practical effect of the huge backlog of 800,000 asylum cases on the Home Office. We have brought that number down to just over 20,000.

Lady Hermon: I have listened intently to the hon. Lady's interesting speech. With her experience and expertise, can she explain how the provision on strip searching to look for identification and nationality documents can be justified for those who are detained in a removal centre, a prison or a young offenders institution, because I cannot understand why it is in the Bill? Bearing in mind how sensitive the issue of strip searching has been in Northern Ireland, I caution the Government to give more consideration to this very offensive provision.

Suella Fernandes: I was involved in a professional capacity in cases of immigration detention and saw at first hand how limited the powers that were afforded to immigration officers and border control police were. They fell short of allowing them the appropriate powers to gather the evidence to justify a successful prosecution.

[*Suella Fernandes*]

The facts were plain, but because of those limited powers, it was difficult to gather the evidence to justify litigation. I therefore welcome the increased investigation and enforcement powers for immigration officers.

David T. C. Davies: I have carried out a number of strip searches as a police officer. I assure all Members that it is something that no enforcement officer ever wants to do and that it is only ever done under the strictest of circumstances and with a great deal of respect for the people who are searched. I am certain that that will be the case if it is ever done by immigration enforcement officers.

Suella Fernandes: I welcome that comment wholeheartedly. My professional experience endorses that.

I worked on people smuggling cases. Again, I saw that the regime needed more robust powers in respect of inspection and evidence gathering so that prompt removals could be effected through the right channels.

The new power in clause 30 allows the Secretary of State to cancel what is called section 3C leave. That will go far in widening the removal power when taken together with the extension of section 94B of the Nationality, Immigration and Asylum Act 2002 in respect of the certification of human rights cases. That will enable more prompt removals after a refusal decision has been made. The absence of an in-country appeal right will remove the opportunity to exploit the appeals process extended to individuals in the UK. A reality of the previous regime was that the extensive number of appeal rights protracted the time that people spent in this country unlawfully.

More widely, we must talk about the impact of immigration. I applaud the courage of the Government in dealing with this matter in a compassionate, proportionate and fair way. The cultural impact of immigration cannot be ignored. The pace of immigration, the damaging predominance of multiculturalism, and the lack of integration in some parts of this country are having a damaging effect on social cohesion. A well-integrated immigrant must speak fluent English because that is crucial for developing relationships and gaining employment, and it connects us deeply with others. I therefore welcome the requirement for fluency in English in part 7 of the Bill.

We as a community of parliamentarians must be more courageous when speaking out about matters of integration and what is happening in this country, and when talking about the challenges we all face. The Bill deals with the problem of illegal immigration and tightens up the problem of exploitation, and that is the only way that we will command more confidence in the system and ensure its credibility. Our country is neither open nor closed, but striking the balance is hard. In doing so, it is perfectly reasonable to introduce legislation that encapsulates proportion and compassion. Speaking as the child of immigrants and the beneficiary of immigration, and as a professional, I commend this Bill to the House.

6.11 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I am grateful for the opportunity to take part in the debate and to speak against what, in my book,

is one of the more heinous Bills introduced by this Tory Government, or for that matter by any other Government.

I am proud to make the case for immigration and to remind our international community that they are valued and that we appreciate their contribution to our communities. I know that Conservative Members like to consider issues purely on economic terms, and I could talk at length about the positive economic impact that immigration has on the UK economy. However, the biggest impact that our international community has on the UK cannot be measured purely in terms of economic growth or statistics; the most important impact made by our foreign-born friends can be witnessed in our communities each and every day.

During my research into the impact of the Bill, I met members of the Renfrewshire Effort to Empower Minorities, or REEM. It is a fantastic example of a group of people who are rooted in our community, who serve their members by helping to provide advice and training, and who organise a number of events throughout the year to help to integrate their members with the local population. Such groups internationalise our towns and cities. They help to achieve social cohesion, and they diversify our villages, towns and cities. That is why it depresses me to hear so many Tory MPs lining up to spout rhetoric about the allegedly devastating impact that immigration has on our country.

The problem for the UK Government is that, instead of developing evidence-based policy, they are attempting to create policy that panders to UKIP sympathisers in their own party. The Bill sends a message that the UK finds it an inconvenience that anyone would want to come and work here, and that the British Government want to drive a wedge between Britain and the rest of the world. Those are not my words but those of one of my constituents who is fed up with the deeply damaging and divisive Tory rhetoric, and who has decided to move away from the UK as he knows when he is not wanted.

Let me briefly touch on a number of aspects of the Bill and explain how they will have a significant impact on foreign residents, regardless of whether they are living here illegally or not. The Immigration Minister states that illegal immigration denies work to UK citizens, but one consequence of this Bill—it may be an unintended consequence—is that it will become harder for all foreign-born residents to get a job.

The Bill is targeting small businesses by shamefully using racial profiling and focusing on takeaways and off-licences. Employers will now face criminal prosecution and a five-year prison sentence if they are found to be employing someone whose right to remain has expired. Trying to ascertain someone's immigration status can be a confusing process, and many small businesses do not have the administrative budgets to be confident enough to check the status of their foreign-born employees. It is not difficult to see that many small business owners will not risk employing someone who is foreign. That is bad for business as they will lose out on recruiting a skilled worker, and it will also be a significant barrier for foreign-born workers who will find it more difficult to get a job.

Not only will members of our international community find it difficult to get a job, but the Bill will also make it harder for them to have a roof over their head. The right

to rent provision will encourage discrimination, promote the worst possible practice in housing management and make it harder for members of our international community to find a home.

Alan Brown (Kilmarnock and Loudoun) (SNP): My hon. Friend is right to say that the Bill could cause problems in terms of discrimination. We have already heard that landlords will be less likely to rent houses to citizens without a British passport. Does he agree that that will cause further pressure on the housing sector? Combine that with the right to buy and the force to sell legislation, and the Government's rush to legislate in a scattergun approach will cause further problems for housing, as well as immigration.

Gavin Newlands: I wholeheartedly agree. The Bill will create a situation whereby landlords will have to be 100% sure that no illegal migrants are living in their property. Failure to abide by this could result in the landlord facing a fine of £3,000 and a jail sentence of five years. The vast majority of our landlords will not be qualified, or have the time, to distinguish between a legal and an illegal migrant.

Mike Wood (Dudley South) (Con): Surely the hon. Gentleman recognises that that is exactly why landlords can just refer the issue. The Home Office will then, I understand, rule on it within 48 hours.

Gavin Newlands: I think perhaps the hon. Gentleman has not heard about the difficulties faced by the helplines. More resources are required.

To protect themselves, many landlords will operate a blanket approach and will not take the risk of accepting any tenant who was born overseas or who has a foreign-sounding name. The Bill will also make it easier for landlords to evict tenants who are found to be living here illegally. They will be able to do that without a court order. We should be concerned that that sort of practice could be carried over to other tenants who are living here legally. We do not have to guess, fear or anticipate the problems that the Bill will create for tenants. The Government are, shamefully, not willing to publish their review of the west midlands pilot before pushing ahead with the Bill, but reports from it suggest that the right to rent policy encourages discrimination towards migrant groups.

Part 4 of the Bill is particularly odious. We should be reminded that the immigration appeal route exists for a reason: to correct a wrongful decision. The Immigration Act 2014 drastically reduced the number of appeals available, but the Bill removes them entirely for some people. The "deport first, appeal later" policy that was included in the previous Act led to 230 foreign nationals being deported in the first year of its being implemented. I ask the Immigration Minister to make clear, in his closing remarks, how many of the 230 completed the appeal process.

The Bill will create drastic consequences for all members of our migrant community and it sends the wrong message to the international community about what kind of country we are. The Bill will turn communities against one another, extending the powers of the state to unparalleled levels and creating a big brother society

where ordinary members of the public will be expected to act as the UK Government's very own immigration agents.

In short, the Bill is about pandering to the UK Independence party and the right-wing element of the Conservative party. It is ill-considered, deeply divisive and lacking in compassion and any human decency. It will inevitably lead to increased racism. If the Bill is passed it will not be in my name, the Scottish National party's name or Scotland's name. I urge the Government to reconsider.

6.18 pm

Bob Blackman (Harrow East) (Con): It is a pleasure to follow the hon. Member for Paisley and Renfrewshire North (Gavin Newlands).

I have the pleasure and honour of representing the most diverse community in the whole country. Our constituency has representatives of every country on the planet, every language spoken on earth and every religion under the sun. Against that backdrop, one may imagine that immigration is not an issue. It is, however, the No. 1 issue on the lips of every individual throughout my constituency for the simple reason that people are concerned that there is a massive difference between legal immigration and illegal immigration. I am absolutely certain that we need to send the message out loud and clear that people who want to come to this country to work and contribute are welcome. Our public services would collapse without people coming here and giving their service. Our service industry in London would collapse overnight if we did not have proper legal immigration. The reality is that in my part of the world the overwhelming majority of people are working and contributing to society.

There is a clear concern, however. When I was elected in 2010, I was presented with more than 50 pending cases that had not been dealt with by the Home Office for more than 10 years. These were people who had been in the country for 10 years without knowing whether they had the right to be here. Their families had grown up in this country, but they still did not know whether they had the right of abode. We had more than 200 colleges in my borough—I call them colleges, but most of them were little rooms above shops where students would come along, get their papers stamped and then go off and work for cash in local restaurants, takeaways and other facilities. It was clearly a way to avoid our immigration rules, so I am delighted that the Home Secretary and her team abolished those colleges and permitted only legal colleges that actually offer an education.

Rehman Chishti: I said earlier that 600 bogus colleges were set up during the Blair years—that figure was challenged by an Opposition Member—and that in 2013 the coalition Government, as reported by "Dispatches" on 15 April 2013, closed them down and removed their licences. Does that not show the problem we had when we entered government and the lengths to which we are going to deal with the matter?

Bob Blackman: My hon. Friend's intervention describes the national problem. I was talking about a localised problem in one London borough alone.

[*Bob Blackman*]

We know that some illegal immigrants drive vehicles and work for cash in an uncontrolled way, and every day people approach my office asking me to speed up their claim for asylum or the right to remain. Those individuals have been waiting far too long. A compassionate society does not allow people to wait and wait for a decision. I say, let us make a decision and ensure that someone either has the right to remain or is asked to leave, rather than being left in limbo in an artificial state. It is unfair and unjust, and is no good for our society and country.

We need proper rules and regulations on who will be admitted, who will be allowed to work and who will be allowed to stay. I ask the Minister to make it clear that working legal immigrants are welcome. Equally, can we show compassion for certain parts of our industries? For example, we should allow restaurateurs who need to attract chefs with the right qualifications to bring them in, rather than excluding them, leaving those restaurants to depend on illegal workers. Care homes, too, require highly skilled individuals. We need those people to come here, work in our society and contribute to it.

We then must crack down on those who come here and work illegally. The Bill, which contains measures to make that happen, is a work in progress, rather than an end in itself. We want to welcome people who, be they studying or working, wish to make this country their home, but we must make sure they go through the proper procedures and get proper approval before they arrive, rather than entering illegally and being trafficked or exploited by unscrupulous individuals. I look forward to the Bill progressing into law, and if I can help to improve it, my services will be at hand for the Bill Committee.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I am afraid I have to reduce the time limit to four minutes.

6.24 pm

Graham Jones (Hyndburn) (Lab): I have some sympathy with what the Home Secretary said—it is not unreasonable to ask people to abide by the law—and I have a lot of sympathy with the comments of my right hon. Friend the Member for Leigh (Andy Burnham), the shadow Home Secretary. He said that on immigration Westminster was out of touch and that MPs had not kept up with public concerns. He also said that there was an overall net benefit from immigration, but that the effect was not uniform. Former industrial areas such as mine suffer the impact of job insecurity and depression of wages. There are specific and legitimate concerns about that. My right hon. Friend said it, and he was right.

For my constituency, immigration is not about public services, the NHS or schools. There are 2,000 empty properties in my constituency, but it is not about that, either. Those are southern issues. The problem is that the economy is unbalanced between north and south, which means that my constituency area suffers from low wages and an economy that is not doing well. My constituents want me to raise legitimate concerns about wages, about the north, and about areas and constituencies such as mine that have low wages.

Young people in my constituency go to university; they leave, and we have a brain drain. Immigration comes in, and the workers are replaced by low-skilled migrants. We have a low-skilled workforce. Employers come to my constituency, but they see that there are no high-skilled workers, so they will not end up in Hyndburn. What we get in the end are low-skill employers because they see that there is a high volume of low-skilled workers. What we have is a vicious and perpetuating circle that needs to be broken. Yes, Hyndburn needs immigration, but it desperately needs high-skilled immigration, not low-skilled immigration. As I said, this vicious circle needs to be broken if the economy of my constituency is to benefit.

This suppression of wages is unacceptable. My constituents are right to raise the issue. It reinforces the appeal of Hyndburn to low-value employers rather than high-value employers. High-value employers look at the jobs market and the skills base and find that Hyndburn is not a place in which they can locate their business. That affects the incomes of my constituents and their job opportunities.

My constituents' grievance is much worse than that, however. Last year, unemployment rose in my constituency month on month—and according to the Treasury, this is supposed to be during the boom years. Everything is supposed to be going well. In eight of the last nine months, unemployment in my constituency has risen, yet we are being asked to take more low-skilled workers. It is obvious what the net impact will be.

Let us take the example of taxi drivers. Driving a taxi is the second largest form of employment in the borough of Hyndburn. There are more than 600 taxi drivers in the borough, and probably another 150 if I include Haslingden. That is more than 700 taxi drivers. Let me talk about the sort of life that these taxi drivers lead. The fare around most of my constituency is £1.50, and the taxi drivers have to live off that. If they go further afield, they get £2.50. My taxi drivers have a terrible lifestyle. They struggle to make ends meet and most of them are on tax credits. This is the working environment that Hyndburn faces. If we bring in more low-skilled and uneducated migrants, they are likely to veer towards driving taxis or a similar occupation, which will only exacerbate the problem. It is not fair to the people already on these low wages; it is not fair on Hyndburn; and it is not going to rebalance the economy.

6.28 pm

Craig Mackinlay (South Thanet) (Con): I pay tribute to the Immigration Minister for bringing this Bill to the House, and offer sincere thanks for much of the preamble before today, which has given us a flavour of what the Bill is all about. To my mind, the Bill is about fairness—fairness to those who come here legally and do the right thing in seeking to work in our country, but also fairness to those who are already in this country and are trying to make the best of often low wages, which can be further reduced by illegal working.

Much has been said, particularly by the right hon. Member for Orkney and Shetland (Mr Carmichael), about whether the Bill is fit for purpose. When I have spoken to the public, to my constituents and to those across the country, I have found that they are very concerned about immigration, so many Members must live in a vacuum.

George Kerevan (East Lothian) (SNP): Will the hon. Gentleman give way?

Craig Mackinlay: Of course. I am grateful for the extra minute.

George Kerevan: I respect the hon. Gentleman's impression of his own constituency, but he must understand that it is simply not true that concerns about immigration dominate other parts of the United Kingdom. In Scotland, immigration regularly comes about ninth on the list of voters' concerns.

Craig Mackinlay: I appreciate that there are differences across the country, but in my constituency in particular, the issue of immigration was on the lips of many.

I pay tribute to my hon. Friends the Members for Monmouth (David T. C. Davies) and for Rochester and Strood (Kelly Tolhurst), who have visited many of the camps in Calais. Like them, the mayor of Calais herself has recognised that many of the problems that she faces on a daily basis result from the perception of Britain as an easy touch when it comes to working and doing the wrong thing. The Bill will deal with that.

I want to say something about under-the-counter working. The existing civil sanctions were stiffened last year by the Immigration Act 2014, under which illegal employers face a £20,000 civil fine. According to the figures for the last few years, 2,150 civil penalties were issued in 2014, but I would guess that that figure is probably much lower than the reality. The companies involved are often low-asset businesses, or have no assets at all; and the fines have been levied only on businesses. The figures suggest that the number of illegal employers has not been reduced by the increase in the fine to £20,000.

I welcome the criminal action that will result from the Bill. I pay tribute to the former shadow Attorney General, the hon. Member for Islington South and Finsbury (Emily Thornberry), for the question that she asked on 11 November 2014, at about the same time that she took some photographs during the Rochester and Strood by-election. It was an extremely pertinent question about the number of criminal sanctions that had been imposed under the Immigration, Asylum and Nationality Act 2006. The answer was just 19. We need the criminal sanction in the Bill, because the civil penalties do not seem to be doing the job.

I also want say something about driving offences. It is considered to be far too easy for illegal immigrants to secure driving licences. That is an issue for the DVLA to address, but I was reassured when the Home Secretary said earlier today that 9,000 licences had been revoked last year. The hon. Member for Glasgow North East (Anne McLaughlin) asked my hon. Friend the Member for Eastleigh (Mims Davies) how many deaths there might have been. I do not know the answer, and I suggest that the hon. Lady should ask the appropriate written or oral parliamentary question, but to my mind one death caused by an illegal driver is one too many.

Anne McLaughlin: I agree. One death caused by any driver is one too many, so let us not misunderstand what I was saying.

Craig Mackinlay: I have not misunderstood the hon. Lady at all. It comes down to this. A person with an illegal licence, or no licence at all, has no insurance. I therefore welcome the new six-month sentence for summary offences, and the imprisonable offence of driving with a revoked licence.

I also warmly support the changes in banking arrangements. Under the 2014 Act, the law on the illegal holding of a bank account has applied only to new accounts, and I am pleased that it is to be extended to all accounts.

As I have not much time left, let me end by saying something about the rights of the first-tier tribunal, which has had the power to impose electronic monitoring tags under the common law presumption of the right to bail. I would not want to interfere with the judiciary, but my guess is that that power has been used in fairly limited circumstances, and I therefore welcome the power that the Bill gives the Secretary of State to allow increased use of electronic tags. Unfortunately, the current electronic tags involve 1970s technology, and the fulfilment of our manifesto commitment to start using proper satellite tracking technology—no different from what we all have in our telephones—will be useful in ensuring that illegal overstayers are found. I should like electronic and satellite tracking technology to be used in tagging generally, throughout the criminal justice system.

It is sensible to simplify things by replacing the six different legal statuses of immigration—whether we are talking about immigration bail or temporary admission—with a single status. I warmly support the words of my hon. Friends the Members for Bedford (Richard Fuller) and for Harrow East (Bob Blackman), because this is about compassion for those who come here properly and do the right thing. This is a step in the right direction.

Several hon. Members *rose*—

Mr Speaker: Order. I want to accommodate two more Members. The wind-ups are due to start at 6.40 pm and we need to keep as close to that as possible.

6.35 pm

Angela Crawley (Lanark and Hamilton East) (SNP): I rise to urge Members across the Chamber to reject giving the Immigration Bill a Second Reading. The reason for that is simple: this is one of the most draconian pieces of legislation proposed by this Government to date. If this Bill is allowed to pass, it will close off support currently available to failed asylum seekers. If this legislation is brought into law, it will place additional costs on local authorities at a time when they are already spending billions of pounds on children in need of care. It will push those suffering the brunt of the cuts dictated by this Government's failing austerity agenda further into poverty. The proposal will undoubtedly increase poverty among asylum seekers and their children, which to any reasonable person is already at an unacceptably high level.

According to The Children's Society, support for children seeking protection in the UK can be as little as half that received through the mainstream benefits system. In some cases, children and families would need nearly three times more than they currently receive in order to be pulled out of poverty. Many families are not even able to pay for the basics, including clothing, powdered

[Angela Crawley]

milk and nappies for their babies. Rates of support for asylum seekers mean that children are living in severe poverty on less than 40% of average incomes. This is an abhorrent situation to place any family in. Are the Government really trying to make the situation worse?

The proposals put forward by the Secretary of State will compel more asylum seekers into unregulated employment to survive, fuelling exploitation and the undercutting of their rights. The Migrants Rights Network said that these changes will

“encourage discrimination against minorities whether British Citizens or migrants...This can only increase social ills, wage theft and abuse, and divide communities.”

The SNP believes that asylum seekers should be allowed to work so that they are able to provide for themselves and their families adequately. We believe they should be able to work so that they are able to make a contribution to the country they call home.

Only last week I and the hon. Member for Eastleigh (Mims Davies) attended a Women and Equalities Committee visit to Oldham, Manchester and Birmingham. There we listened to the experiences of a mother whose daughter, now 21, has spent 13 years in the asylum system. Her daughter, now a masters graduate, is unable to gain employment; her mother has for over 20 years been unable to support her family.

This is the reality for many families across this country. These proposals will create a criminal offence which could lead to a 12-month prison sentence with an unlimited fine for anyone found working without the right papers. That is unacceptable. It is grossly disproportionate to harm any migrants in vulnerable situations who may be considered to have been at the mercy of a system that does not work for them. The threat of loss of earnings and incarceration is likely to make them even more unwilling to come forward. In effect, the proposed legislation means greater security for exploitative bosses, leaving migrants feeling powerless to raise a complaint.

I urge the House to vote against the Bill.

6.39 pm

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): My name is Tasmina Ahmed-Sheikh and if the Government get their way this evening I am not sure how well I am going to fare when I seek a property in the London rental market.

At the same moment as the Home Secretary was making her contribution to her party conference, my hon. Friend the Member for North East Fife (Stephen Gethins) and I were visiting the Nizip refugee camp on the banks of the Euphrates river in Turkey, only an hour from the Syrian border. When we arrived, we discussed the refugees' situation with the head of the camp. While setting out the figures and the scope of the crisis and its impact on Turkey, he made a striking point. He said that the people living in Nizip camp were not refugees but guests of Turkey. Guests—what a contrast!

Instead of leading from the front, as Nicola Sturgeon and the Scottish Government have done, the Home Secretary engages in the distasteful process of “othering” on migration and immigration. Her speech was almost a greatest hits of *Daily Mail* mythology. She stated that

immigration was forcing thousands out of work. Not true. She asserted that mass migration led to the wages of some low-paid workers being undercut, yet there is no credible evidence to support her claim. She made out that there was no net economic or fiscal effect of immigration when in fact all the available research, including that carried out by the OECD, shows that migrants to the UK contribute more in taxes than they spend in using public services.

I will be interested to hear why the Minister thinks that the report raised by the hon. and learned Member for Holborn and St Pancras (Keir Starmer) during Question Time yesterday shows that ethnic minorities in the UK are discriminated against when seeking to rent private sector accommodation. Does the Minister see any correlation between the demonisation of immigrants by this Government and the discrimination against our ethnic minorities in our wider community? He should; there will be such a correlation. This Bill is wrong.

My dad, whom we lost last year, was an immigrant from Pakistan. He was not a threat to the UK's way of life. He was not a drain on our public resources. In fact, he dedicated his whole working life to this country and then served the people in his home city of Edinburgh as their elected representative. He chose to live here, and in turn the people of his community chose him to represent their interests. When I read these proposals and hear the language being used by the Conservatives to promote it, I wonder what my father would have made of it, and what the Bill would have said to him. Our world and these islands are melting pots of cultures and religions, each of which adds value to our society and community in its own unique way. That is why I cannot support these measures, and I will join my colleagues in voting against the Bill in the Lobby tonight.

6.41 pm

Keir Starmer (Holborn and St Pancras) (Lab): This has been a lively, thoughtful and passionate debate. I should like to start by reflecting the sentiments expressed by my right hon. Friend the Member for Manchester, Gorton (Sir Gerald Kaufman) with these two propositions. The first, with which I am sure all Members will agree, is that immigrants have made an enormous contribution to this country, which we should celebrate, not diminish. The second is that, in this country, we have a proud history of offering asylum to some of the poorest and most vulnerable people who have come here seeking refuge.

Of course there must be rules on immigration and asylum, and of course those rules need to be firmly and effectively applied. We also need to listen carefully to the concerns that have been expressed in the debate about immigration, and to take them seriously. But fairness is the touchstone: fairness to those wishing to come here and fairness to those who are already here. That is why every contribution to the debate has welcomed the creation of a director of labour market enforcement. I also welcome that proposal, but I say of its introduction: it is not before time. The strengthening of sanctions and the enforcement of the law against rogue employers are long overdue. As the Migration Advisory Committee noted in its 2014 report,

“the combination of non-compliance and insufficient enforcement can lead to instances of severe exploitation, particularly of vulnerable groups such as migrants”.

Those points have been powerfully made today by my hon. Friend the Member for Sheffield Central (Paul Blomfield) and the hon. Member for Pendle (Andrew Stephenson).

Fairness and common sense dictate that we should not support the criminalisation of employees themselves for illegal working—a point made by my right hon. Friend the Member for Slough (Fiona Mactaggart) and my hon. Friend the Member for Bradford East (Imran Hussain). To do so would simply increase the susceptibility of already-vulnerable individuals to greater exploitation. A number of Members have already said that those without immigration status can include the victims of trafficking and modern-day slavery, and to criminalise them would run counter to the good work that the Government have done to protect such individuals.

I listened carefully to what the Home Secretary said earlier in the debate. There is no specific defence in the Bill in relation to illegal working. If that is indeed the case, perhaps the Minister for Immigration will make that clear when he winds up the debate. Otherwise, there is the risk of undermining the good work that has been done on tackling modern slavery—a point made by my hon. Friend the Member for Sheffield Central.

There is a plain common-sense and broader point to make about criminalising employees. If the aim is to come down harder on rogue employers, as it should be, it is a mistake and it is counterproductive to criminalise employees. To build a criminal case, it is important that those who are exploited have the confidence to come forward and to support a case. This measure is therefore counterproductive; we do not build strong cases against exploitation in the labour market by driving vulnerable individuals into the shadows. This is not an area where there is evidence of a need; offences already exist to deal with those who are illegally here, and in my time as Director of Public Prosecutions, this was not an issue where there was evidence of a need to provide for a further offence. There should be strong measures against rogue employers, but it is a mistake to criminalise employees—that point was made by many people in this House.

The same principles of fairness and common sense should be applied to other provisions in the Bill. Extending the restrictions to bank accounts makes sense and does not impose an undue burden on banks and building societies, but rolling out sanctions against landlords who rent to those who are disqualified because of their immigration status is both unfair and counterproductive. That is why the vast majority of landlord representative organisations, which I am sure have spoken to right hon. and hon. Conservative Members, opposed the proposals when they were introduced last year. What they saw as unfair was:

“Making untrained civilians responsible for the work of immigration officers at a cost to themselves and under threat of legal action.”

Those same landlord organisations also pointed a year ago to another danger: the potential for discrimination. That concern was simply put by them and simply understood by us: landlords, not properly understanding the task before them, concerned by the complications of immigration status and worried by the threat of legal sanction, will simply go to a default position where they will not rent to anybody who does not appear to them to be obviously British. That was the concern landlords

were putting forward a year ago, and it is one that the Government acknowledged last year. That is why a pilot was undertaken in the west midlands, with an assurance being given by the Minister at the time that it would be evaluated before any roll-out. As he put it,

“it is sensible to proceed step by step and to look at the scheme after the first pilot...If serious problems have arisen, nobody...will want to take the scheme further.”—[*Official Report, Immigration Public Bill Committee*, 7 November 2013; c. 242.]

Well, serious problems have arisen, and a number of Members have highlighted the evidence in the Joint Council for the Welfare of Immigrants evaluation of the west midlands project. I accept that it is a small evaluation, but the figures have been quoted and they are alarming: 42% of landlords were less likely to consider someone without a British passport; 27% were reluctant to engage with those with foreign accents or names; 65% said that they had not read or did not understand the guidance; and 77% of landlords were against the roll-out. In the absence of the evaluation from the Home Office, which should have been before us today, that is the only evidence before the House. There was a fear a year ago about discrimination and the only evidence before the House now is of widespread discrimination. In those circumstances, we proceed without any evidence as to effectiveness. I have a very blunt message for the Government: in the 21st century this House should not be in the business of passing legislation that has such potentially discriminatory outcomes.

I turn briefly to the issue of support in relation to those refused asylum. Currently, those with dependent children receive support until their departure from the UK. There is and always has been a power for the Home Secretary to issue a notification removing that support. That has been rarely used in the past 10 years, and the reason has been touched on in the debate today. In a pilot 10 years ago, which involved 116 families, it was considered to be a complete failure, as it caused immense distress and panic and considerable health problems, with only one family leaving the UK as a result and 32 families going underground without support, housing, and access to welfare or health. As the current Secretary of State for Work and Pensions acknowledged in 2008, it is a failed policy, yet now in this Bill the Government seek to make that the default position. It will have the same result and the House should not support it; destitution should not be used as a means of enforcement.

In addition, the House should not support the proposals to interfere with the legal processes set up to deal with immigration and asylum. Tribunals have long had the power to impose conditions such as resident conditions and electronic tags. They are independent and impartial, yet this Bill proposes to give the Home Secretary the power to interfere with that.

In conclusion, whatever view one takes of immigration, this Bill is not grounded in evidence. Some of the measures will be counterproductive and will not deal effectively with the objectives underpinning the Bill. In short, it is not fit for purpose, and I urge Members to support the reasoned amendment or, if that fails, to vote against the Second Reading.

6.51 pm

The Minister for Immigration (James Brokenshire): This has been a very wide-ranging and passionate debate. Clearly, there are some issues that deserve further scrutiny.

[James Brokenshire]

Let me welcome the hon. and learned Member for Holborn and St Pancras (Keir Starmer) to his new role; this is the first opportunity that I have had to do so. I look forward to further debates with him on the issues that have been highlighted during this debate.

The hon. and learned Gentleman raised a specific point on the statutory defences under the Modern Slavery Act 2015. Perhaps in the sense of wanting to respond to him positively so that we can end the debate in that manner, I can say that that Act does include provisions relating to defences. There will be a defence to the new criminal offence of illegal working in the Bill. The Director of Public Prosecutions also issues guidance to protect victims from unfair prosecution. Certainly, I can give that reassurance to him and to other Members who raised the point during today's debate.

May I say to all hon. Members that this Government are firmly on the side of the vast majority of law-abiding migrants who play by the rules and contribute so much to our society? The UK has a long and proud history of immigration and this Government will continue to welcome the brightest and the best, the skilled and the talented to our country and to recognise the contribution that they make.

I thank all my hon. and right hon. Friends for their support of the Bill. My hon. Friend the Member for Peterborough (Mr Jackson) rightly highlighted the concern in his community and the need to deal with illegal immigration. My hon. Friend the Member for Folkestone and Hythe (Damian Collins) made the important point about exploitation by organised crime. He made the very clear statement that exploiters have the most to fear from this Bill. My hon. Friend the Member for Castle Point (Rebecca Harris) talked about strengthening criminal sanctions for illegal working.

My hon. Friend the Member for North West Norfolk (Mr Bellingham) raised an issue in relation to nurses and talked about some of the things that he has seen in his constituency. I can say to him that we take the advice on who should go on our shortage occupation list from the Migration Advisory Committee. That Committee said at the start of this year that nurses should not go on that list. It is considering the evidence further, and we will continue to take account of what it has to say on these important matters.

My hon. Friend the Member for Pendle (Andrew Stephenson) highlighted the new closure power and the scope of the director of labour market enforcement. We have launched a consultation today and I welcome contributions to that. My hon. Friend the Member for Monmouth (David T. C. Davies) highlighted his experiences on his visit to Calais, a point that was also raised by other hon. Members who have been out to northern France. Indeed, my hon. Friend the Member for Rochester and Strood (Kelly Tolhurst) also highlighted this point, and we are continuing to work with Kent County Council on the pressures it has experienced, particularly those concerning unaccompanied asylum-seeking children.

My hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) made a powerful point about having good migration, not mass migration, and my hon. Friend the Member for Gower (Byron Davies) talked about how we need to stop the abuse carried out by

rogue landlords. I hope that we will reach a point in our discussions on the Bill at which we will highlight how these measures contribute to taking action against rogue landlords more generally, working with local authorities to clamp down on the appalling conditions in many of the properties those landlords own. This is about supporting the proper regulated sector and joining up to take action against those who are exploiting the vulnerable.

Fiona Mactaggart: The Minister said earlier that the Modern Slavery Act 2015 would protect victims who might potentially be prosecuted for working illegally. He says that the Bill will enable us to deal with rogue landlords. Will he put in the Bill protection for landlords who let a property accidentally, who are not rogues, and protection for victims of trafficking?

James Brokenshire: We will no doubt discuss that point in Committee, but the Bill builds on measures in the Immigration Act 2014, including the right-to-rent provisions, the mechanisms that operate and the clear guidance we provided in the pilot scheme, and we will continue to do that. We are clear that there should not be any discrimination and that will be set out firmly in the guidance we will provide. That point about how the Government are approaching the measure must be stressed to the House.

My hon. Friend the Member for Gower mentioned the impact on children, a point that was raised by other hon. Members as well. Section 55 of the Children Act will continue to apply as regards safeguarding duties towards children.

My hon. Friend the Member for Bedford (Richard Fuller) talked about immigration detention and I repeat that we have commissioned the Stephen Shaw review into immigration detention. He has recently submitted his report and his findings are being considered carefully. The report will be published by laying it before Parliament alongside the Government's report on its recommendations.

Mr Alistair Carmichael *rose*—

James Brokenshire: I am sorry, but I have only two minutes left and I need to raise a few more points.

My hon. Friend the Member for Eastleigh (Mims Davies) rightly highlighted the exploitation of legal workers and my hon. Friend the Member for North Dorset (Simon Hoare) pointed out the inconsistencies in the reasoned amendment, which time does not allow me to highlight in greater detail.

It is also important to highlight the point made by my hon. Friend the Member for Fareham (Suella Fernandes) about the "deport first, appeal later" provisions and I would like to update the House. The original measures in the 2014 Act were considered by the Court of Appeal and were upheld as lawful. It is important to highlight that evidence, as evidence was a point emphasised by the shadow Home Secretary, the right hon. Member for Leigh (Andy Burnham). This matter has been considered carefully by the Court of Appeal and found to be lawful, and it has been upheld.

It is also important to highlight the point made by my hon. Friend the Member for Harrow East (Bob Blackman) about diversity and how often the most diverse communities see the effects of migration. There is a need to tackle illegal immigration in those communities as much as

anywhere else, and they have provided support. My hon. Friend the Member for South Thanet (Craig Mackinlay) stressed that we should uphold the law for those who seek to abide by it. That is the central tenet of the Bill; it is about upholding the law for those who abide by it. We should uphold those principles and deal with illegal immigration.

I look forward to the continuing debates on the issues that have been highlighted. The Bill will ensure the public's expectation of a system that is fair to British citizens and legitimate immigrants while being tough on those who abuse the system and flout the law. We believe that the measures in the Bill are right, proportionate and necessary and I commend it to the House.

Question put, That the amendment be made.

The House divided: Ayes 282, Noes 322.

Division No. 74]

[6.59 pm

AYES

Abbott, Ms Diane
Abrahams, Debbie
Ahmed-Sheikh, Ms Tasmina
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Arkless, Richard
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blenkinsop, Tom
Blomfield, Paul
Boswell, Philip
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Burnham, rh Andy
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Cherry, Joanna
Clegg, rh Mr Nick
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Cowan, Ronnie
Cox, Jo
Coyle, Neil
Crausby, Mr David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Danczuk, Simon
David, Wayne
Day, Martyn
De Piero, Gloria
Docherty, Martin John
Donaldson, Stuart Blair
Doughty, Stephen
Dowd, Jim
Dowd, Peter
Domey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Ferrier, Margaret
Field, rh Frank
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Fovargue, Yvonne
Foxcroft, Vicky
Gapes, Mike
Gardiner, Barry
Gethins, Stephen
Gibson, Patricia

Glass, Pat
Glendon, Mary
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lillian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harpham, Harry
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hillier, Meg
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Hunt, Tristram
Huq, Dr Rupa
Hussain, Imran
Irranca-Davies, Huw
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Gerald
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Kaufman, rh Sir Gerald
Keeley, Barbara
Kendall, Liz
Kerevan, George
Kerr, Calum
Khan, rh Sadiq
Kinnock, Stephen
Kyle, Peter
Lamb, rh Norman
Lavery, Ian
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Mr Angus Brendan
Mactaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael

Matheson, Christian
Mc Nally, John
McCabe, Steve
McCaig, Callum
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McLaughlin, Anne
Meale, Sir Alan
Mearns, Ian
Monaghan, Carol
Monaghan, Dr Paul
Moon, Mrs Madeleine
Mulholland, Greg
Mullin, Roger
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Nicolson, John
O'Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Oswald, Kirsten
Paterson, Steven
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
Ritchie, Ms Margaret
Robertson, rh Angus
Robinson, Mr Geoffrey
Rotheram, Steve
Ryan, rh Joan
Salmond, rh Alex
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Jeff
Smith, Nick
Smith, Owen
Smyth, Karin
Spellar, rh Mr John

Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Stuart, rh Ms Gisela
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Michelle
 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
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Corri
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Ms Rosie
 Wishart, Pete
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Ayes:
Jessica Morden and
Grahame M. Morris

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
 Baron, Mr John
 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
 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
 Burrowes, Mr David
 Burt, rh Alistair
 Cairns, Alun
 Carmichael, Neil
 Carswell, Mr Douglas
 Cartledge, James
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Mr Christopher
 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
 Dorries, Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Elliott, Tom
 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
 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
 Graham, Richard
 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
 Heald, Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kinahan, Danny

Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 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
 McLoughlin, rh Mr Patrick
 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
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philp, Chris
 Pickles, rh Sir Eric
 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, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 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
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 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
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:

Sarah Newton and
 Simon Kirby

Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair
 Cairns, Alun
 Carmichael, Neil
 Carswell, Mr Douglas
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Choqe, Mr Christopher
 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
 Dorries, Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Elliott, Tom
 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 Frank
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 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
 Graham, Richard
 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
 Heald, Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kinahan, Danny
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian

Question accordingly negated.

Question put forthwith (Standing Order No. 62(2)).
 That the Bill be now read a Second time.

The House divided: Ayes 323, Noes 274.

Division No. 75]

[7.15 pm

AYES

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
 Baron, Mr John
 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
 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

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
 McLoughlin, rh Mr Patrick
 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
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philp, Chris
 Pickles, rh Sir Eric
 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, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber

Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 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
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 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
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
 Sarah Newton and
 Simon Kirby

NOES

Abbott, Ms Diane
 Abrahams, Debbie
 Ahmed-Sheikh, Ms Tasmina
 Alexander, Heidi
 Ali, Rushanara
 Allen, Mr Graham
 Anderson, Mr David
 Arkless, Richard
 Ashworth, Jonathan
 Bailey, Mr Adrian
 Bardell, Hannah
 Barron, rh Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackford, Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blenkinsop, Tom
 Blomfield, Paul
 Boswell, Philip
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Burnham, rh Andy
 Butler, Dawn
 Byrne, rh Liam
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Cherry, Joanna
 Clegg, rh Mr Nick
 Clwyd, rh Ann
 Coaker, Vernon
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, Jeremy
 Cowan, Ronnie
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Mr Jim
 Dakin, Nic
 Danczuk, Simon
 David, Wayne
 Day, Martyn
 De Piero, Gloria
 Docherty, Martin John
 Donaldson, Stuart Blair
 Doughty, Stephen
 Dowd, Jim
 Dowd, Peter
 Dromey, Jack
 Dugher, Michael
 Durkan, Mark
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Ferrier, Margaret
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Gapes, Mike
 Gardiner, Barry
 Gethins, Stephen
 Gibson, Patricia
 Glass, Pat
 Glindon, Mary
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh Mr David
 Harman, rh Ms Harriet
 Harpham, Harry
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Mr Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Irranca-Davies, Huw
 Jarvis, Dan
 Johnson, rh Alan
 Johnson, Diana
 Jones, Gerald
 Jones, Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Kendall, Liz
 Kerevan, George

Kerr, Calum
 Khan, rh Sadiq
 Kinnock, Stephen
 Kyle, Peter
 Lamb, rh Norman
 Lavery, Ian
 Law, Chris
 Leslie, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Mr Angus Brendan
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCaig, Callum
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McLaughlin, Anne
 Meale, Sir Alan
 Mearns, Ian
 Monaghan, Carol
 Monaghan, Dr Paul
 Moon, Mrs Madeleine
 Mulholland, Greg
 Mullin, Roger
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten
 Paterson, Steven
 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
 Ritchie, Ms Margaret
 Robertson, rh Angus
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Ryan, rh Joan
 Salmond, rh Alex
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Michelle
 Thornberry, Emily
 Timms, rh Stephen
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Watson, Mr Tom
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Corri
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Ms Rosie
 Wishart, Pete
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Noes:
 Jessica Morden and
 Grahame M. Morris

Question accordingly agreed to.

Bill read a Second time.

IMMIGRATION BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Immigration Bill:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 17 November 2015.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

(4) Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

(7) Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—(*James Brokenshire.*)

Question agreed to.

IMMIGRATION BILL (MONEY)

Queen's recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Immigration Bill, it is expedient to authorise the payment out of money provided by Parliament of:

(a) any expenditure incurred under or by virtue of the Act by a Minister of the Crown, a person holding office under Her Majesty or a government department, and

(b) any increase attributable to the Act in the sums payable under any other Act out of money so provided.—(*James Brokenshire.*)

Question agreed to.

IMMIGRATION BILL (WAYS AND MEANS)

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Immigration Bill, it is expedient to authorise—

(1) the imposition of an immigration skills charge,

(2) the charging of fees, and

(3) the payment of sums into the Consolidated Fund.—(*James Brokenshire.*)

Question agreed to.

Business without Debate

WELFARE REFORM AND WORK BILL: PROGRAMME (NO.2)

Motion made, and Question put forthwith (Standing Order No. 83A(7))

That the Order of 20 July (Welfare Reform and Work Bill (Programme)) be varied as follows:

In paragraph (2) of the Order (conclusion of proceedings in Public Bill Committee) for “Thursday 15 October” substitute “Tuesday 20 October”.—(*Julian Smith.*)

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

INCOME TAX

That the draft Scottish Rate of Income Tax (Consequential Amendments) Order 2015, which was laid before this House on 24 June, be approved.—(*Julian Smith.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

ELECTRICITY

That the draft Electricity Capacity (Amendment) (No. 2) Regulations 2015, which were laid before this House on 16 March, in the last Session of Parliament, be approved.—(*Julian Smith.*)

Question agreed to.

PETITION

Closure of Wakefield Magistrates Court

7.30 pm

Mary Creagh (Wakefield) (Lab): The petition is from the residents of Wakefield constituency

The petition states:

The Petition of residents of the Wakefield constituency,

Declares that the Petitioners are concerned about the proposed closure of Wakefield magistrates court and the impact this will have on access to justice in areas including Wakefield, Pontefract, Castleford, Featherstone, Normanton and Knottingley; further that the closure of the court would force local people to travel to Leeds; and further that this proposal follows the 2013 closure of Pontefract magistrates court, which resulted in some staff and work moving to Wakefield magistrates court.

The petitioners therefore request that the House of Commons urges the Government to reconsider the proposal to close Wakefield magistrates court.

And the Petitioners remain, etc.

[P001548]

Drones in Conflict

Motion made, and Question proposed, That this House do now adjourn.—(*Julian Smith.*)

7.31 pm

Dr Andrew Murrison (South West Wiltshire) (Con): After this debate there will be a small ceremony to mark the three crests in memory of three Members of this House who died during the great war and who, until this point, have not been recognised.

In the immediate aftermath of that war, the strategist J.F.C. Fuller predicted the demilitarisation of warfare as machines replaced men on the battlefield. General Fuller was well ahead of his time, but the recent use of unmanned machines to eliminate people in a country where we are not actively engaged in war fighting was described by the Prime Minister on 7 September as a “new departure”. Perhaps in time, drones will rank alongside the longbow in the hundred years war, and submarines a century ago. Both in their time were castigated as disreputable and even cowardly, on the grounds that they appeared—initially at least—to be capable of killing with little risk to the operator.

This debate takes place as we contemplate a further vote on military action in Syria, and in the meantime drones have been used to kill two British citizens in Raqqa on 21 August under article 51 of the Charter of the United Nations. Last week the Prime Minister announced that the number of RAF drones would be doubled, and yesterday the Defence Secretary issued a written ministerial statement about the Protector replacement for Reaper.

I support the development of unmanned air systems as part of the UK’s defence and security. Their endurance, the removal of personal risk from our troops, and the potential for reducing civilian casualties, together with the cost implications of simulator-based training, are all impressive. However, like any “new departure” they must be appraised critically.

Ministers have said that drones operate under existing generic rules of engagement and that nothing more is required. I would like to unpack that a bit, particularly since that assertion appears to conflict with the Ministry of Defence development, concepts and doctrine organisation’s joint doctrine note of March 2011. That JDN notes what we now know to be a “new departure”, and calls explicitly for an unmanned aerial vehicle governance road map. Can the Minister say what progress has been made in advancing the JDN’s recommendations? Will the road map be published? If so, when?

The availability of low-risk, low-cost means of delivering military effect risks lowering the bar for military intervention. It could be that the killings in Raqqa, which I volubly supported in September, illustrate the point. Would the Government have ordered this new departure without the risk-free means of delivery made possible by drones? Indeed, the absence of any obvious criminal or disruptive proceedings against collaborators of the individuals killed in Raqqa suggests that the unmanned aerial vehicle action was not as pressing as we initially understood it to be. Were it otherwise, one would have expected a highly sophisticated delivery and support system in the UK where the offence or offences were to be committed. As yet, we have seen no evidence of that.

In its response to the Defence Committee's report, the Government denied that the availability of drones lowers the bar for military intervention. I expect the Minister to reiterate that today. However, unless Ministers are prepared to say that risk to our own troops is immaterial in determining whether to embark on military action, which I do not think she will, that line will have to be finessed in due course.

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for giving way and for securing this important debate. He has clearly outlined the issue for military use, but there is an opportunity to use drones for surveillance. In Northern Ireland, we have very active dissident republicans and the threat level is severe. Does he feel that drones could be used, for example by the Police Service of Northern Ireland, to enable better surveillance and to catch terrorists involved in illegal activity?

Dr Murrison: The hon. Gentleman makes his point in his normal fashion. He will understand that Northern Ireland falls outwith the scope of today's debate, but those responsible for security in Northern Ireland will no doubt examine all the options open to them to safeguard the people living in Northern Ireland.

I hope the newly repopulated Intelligence and Security Committee will be assisted by Ministers in applying its forensic skills to investigate the Raqqa killings. I am confident that the action was only taken, as the Prime Minister said on 7 September, as there was "no alternative", so it should be able to reassure the public fairly easily. However, it or others must substantiate or refute the hypothesis that, in the Raqqa case, the availability of drones lowered the bar for intervention under article 51 on 21 August. If the former is the case, UAVs will indeed be a new departure in the tradition of J.F.C. Fuller, and the argument for tailored doctrine and rules of engagement will be overwhelming.

This is especially important as what may seem like surgical, low-risk interventions have an unnerving history of altogether bigger consequences that are difficult to predict and control. What is more, the use of particular systems by the UK legitimises their use by other states. The quality of our doctrine and our rules of engagement have a direct bearing on those of others. If we are seen to be relaxed about this new departure, we cannot be surprised if others take a similar line.

The use of drones by the US to eliminate operatives in Pakistan and Yemen is highly controversial. I am one of the greatest admirers of the United States, but its post-war history of what has become known as blowback—provoking sometimes game-changing retaliation through the generation of civilian collateral—is alarming. America's allies are at risk of being seen as colluding to the point that the Defence Committee has called for a clear demarcation in the operation of drones where, of course, interchangeability of US and UK personnel and airframes is very advanced. The Birmingham Policy Commission was assured that UK personnel releasing a weapon from a United States air force vehicle remain subject to UK rules of engagement. Will the Minister confirm that that is the case, since manned air operations in Syria—despite the express will of this House two years ago, however right or wrong—suggest otherwise?

We cannot directly influence our allies' ROEs, but we can ensure that joint operations are conducted appropriately, that NATO doctrine is acceptable and that UK personnel are not compromised. Will the Minister say how many UK servicemen are involved in the operational use of drones with US or other forces and what arrangements she has made to ensure that the ROEs they are required to use do not fall short of the standards applicable in the UK? What will be done to ensure that data acquired using drones are not then used by allies to act against targets in a way that the UK public might find objectionable? The Defence Committee has suggested that the Intelligence and Security Committee should look at this. Without wishing to overburden the ISC, would she agree that that suggestion is sound and do what she can to facilitate it?

Drones are all controlled by human beings, but concern remains over the development of autonomous airframes and so-called killer robots. Some level of independence already applies to a few of our existing weapon systems, such as Phalanx, but it would be useful if the Minister could delineate the bounds of acceptability. Can she confirm that the UK is bound by the missile technology control regime, the Wassenaar arrangement and not least the consolidated criteria? What is her view of the future for unmanned technology exploitation in the UK aerospace and defence sector? Will she confirm that the UK Government would be unlikely to license the export of autonomous weapon systems?

Can I tempt the Minister to indicate how UAVs will feature in the upcoming strategic defence and security review? It sometimes seems that the only defence policy the Scottish National party has is the restoration of maritime patrol aircraft. Manned airframes for that purpose seem increasingly last century, so will she say whether UAVs—perhaps the US systems Poseidon or Triton, or NATO's high altitude long endurance proposition—are being actively considered to restore capability taken at risk on withdrawal of Nimrod? Will the MOD now undertake to publish the study we understand is being conducted by the MOD into that matter?

Will the Minister say where we are with the future combat air system? A joint BAE Systems and Dassault post-Typhoon and Rafael unmanned combat air system concept trailed in the Lancaster House treaties and launched in 2012 appears to have stalled. Will she say what has happened to it and the extent to which the challenges of evolving technology designed for permissive airspace and data feeds to deal with hostile environments and semi-autonomy are delaying progress?

Can the Minister confirm that the UK has no interest in the European Defence Agency's medium altitude long endurance remotely piloted aircraft systems project? I remember being distinctly lukewarm about that, as I am with "more Europe" in defence generally, at the Foreign Affairs Council when I was at the MOD. When will the Navy's maritime UAV strategy paper be finished and published? If drones are relatively cheap, easy to control, low risk and readily deployable, they may well become a weapon of choice for non-state actors. What assessment has been made of this and, while spending on UAVs is bucking the defence spending trend in this country, what investment is being made in countermeasures?

I would like to consider the implications of emerging technology on military software—on uniformed men and women who serve this country. With the SDSR

[Dr Murrison]

pending, it is important for Ministers to understand where technological advances are taking not only defence hardware but its software—the human beings who populate the military today and will do so over the next two decades. Air marshals gamely tried to convince us that a drone pilot playing with his joystick in the Nevada desert or Lincolnshire is the lineal descendent of “the few” and of airmen in conflicts since—that is, people who engage directly with or are engaged by the enemy in the air.

Although the mental challenge to a person who logs off and goes home after a shift in Lincolnshire should not be equated with an infanteer in Basra or Helmand, the psychological implications of killing the enemy at a distance rather than at close quarters merit close examination, particularly since operators lack the unit cohesion and support systems of those physically on the frontline.

If Fuller is right, military practitioners will increasingly be technicians, not tough men at the end of a bayonet. “Professional spirit” will replace “fighting spirit”: it will be as if the Royal Army Dental Corps has taken over from the Black Watch. If so, in the sanitised operations of the future, “fighting spirit” may become a positive disadvantage. The military covenant exists because of the extraordinary risks run by fighting forces. If there are few risks beyond the expectation of routine civilian employment, there is no need for a covenant.

General Fuller’s prediction of the end of the infantry was premature, but it may yet have its day as we shift from hand-to-hand to hands-off combat in an environment where societal tolerance for taking and inflicting casualties is low. If so, there are profound implications for how we structure our armed forces, the sort of people we recruit to them and the implicit deal struck between servicemen and the nation, reflected in the military covenant.

7.46 pm

The Minister for the Armed Forces (Penny Mordaunt):

I congratulate my hon. Friend the Member for South West Wiltshire (Dr Murrison) on securing this debate on a topic that I know is of great interest to hon. Members. I also thank him for giving a plug to what will follow this debate.

My hon. Friend asked a large number of questions; I shall try to get through them all in the time available. Let me first answer the last point about how this issue is changing both the shape and the look of our armed forces and the types of scenarios in which our armed forces might find themselves. It must be recognised that RPAS crews are fully immersed in the realities of combat. The persistence offered by these systems can result in crews observing the aftermath of their attacks, which is a sobering experience, rarely shared by other pilots or artillery men. As with any squadron that deploys in theatre, RPAS squadrons undergo pre-operational mental health briefings and post-tour briefs. They have trauma management practitioners embedded throughout to monitor the health and wellbeing of all those involved in operations. I know that my hon. Friend takes a great deal of interest in these matters, and I would be happy to discuss the issue further with him on another date.

I am grateful for my hon. Friend’s acknowledgment of these systems in that they play a key part in our capability and help to save lives. If he will forgive me, I will briefly provide a bit of clarity and on the record bust some of the myths that surround the term “drone”, which conjures up images of machines free from human oversight and able to operate with complete autonomy. That is the stuff of science fiction movies, not the reality. Although drones do not operate with an individual in the cockpit, the fact is that a trained professional human being is in control of the system at all times. The difference is that they operate remotely from the vehicle. The term “drone” also overlooks the fact that the aircraft itself is part of a much larger system composed of other vital components such as the ground stations, networks and, most importantly, the personnel.

My hon. Friend asked what progress has been made on the joint doctrine note’s recommendations of March 2011 in terms of developing a governance road map. We shall be developing that at the same time as bringing the Protector into service. I shall be happy to provide more details, but the rough date of completion for the programme will be the end of the current decade.

My hon. Friend asked some pertinent questions about the Raqqa strike. He asked, for instance, whether it would have happened if this capability had not been at our disposal. That raises hypothetical questions about whether having the capability changes our behaviour and whether we become more trigger-happy, and also about the nature of individual targeting, which, as he will understand, is an incredibly complex process. Many questions about collateral damage and the likelihood of success will also need to be taken into account. I think that the best way in which I can answer those hypothetical questions is to direct him to the Prime Minister’s statement that if there were a direct threat to the British people and we were able to stop it by taking immediate action, we would be prepared to take that action.

Fiona Mactaggart (Slough) (Lab): The hon. Member for South West Wiltshire (Dr Murrison) suggested that the Intelligence and Security Committee would review the decisions about Raqqa. Will the Minister give the House a commitment that the Ministry of Defence will engage in the best possible collaboration with any inquiry that the Committee might mount?

Penny Mordaunt: I shall say more about that later, but yes, it would be very welcome.

Let me say a little about the rules of engagement. United Kingdom policy relating to RPAS is exactly the same as that which relates to manned aircraft. There is no requirement for separate rules of engagement. UK crews always operate within UK and international law, regardless of what other rules of engagement apply to the operation concerned. If the United States were using one of our systems, it would use its rules of engagement, but it would be restricted by our UK red card holder, who is fully empowered to veto the use of a UK asset for action without UK permissions.

My hon. Friend asked about the number of individuals involved in US operations. No UK personnel are involved in flying in such operations, although three UK servicemen are currently involved in training. He raised the issue of data that might be gathered by RPAS when our allies could potentially use them to attack targets that the UK

public might find objectionable. The right hon. Member for Slough (Fiona Mactaggart) mentioned the ISC's offer to examine and provide oversight in regard to that whole matter. The acquisition and dissemination of the intelligence that is gathered complies with all UK domestic and international law, and oversight from that body is very welcome. I will undertake to keep my hon. Friend informed, and will do what I can to facilitate it.

My hon. Friend raised the issue of the development of so-called killer robots, in the case of which there is some level of independence. He mentioned Phalanx, but I would guess that Goalkeeper and other such capabilities would fall into the same category. He asked what regimens, agreements and criteria they were bound by; I can confirm that they are bound by all those to which he referred.

We continue to track rapidly advancing RPAS technology development. Over the last decade, it has become a very important part of our military capability. Given the rapidity with which such technology is developing, I cannot envisage any reversal in the trend. Indeed, I expect RPAS to be used in an increasingly wide variety of environments and roles, and to form a key part of our future mix. The Government have no intention of developing systems that operate without this all-important human hand in the weapon command and control chain.

My hon. Friend asked how UAVs might feature in the SDSR. That has still to report its findings, but as the Prime Minister has already announced, Reaper will be replaced towards the end of the decade through the Protector programme, which will develop a medium altitude long endurance RPAS, providing the UK armed forces with a theatre-wide persistent ISR—intelligence, surveillance, reconnaissance—capability that is able to identify, monitor and, if necessary, attack land and maritime targets. The Protector programme is set to double the number of aircraft compared with Reaper, offering yet more capability.

My hon. Friend asked a list of questions, which I can get the Minister for Defence Procurement to respond to, addressing successors to Nimrod, maritime patrol aircraft and so on.

A variety of options, including unmanned systems, are currently being considered as part of the SDSR for future UK capability. The Department is funding research into the potential of this area of future combat air systems, and we are currently undertaking a two-year study with France scoping the feasibility of developing an unmanned combat air system together. This is complemented by a national programme including further work to advance the Taranis technology demonstrator aircraft.

My hon. Friend asked about exports. The Government take our arms exports responsibilities very seriously. I have sat on the Defence Committee as a Back Bencher

and we operate one of the most rigorous arms export controls in the world. The transfer of unmanned or remotely piloted air systems and their related technology is controlled through the UK's strategic export legislation, and any export of strategic goods such as these systems would need to be considered against the EU and the national consolidated export licensing criteria. Export licences are considered on a case-by-case basis against the export licensing criteria, and in the light of prevailing circumstances at the time and depending, critically, on what we think they would be used for. Any licence to export a UAS or RPAS would have to be consistent with the UK's international obligations under those regimes and agreements that my hon. Friend mentioned. The overall aim of that is to prevent the proliferation of sensitive materials and technology to countries and end-users of concern. We do not export equipment where there is a clear risk that it might be used for internal repression or it would aggravate existing tensions or conflicts, or would be used aggressively against another country.

On that point, my hon. Friend asked about the danger and likelihood of these capabilities being developed by non-state actors and what we are doing about that. Clearly, that is an area of concern and he will know that we constantly assess those threat levels, and we are currently, as part of the work in the SDSR, looking at measures that could be taken to counter such threats.

My hon. Friend also asked when the Navy's maritime UAV strategy paper will be finished and when it will be published. That, again, is part of the work of the SDSR.

In summary, I welcome this opportunity to put on record again the Government's clear views on the benefits of remotely piloted aircraft systems. The role of those systems in armed conflicts will only increase over time, whether to gain a more complex level of situational awareness for tactical crews and military commanders or to attack positively identified targets when required. I find it hard to imagine a campaign in which such technology will not have a part to play. Indeed, in the most unpredictable and difficult of operational environments, these systems are vital in providing situational awareness, often avoiding the need to place our personnel in harm's way, whether on the ground, in the air or at sea.

I know that the various aspects of this issue are of immense concern to Members on both sides of the House, and we are keen to facilitate visits to some of the facilities involved and to ensure that the House is well informed on all the issues. I will be happy to follow up any further questions that my hon. Friend the Member for South West Wiltshire might have.

Question put and agreed to.

8 pm

House adjourned.

Westminster Hall

Tuesday 13 October 2015

[MR NIGEL EVANS *in the Chair*]

Child Suicide Bombers

9.30 am

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): I beg to move,

That this House has considered the matter of use of children as suicide bombers.

It is a great pleasure to serve under your chairmanship, Mr Evans, but it is sad, to say the least, that it is in a debate on such a tragic and difficult topic. I welcome the Minister. I am very aware that he has faced a personal family tragedy related to an act of terrorism that included a suicide bombing. I am indebted to him for his willingness to speak in the debate, and I very much look forward to his contribution.

Although, like most people, thankfully, I have not suffered in the same way as the Minister's family, I have had some contact over the years with situations of conflict. Although those do not constitute a declarable interest, it is perhaps appropriate briefly to establish my own background and interest in the topic. I have worked at times in places that have suffered from serious conflict. At one stage in my career, I was briefly surrounded by heavily armed individuals in Aden in Yemen, fearing that I might be about to be kidnapped. Fortunately, the situation was resolved, but I still remember the feeling of fear and helplessness. I have tutored around eight undergraduate and postgraduate prisoners in the H-blocks of the Maze prison in Northern Ireland, including some found guilty of bombings. I have worked in places such as the Namibia-Angola border not long after a major conflict. Perhaps in part because of that background, I am now the chair of the all-party group on explosive weapons.

I have for many years been an observer of conflict. I am drawn to this debate because of my judgment that we have entered a new era that brings with it some horrendous developments, of which child suicide bombers is, for me, the most awful. Although the first recorded suicide bomber was a young Russian called Ignacy Hryniewiecki, who in 1881 blew himself up along with the Russian Tsar, suicide bombings were comparatively rare until very recently. During world war two, the Japanese military at times used suicide missions, but it was never a regular or major feature of large-scale armed conflicts. I believe that developments that now mean that some states wage war on terrorist groups with such advanced technological weaponry that it is no longer a case of facing armies or armed groups face to face are a contributory factor to the rise in suicide bombings. Thus, when cruise missiles or drones are used, those on the receiving end increasingly turn to new forms of conflict and new targets.

The 21st century has become the age of the suicide bomber, and suicide bombing is growing exponentially as a chosen form of combat. A recent report by Action on Armed Violence revealed that in 2014 there were no

fewer than 3,463 civilian casualties from suicide bombings, but in the early months of 2015, the number was already around 5,000. I would like to acknowledge the work of Action on Armed Violence and of UNICEF, both of which are observing today's debate, and I hope to do them some justice. The weekend death toll of the attack in Turkey, which appeared to target demonstrators for peace, is a further example of how devastating such attacks can be.

A study by the University of Chicago claims that 36 countries have suffered from suicide bombings, with more than 30,000 people killed over the past 30 years, including in the UK and, of course, in this city in particular. I must, too, acknowledge an attempted suicide bombing at Glasgow airport. The number of failed attempts worldwide is unknown, but even fails can often cause alarm and affect people's way of life.

What and who are suicide bombers? They are highly effective, because the perpetrator functions as a sophisticated guidance system for the weapon. Whereas advanced states can use technological guidance systems, terrorist groups increasingly use human beings, either on foot or in vehicles. Suicide bombers therefore operate as part guided weapons system, part weapon. Often, these attacks happen far away from a traditional battlefield, if such a battlefield even exists, and strike at the heart of civilian life, including religious or ethnic groups and economic and cultural targets. Their impact is psychological as well as physical, causing fear and disruption to daily activity. Some of the most horrific attacks appear to have simply targeted as many civilians as possible in urban areas.

Suicide bombers have often been associated with extremist groups such as Daesh and Boko Haram, but the phenomenon is escalating beyond those notorious groups. Most academic studies of what motivates suicide bombers address adults, which is perhaps unsurprising given that children as suicide bombers is a comparatively recent phenomenon. Such studies that exist, such as those of those of Professor Robert Pape of the University of Chicago and Professor Scott Atran of France's Centre National de la Recherche Scientifique and the University of Michigan, can at times draw different conclusions, but they agree that overly simplistic views such as those of ex-President George Bush, who said that the suicide bomber

"hates freedom, rejects tolerance, and despises dissent",

are, to quote Professor Atran,

"hopelessly tendentious and wilfully blind".

Such comforting simplicity is no basis for understanding, let alone for constructing a policy. We need to understand much more about the motives and beliefs of adults before we can understand fully their motives for choosing to use children. One thing seems sure: addressing the problem by military means alone will do little to stop the spread of this horrendous practice.

The escalation in recent years of suicide bombings is happening along with the growth in using children as suicide bombers. The exploitation of children, treating them as mere dispensable tools of conflict, is a development that we do not fully understand. Such details as are becoming known confirm the need for everyone to refocus and do more to understand and address this trend. Examples of the growth in recent times of child suicide bombers are sadly not hard to find. It is claimed

[Roger Mullin]

that some are as young as seven, although confirmation is often difficult. The youngest UK citizen to become a suicide bomber was 17-year-old Talha Asmal, who in June this year was involved in an attack in Iraq. It seems only a matter of time before even younger children among our own community become involved, unless we can find more effective preventive actions.

The scale of the problem worldwide is truly shocking. Take the case of Iraq. The Iraqi Independent Commission for Human Rights recently estimated that more than 1,000 children have been trained as suicide bombers in the six months up to May 2015. Think of it—1,000 children. In 2014, the United Nations Human Rights Council found that Daesh was recruiting

“children into armed roles under the guise of education”

and that they were being

“deployed in active combat missions during military operations, including suicide bombing missions”.

In Nigeria since July 2014, the latest information shows that there have been nine suicide bombings involving children between the ages of seven and 17, all of whom were girls. Many of the attacks in Afghanistan are carried out by children. It is reported that some as young as nine have been intercepted. Often trained in Pakistani madrassahs, they are very susceptible to indoctrination. There are reports that in Afghanistan, child suicide bombers are sometimes given an amulet containing Koranic verses, which they are told will protect them from the explosion.

Given the current crisis in Syria, it is instructive to note that Daesh are increasingly using suicide bombings involving children. Indeed, hundreds of children are undergoing training as suicide bombers in camps in Syria and Iraq. Daesh calls these children, “Cubs of the Caliphate”. There are several reports of hundreds of children being kidnapped by Daesh and forced into their camps. In February, a Daesh video was released showing a training camp for children. Renate Winter, a member of the UN Committee on the Rights of the Child, claimed that many of the children being used as suicide bombers “are mentally challenged” and will have little or no idea of what is happening to them. It therefore seems probable that some of the young children being used are particularly susceptible to exploitation.

Furthermore, ongoing conflict in Syria and Nigeria is uprooting families and leading to many thousands of unaccompanied and separated children, who then become particularly vulnerable to terrorist groups. Put simply, it is comparatively easy to kidnap children under no one’s care. That is partly why I am particularly keen for the UK to welcome as many unaccompanied child refugees as possible.

However, it is, of course, not only via camps that children can be indoctrinated. The internet is well used by terrorists, radical clerics and others as a means of getting to young people and turning them. Indeed, there are as many channels for indoctrination as there are methods of training and education, yet it seems that the terrorists are ahead of the game in many respects. We need to know more and do more to protect children.

Wider concerns are now being expressed regarding child suicide bombers. UNICEF, for example, is concerned that the trend in child suicide bombers could lead to

children increasingly being viewed as potential threats, placing many children at further risk. Furthermore, according to UNICEF, tens of thousands of children are receiving some form of psychological support as a result of the effects of conflict. People in psychological distress may be additionally vulnerable in many situations.

What is to be done? I have four matters to put to the Minister for reflection. First, we need to know much more about this phenomenon. Knowledge is a key requirement for effective action. Do the Government have any plans to increase funding for research in this area, and will they take a lead internationally in calling for and co-ordinating a much better resourced and focused investigation into the patterns and causes of suicide bombing involving children?

Secondly, will the Government take a lead in bringing together existing practice in providing education and psychological services aimed at counteracting the indoctrination of children?

Thirdly, will the Government at least consider putting together a taskforce, which may include cross-party membership as well as an appropriate range of professional experts, aimed at assessing the risks posed to young people in the UK and making recommendations to Government?

Finally, will the Government specifically aim to take in unaccompanied refugee children as part of their refugee relief programme?

As a new MP and one from Scotland, it would have been easy to avoid this difficult topic and to seek a debate on some domestic issue that was much less harrowing. Indeed, I know that some people may question whether this should be a political priority of mine; after all, I am not a spokesperson on either defence or foreign affairs. However, I am sure, that the Minister will fully agree at least about the importance of this topic.

9.44 am

Jim Shannon (Strangford) (DUP): It is a pleasure to be called to speak in this debate, Mr Evans, and I congratulate the hon. Member for Kirkcaldy and Cowdenbeath (Roger Mullin) on securing it and on giving us chance to participate. As I said to you, Mr Evans, and to the shadow Minister and the Minister, I have another Committee to go to, so I apologise for having to leave early. That does not take away from the debate’s importance.

When we think about this matter, we are aware of the horror of what takes place, as the hon. Member for Kirkcaldy and Cowdenbeath has outlined. I hope that examples that he has given and others will explain the true horror that comes from using children as suicide bombers. Unfortunately, as terrible as this is, it is a daily reality for hundreds of vulnerable, impressionable children. Understanding why it happens is simple: children are easy targets—they are easily impressed—and the people using children for these horrific purposes have no capacity whatever to care about that.

David Simpson (Upper Bann) (DUP): I thank my hon. Friend for giving way so early in his speech, and I congratulate the hon. Member for Kirkcaldy and Cowdenbeath (Roger Mullin) on securing this timely debate. The psychological welfare of young people has been mentioned, but how do we deal with the issue of

children of Christian families in Syria being taken, with the threat of death to their families if the children do not carry out suicide bombings? I agree entirely that we need to address psychological welfare through education, but how do we deal with that situation?

Jim Shannon: I thank my hon. Friend and colleague for that intervention. I wish I had the answer he wants, but I am not capable of giving it to him. As he knows, however, the persecution of Christians is an issue very close to my heart. In last night's Adjournment debate, I made the point to the hon. Member for Batley and Spen (Jo Cox), who secured it, that 600,000 Christian Syrians have been displaced because of their belief. Many of them have been given the ultimatum "convert or die", and when their children are kidnapped and used for these nefarious purposes, there is all the more reason to be concerned about the situation. This is a big issue and it needs to be tackled.

Like the hon. Member for Kirkcaldy and Cowdenbeath, I want to put on the record my sympathies for the people who lost their lives in Turkey over the weekend. They were involved in a peaceful protest. Nothing violent was ever supposed to happen, but they were cruelly murdered and injured. We need to put on the record our sympathies for all those who lost their lives.

I lived through the Troubles; I am old enough to remember them and to have participated in uniform as a member of the Ulster Defence Regiment, trying to thwart the activities of evil men and terrorists in Northern Ireland. I am also old enough to recall many of the people who died and the funerals I attended, all because of the evil activities of IRA terrorists. Again, perhaps those murders and bombings—indiscriminate bombings against innocent civilians, who were not involved in any way—give us just a wee insight into what happens.

The use of children in wars is nothing new; it is a tactic adopted by many in conflict. We can all conjure up the dreadful images of the child fighters used in Sierra Leone not so long ago, in other parts of Africa and in Burma, to name but a few. Again, children were used simply because they were children. Using them as suicide bombers is simply the next stage. It is a natural progression and means that a small child can be used to cause maximum devastation, while not sacrificing adult fighters who might be of more use elsewhere. That is what this is really all about: it is plainly and simply selfish. It has nothing to do with glory or anything else that fighters try to tell children. Let us not be under any illusion about that. The people who use children to fight or who strap bombs to their chest have absolutely no remorse. They do not care for or value human life; for them, there can be no consideration or distinction given for the innocence of a child.

In July this year, ISIS revealed the name of a young boy who had been responsible for the deaths of 50 Kurdish fighters in northern Syria. Omar Hadid al-Muhammadi was just 14 years of age. Most of us sitting here today have children far older than that. Think back, Mr Evans, just for a second, to when your own nieces or nephews were just 14. What were they doing? I suppose that, like my own sons, they were staying out a little later with their friends and spending a little less time with their father and mother and a little more time with girls—having girlfriends one week and being heartbroken the next. That is life; that is what happens. At 14, however, they

were still easily influenced. They copied their friends and followed the crowd, as teenagers often do in an attempt to fit in, but that is simple stuff; that is all part of growing up.

Being forced to strap a bomb around your chest is not part of growing up—nor is being told, as young Abdul Samat was, that bombs will not kill you but will kill only Americans. Those are the lies that children are fed, and they are brainwashed to believe them. The saddest thing is that they are also brainwashed to believe that killing Americans or British servicemen is the will of Allah, of God, and that they will be rewarded highly for it.

The children are well chosen. They are often highly illiterate and they are fed a diet of anti-western and anti-Afghan Government propaganda until they are prepared to kill, as the hon. Member for Kirkcaldy and Cowdenbeath said in his introduction. As has been mentioned, the boys are also assured that they will miraculously survive the devastation that they cause. How can that be possible? A senior Afghan intelligence officer said:

"The worst part is that these children don't think that they are killing themselves. They are often given an amulet containing Koranic verses. Mullahs tell them, 'When this explodes you will survive and God will help you survive the fire. Only the infidels will be killed, you will be saved and your parents will go to paradise'."

It is very clearly brainwashing, a conditioning of young people's brains and minds.

At no time at all is it acceptable to use children as suicide bombers, and now that is spreading west—certainly the mindset is, anyway. In June this year, we learned that a 17-year-old British boy from west Yorkshire was responsible for the deaths of 10 troops near Baiji. In typical ISIS fashion, images of the boy emerged, in commemorative style, following the suicide attack. More worrying is the circulation of reports claiming that many people are not forced into carrying out these attacks, but request it. That is quite worrying. For someone who is completely committed to the Islamic State ideology, a hard-core supporter of jihadism and the caliphate, killing themselves in a suicide operation is the greatest honour that they can have. In territories controlled by Islamic State, there are even registers on which people can sign up to commit these attacks. The worrying thing is that they are brainwashed; they are conditioned to feel that it is the right thing to do. How do we address that issue?

The whole thing is glamourised. That is done purposefully to encourage easily impressionable children and young people into making dangerous and misinformed decisions. That is the heart of the issue and unfortunately it is not something that is easily resolved. In recent years, many adult fighters have found it increasingly difficult to hit their targets, and children generally prove to be more successful. For many families, there is little choice but to put their children directly in the line of fire, so to speak, in that they have to send them to schools to receive education but often those prove to be key recruitment areas for Taliban fighters. For many poor families in Afghanistan and Pakistan, a madrassa is often the only option to ensure that their children receive free education and safe lodgings; I mean "safe" in the loosest sense of the word. It is safer in terms of location, in that it is not in the streets, directly in the line of fire, but with the ever

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increasing threat of recruitment by Taliban fighters, the choices that parents are often faced with are extremely difficult.

Just as the fact that they are children makes no difference, nor does gender. A 10-year-old girl, Spozhmai, got international media attention when she was detained on 6 January 2014 in the southern Helmand province. She said that her brother had tried to make her blow herself up at a police checkpoint.

Perhaps the Minister and the shadow Minister will also mention this matter; I hope that I will be here for their contributions, but I may not be. The question is how we address these issues. I think that one thing that we need to do is, obviously, to have direct contact with those who are of the Muslim religion, because we have seen some indication that people with religious viewpoints are trying to persuade children and young people not to get involved.

We need to address the issue of cyber-contact. We need websites that are set up to combat the attractive scenes that they seem to set in ISIS areas. Last weekend, I heard that a group of people of the Muslim religion had set up a specific base to try to combat that. Are we working alongside such organisations to ensure that we address those issues? We have to do that in Britain as well, because the fact that young people are leaving here and going to fight for ISIS elsewhere in the world is an indication that something is not right. How do we address that issue? We need to speak to these young people. We need to be more influential. We need to be on the websites that they are looking at. We need to be telling them the truth.

In 2011, an eight-year-old girl was killed in central Uruzgan province when she carried remotely controlled explosives to a police checkpoint in a cloth bag—an eight-year-old. I ask the question: what did that eight-year-old really know? Cases of girls carrying out attacks are fewer, but they exist and I fear that they will increase as people are less likely to expect young girls to carry out such attacks. We must do more to protect vulnerable children from being recruited, brainwashed and ultimately tricked into sacrificing themselves for something that they cannot even begin to comprehend.

I congratulate the hon. Member for Kirkcaldy and Cowdenbeath on bringing this issue to the House for consideration. I thank him for giving us a chance to participate, for highlighting such an important issue, for asking for change and for asking us all to use our influence where we can among those who have influence within religious organisations. With regard to websites and whatever cyber-contact there may be, we need to ensure that these people are persuaded that there is not a future in ISIS or in being involved as a suicide bomber and that the repercussions for them and for others are too extreme.

9.56 am

Patrick Grady (Glasgow North) (SNP): It is a pleasure to serve under your chairmanship, Mr Evans, for the first time, at least in Westminster Hall, but undoubtedly not the last. I congratulate my hon. Friend the Member for Kirkcaldy and Cowdenbeath (Roger Mullin) on securing this very important and timely debate. I echo his remarks about our condolences to all those affected

by the bombing in Turkey at the weekend and our outrage at such terrible events as well as those about the Minister's experience and commitment to these issues; it is right that that should not be overlooked.

I am not totally certain about the protocol for these things, but I want to commend the House of Commons Library for the substantial briefing pack that it produced for the debate. It was extremely thorough, and I was struck in particular by the historical notes that it included on the role of children in conflict. It looked right back to the middle ages, when boys were used as pages; they would squire for knights and go into conflict. It went right through to the under-age boys and young men signing up surreptitiously to fight in world war two.

Just before the October recess, the Minister responded to a debate in this Chamber about the arms trade. My hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) spoke in that debate very powerfully about the role of child soldiers in conflict today. Some 250,000 children around the world have been conscripted into conflict against their human rights, as I will go on to say. My hon. Friend said that Governments around the world should be aiming

“to get children out of army uniforms and into school uniforms.”—*[Official Report, 17 September 2015; Vol. 599, c. 396WH.]*

The harm caused to children and the legacy for child soldiers during the rest of their lives is well known and horrific enough, but the use of children as suicide bombers takes the involvement of children to the extreme—an extremity that, sadly, seems to be becoming the norm. The hon. Member for Strangford (Jim Shannon) also spoke very powerfully about the complex and horrific circumstances and abuse that children experience, the conditioning that they experience, before they become a suicide bomber. That gives us all something to reflect on.

As my hon. Friend the Member for Kirkcaldy and Cowdenbeath said, the increasing use of suicide bombing generally and particularly that involving children perhaps reflects the changing nature of warfare today—the increasingly asymmetrical nature of warfare and conflicts around the world. It is important that we consider why that might be. We do not have an awful lot of time to do that today, but I would caution about what might often be seen as a willingness to rush into conflict rather than taking a diplomatic route. The use of indiscriminate and sometimes overwhelming military force, very blunt instruments in very complex situations, perhaps provokes equally blunt and horrific responses. None of that, of course, is an excuse for the use or involvement of children in conflict and particularly not as suicide bombers.

The rights of children are protected under the UN convention on the rights of the child, and over the past year we have marked 25 years since its signing and adoption. UNICEF has described the convention as

“the most rapidly and widely ratified international human rights treaty in history.”

As is often, sadly, the case, ratification and adoption are not necessarily the same as implementation, and there is still a duty on Governments around the world to reflect on how well they are implementing that convention—particularly article 38, which calls on Governments

“to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child...take all feasible measures to ensure that

persons who have not attained the age of fifteen years do not take a direct part in hostilities...refrain from recruiting any person who has not attained the age of fifteen years into their armed forces”

and

“In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts,”

to

“take all feasible measures to ensure protection and care of children who are affected by an armed conflict.”

The recruitment of children as suicide bombers is in direct contravention of the rights afforded to children under the convention on the rights of the child. Indeed, the Rome statute of the International Criminal Court lists

“conscripting or enlisting children under the age of 15 and using them to participate actively in hostilities”

in international or non-international armed conflict as a war crime. Anyone recruiting or using a child as a suicide bomber is, *de facto* and *de jure*, a war criminal under the Rome statute of the ICC. That is reflected in the optional protocol to the convention on the rights of the child on the involvement of children in armed conflicts, and it brings home to us the gravity of the situation and the seriousness with which we should respond.

I want to reflect on two conflicts that are, perhaps, somewhat overlooked. First, I want to mention the situation in Nigeria, which my hon. Friend the Member for Kirkcaldy and Cowdenbeath touched on, and in particular the use of women and girls as suicide bombers in that conflict. It would be interesting to hear what representations the Government have made, or are prepared to make, to the new President of Nigeria to seek a peaceful end to that conflict and to secure the protection of children.

Secondly, I want to highlight the reports on the worsening conflict in Yemen, into which children are being drawn as soldiers or suicide bombers. The Minister may be aware of reports by Amnesty International of weapons made in Britain being sold to Saudi Arabia for use in Yemen; it would be interesting to know how he plans to respond to those reports. He can expect some written questions from me on the matter.

I do not have much more to add to the profound and detailed contributions made by the two previous speakers, but I want to echo the call made by my hon. Friend the Member for Kirkcaldy and Cowdenbeath for information on how the Government plan to increase funding for research into the matter. What support can they provide for educational psychological services to counteract the indoctrination of children, and how will they assess risks posed to young people in the United Kingdom? How will the Government welcome and support unaccompanied refugee children into the UK? What comfort and security can those children expect when they attain adulthood? Will they be granted leave to remain in the UK, having spent their childhood here and grown up here after being taken in as refugees? Those are helpful examples of concrete steps that must be taken as part of a wider global effort to build peace and security, and above all to protect future generations from the horrors of war and conflict.

10.3 am

Mr David Hanson (Delyn) (Lab): It is a pleasure to serve under your chairmanship, Mr Evans. I offer my genuine thanks to the hon. Member for Kirkcaldy and Cowdenbeath (Roger Mullin) for raising this topic. His contributions and those of the hon. Members for Strangford (Jim Shannon) and for Glasgow North (Patrick Grady) highlighted the chilling nature of this war crime, which is being perpetrated in many regions of Africa and the middle east, and which, as the hon. Member for Kirkcaldy and Cowdenbeath mentioned, sadly also finds origins in the United Kingdom. We need a measured approach to the problem, but we must recognise that it exists, quantify it and look at how the UK Government can support efforts, in-region and across the world, to reduce and stop the crime.

The hon. Member for Kirkcaldy and Cowdenbeath mentioned several countries—Iraq, Syria, Nigeria, Afghanistan, Pakistan and Chad, to name just a few—where child suicide bombers are now being used. I had not noticed until my preparation for the debate this morning that there was a report only this weekend of women and child suicide bombers killing dozens of Nigerian refugees in Chad. The article states:

“Two women and children were among the five suicide bombers who attacked the village’s busiest markets”

in the Baga Sola region of Chad, where 36 people were killed this weekend. That emphasises the need to quantify, record and assess where, how and when child suicide bombers are used, and to take a proactive response to addressing the problem.

According to recent reports, ISIS has trained more than 1,000 children to become suicide bombers over the past six months, as the hon. Member for Kirkcaldy and Cowdenbeath mentioned. Action on Armed Violence and UNICEF have taken a strong interest in the matter. In a report produced in August this year with the title “2015: an epidemic of suicide bombers”, Action on Armed Violence stated:

“Between January and the end of July this year, over 5,000 civilians have been killed and injured by suicide bombings globally. This is a 45% increase from the same period in 2014”.

That can be traced back to the increasing use of suicide attacks by militant rogue elements, such as ISIS/Daesh, which, as the hon. Gentleman mentioned, is now training people under the soubriquet “Cubs of the Caliphate”. The United Nations Human Rights Council has found that ISIL is recruiting

“children into armed roles under the guise of education”

and that children are being

“deployed in active combat during military operations, including suicide missions.”

The Iraqi Independent High Commission for Human Rights has estimated that 1,000 children have been trained to become suicide bombers.

It is clear from the events in Chad this weekend that Boko Haram in northern Nigeria and southern Chad is using child suicide bombers to a greater extent. In fact, 75% of the suicide attacks in Nigeria in the past 12 months have been undertaken by children, all of whom, as the hon. Gentleman pertinently highlighted, were girls. That says something about the mindset of the individuals who carry out the attacks. Boko Haram is exporting

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these practices to the neighbouring African nations of Chad and Cameroon, neither of which had experienced suicide attacks before 2015.

The UNICEF representative in Nigeria has made the important point that child suicide bombers are as much victims of the terrorist activity as they are potential perpetrators. We should remember that and look at how we can address the problem. As the hon. Members for Kirkcaldy and Cowdenbeath, for Strangford and for Glasgow North have said, it is one thing for an adult over the age of 18 to determine that they will undertake such activity. Throughout history, there have been kamikaze pilots, suicide attacks and suicide protests. However, for children—particularly girls—to be identified, groomed, trained and sacrificed in these attacks is a new and horrific development. We should remember that in our discussions.

This is an international problem. Who would have thought, Mr Evans, when you and I arrived in the House 23 years ago, that there would be a situation such as this? A child has been groomed in Dewsbury, travelled to an area of the world where there is an international terrorist conflict and, in that part of the world, has blown themselves up to support a cause against the interests of the United Kingdom. Who would have thought, 23 years ago, that that would happen?

There are no party divisions on this issue; something has changed and something needs addressing. The difficult question for all of us is: what can that be? If there were an easy solution, we would undertake it. The question is, what could that solution be? I will throw a few ideas on the table, which I hope will help the hon. Member for Kirkcaldy and Cowdenbeath. We cannot necessarily solve this problem, but we can play a role in helping to understand and address it.

The first suggestion that the Minister could seriously consider, or at least comment on, was made by the hon. Member for Kirkcaldy and Cowdenbeath: do we know how many attacks involving children occur each year? If we see press reports of a suicide attack in a particular country, do we know whether it was undertaken by a child or an adult? Why does that matter? It matters because an attack undertaken by an adult may require a different level of motivation and response than that required in an attack undertaken by a child, which might be due to different circumstances.

All such attacks are treated the same in terms of press reports, news response and the impact on families such as the Minister's family. We need to differentiate between them and examine which suicide attacks are undertaken by children and why. The UK Government will not make that assessment alone, but I welcome the Minister's contribution on the idea of getting a proper assessment, through the United Nations and others, of what action is taken and how.

The second thing is a more fundamental issue that addresses not only child suicide bombers, but the development of terrorism and radicalisation generally: the use of the internet, promotional material and social media, and how that is regulated and monitored. Those are sensitive and difficult topics. The Government will look at those matters through Home Office legislation and will continue to do so on an international basis, but there has to be a balance between the freedom to

promote ideas, the freedom to say things and the freedom to promote radicalisation via the internet and social media. I welcome the Minister's contribution on that. We need an assessment of how we can deal with the issue in a positive and effective way. For example, I cannot control what happens in Syria or Chad, but I could influence people's views on those issues through social media.

Talha Asmal was the 17-year-old from Dewsbury who detonated a vehicle fitted with explosives while fighting for a militant group in Iraq. Farooq Yunus from the Zakaria mosque in Dewsbury said that we have failed these boys. The community said:

"ISIS is running a sophisticated social media campaign and the community is concerned their faith is being used by hate preachers and internet groomers to manipulate their religion."

It is very difficult for the UK Government to influence remote areas of Chad, where Boko Haram, an essentially fascist terrorist organisation that is not concerned about the rules of international law, captures girls and makes them go and bomb other regions of Chad. However, it is possible for the Minister, with Home Office colleagues, to look at what material comes through the internet to people such as Talha Asmal in Dewsbury. It is possible to try to track that back to see where grooming takes place. We would do that if it were paedophile material or if people were trying to secure individuals for sexual purposes. We approach this in a controlled, libertarian way, but in a way that ensures that radicalisation does not take place using those methods.

We should also look at what we need to do in-region, and that is where the Foreign Office will play its role. The hon. Member for Glasgow North mentioned the Nigerian president and the new Nigerian Government. I confess that they are probably as concerned about what is happening in northern Nigeria and southern Chad as the UK Government are. The question for us is, what can we do to support them to achieve their objectives of cracking down on Boko Haram and on suicide bombings by children and others? How can we help to strengthen community leaders, give advice to Governments and potentially help them with some of the issues of social media and radicalisation? We should look into how we can strengthen responsible community leaders where we can. We are not responsible for Chad and northern Nigeria, but we can help to support the Governments accordingly. It will not be simple but it is important that the Government have a strategy to look at those areas.

I was particularly struck by the point made by the hon. Member for Glasgow North, which I also wanted to make: that this is clearly and utterly a war crime. Would the Minister give a signal? If we have evidence that a suicide bomb in a particular country—as in the Minister's own personal case—killed a UK citizen, in respect of war crimes should we not look at those who are potentially radicalising but not actually committing the offence as well as the issue of international murder? Will the Minister clarify what steps he believes we should take with those who are grooming and training, or developing into, suicide bombers who we know, through intelligence or through co-operation with other Governments, are undertaking those activities? There is potential for us to look at how we can help to facilitate those prosecutions and that activity. There is a role for

the UK Government, on an international stage, to support the development of tackling war crime issues in international courts.

Finally, I would appreciate the Minister's support of the suggestion by the hon. Member for Kirkcaldy and Cowdenbeath about unaccompanied children. If there are instances where the UK Government can help, a very productive way to assist vulnerable refugees would be for the Government to look at how we can help to take people out of conflict zones and into a place of safety. Children are made into potential suicide bombers for a range of reasons, but it is clear that their being separated from their families and falling into company encouraging such activities is certainly not a positive thing.

I welcome the debate. There will not be much difference between us on the fact that the issue is chilling, horrendous and needs to be stopped. I have mentioned some suggestions that we could look into. The Minister will, undoubtedly, make a contribution in other areas. The key thing is that, although we are not directly responsible for prevention in all spheres, there are things that we can do.

I am grateful to the hon. Member for Kirkcaldy and Cowdenbeath for giving us this opportunity to air the issues. I hope the Minister will be able at least to highlight some concrete potential areas of travel so that we can play our role in helping to end the conflicts that lead to this activity, to take action against the terrorist organisations that are destabilising many areas of Africa and the middle east and, particularly, to do what we can to stop the chilling phenomenon of child suicide bombers.

10.20 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr Tobias Ellwood): It is a pleasure to serve under your chairmanship, Mr Evans. I join other Members in congratulating the hon. Member for Kirkcaldy and Cowdenbeath (Roger Mullin) on securing this important debate and on his measured contribution. He struck the right tone. I also thank him for his personal comments. My family and I are grateful for the manner in which he raised those issues.

I thank other hon. Members for their contributions, and I welcome the shadow Minister to his role. He and I have known each other for some time, although not for 23 years—I have not been here that long. He comes from a Home Office background, and he has huge experience of security matters. I am pleased to see him with a Foreign Office brief. He will have much to contribute.

The hon. Member for Glasgow North (Patrick Grady) covered a number of issues concerning Nigeria and Yemen, which I will address. The hon. Member for Strangford (Jim Shannon), who is a regular contributor to such debates, is unfortunately not able to be in the Chamber, but he highlighted the brainwashing of children, which I will also address. I will focus primarily on the remarks, comments and thoughts of the hon. Member for Kirkcaldy and Cowdenbeath.

The use of children as suicide bombers is a grave issue, and I am sure the House is united in its condemnation and deep sadness at the practice. As we have been reminded just this weekend in Turkey, any suicide bombing is a tragedy, and the use of children as weapons in that way is truly heartbreaking. Children involved in suicide attacks, as elsewhere in armed conflicts, are first and

foremost victims, not perpetrators, as the shadow Minister said. Sadly, the use of children in conflict is nothing new. For example, thousands of children fought in the Napoleonic wars and in many conflicts since, including both world wars. In more recent times, children have fought in conflicts in places such as Cambodia, Colombia, Sri Lanka, the Philippines, Uganda, Chad, Burundi, Sierra Leone, the Democratic Republic of the Congo, Rwanda, Sudan and Somalia. There is a long list of countries in which such tragic events have taken place.

What is new is the horrifying way in which children are being used as instruments of violence. As has been said today, it is a chosen form of combat. Children are lured with false promises of paradise in the afterlife, or forcibly coerced by terrorist organisations, into carrying out suicide bombings against both state and civilian targets. The nature of conflict is changing, but the way in which terrorist groups in particular exploit the most vulnerable in society in pursuit of ever more barbaric attacks is both abhorrent and cowardly.

I will set out the need both to work towards resolution of specific conflicts and to seek to address the underlying issue of extremism, which can lead to such appalling acts of violence. I will also address the four measures mentioned by the hon. Member for Kirkcaldy and Cowdenbeath. The increasing spread of suicide attacks has principally been driven by two armed groups that have been mentioned today—ISIL in Iraq and Syria, and Boko Haram mainly in north-eastern Nigeria—although we remain deeply concerned about the use of such tactics by other terrorist groups, including groups in Afghanistan and Pakistan.

ISIL has used co-ordinated suicide attacks as a key part of its military strategy, and we have seen reports of children in isolated areas being forced into military training after the militant group closed their schools, leaving an estimated total of more than 670,000 children without the opportunity to receive a proper education. ISIL bombards the internet daily with shocking images of children with weapons, and even of children being present at executions. As the hon. Gentleman said, the Iraqi Ministry of Human Rights estimated in May that ISIL may have trained up to 1,000 children as suicide bombers since November 2014. A major step towards eradicating the abuse of children as suicide bombers is to attack the organisations that recruit them. We are utterly clear in our determination to defeat ISIL. The only way to relieve the suffering of children and adults affected by ISIL, and to counter the real and significant threat to the UK and our allies, is to defeat ISIL and establish peace and stability in the region.

Another worrying trend is the way in which ISIL, in particular, is luring young people to Iraq and Syria, as hon. Members have said. More than 700 UK-linked individuals have travelled to Iraq and Syria in recent years, and we know of at least six British nationals who have carried out suicide bombings, the youngest of whom was only 17. The problem is not confined to the so-called foreign fighters; we have also been shocked by the stories of young schoolchildren turning their backs on the safety of family and homes in the UK and of parents bringing their infant children with them into harm's way in Syria.

In response, earlier this year, the Government introduced new legislation in the Counter-Terrorism and Security Act 2015, which provides the police with temporary

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powers to seize a passport at the border and places the Government's deradicalisation programme, Channel, on a statutory footing. There will be new powers to add to existing terrorism prevention and investigation measures, and there will be targeted discretionary powers to control the return to the UK of British nationals suspected of terrorism offences. There will be enhanced aviation security powers, too, and insurers will be prohibited from reimbursing payments made in response to terrorist demands.

Internationally, the UK is at the forefront of global efforts to counter ISIL. In the UN, we supported the adoption of resolution 2178 calling on all countries to take appropriate measures to stem the flow of foreign fighters to Iraq and Syria. The UK is playing a leading role in the global coalition of more than 60 nations committed to defeating ISIL. Together, we are working to defeat ISIL on all fronts: militarily; cutting off ISIL's finances; reducing the influx of fighters; challenging ISIL's ideology, and providing humanitarian assistance.

Boko Haram has regularly used child suicide bombers in Nigeria and neighbouring countries. It deliberately targets the weak and vulnerable, and it aims to sow seeds of unrest between communities. We estimate that more than 20,000 people have been killed and more than 2.2 million displaced by the insurgency. The use of children as suicide bombers is a particularly heinous example of this terrorist organisation's brutality, but we remain firm in our commitment to Nigeria and its regional partners in their fight against terrorism. We are providing a substantial package of UK military intelligence and development support to Nigeria, which includes increased training programmes and advice on counter-insurgency and counter-terrorism. We have also provided £5 million to support a regional taskforce against Boko Haram itself. Like ISIL, Boko Haram must be defeated, and we are determined to ensure that it is.

More broadly, as we have seen in conflicts across the world, children continue to be used as soldiers. We are working with the UN, which leads the international response on that issue. The response includes pressing parties listed in the UN Secretary-General's annual report on children and armed conflict to enter into concrete action plans with the UN to verify and release any child soldiers associated with armed groups and forces. We also support the campaign of the Secretary-General's special representative to end the recruitment and use of children by Government armed forces in conflict by 2016. The UK is providing £150,000 in funding over three years to support the UN office of the special representative, which has served to increase the special representative's capacity to monitor emerging situations of concern, in line with Security Council resolutions 1612, 1882 and 1998 on children and armed conflict. The UK has also contributed funding to support a child protection adviser in the African Union to strengthen AU policies on preventing child soldier recruitment.

The UK recognises that education is important to preventing recruitment in the first place. We have therefore allocated more than £110 million for protection, psychological support and education under the "No Lost Generation" initiative since it was launched in 2013. Partners include the Department for International

Development, UNICEF, the EU and Save the Children. The initiative aims to avert having a lost generation by ensuring that every Syrian child gets a good-quality education and access to child protection and much-needed psychological support. The partners have worked with host Governments in the region in an effort to mobilise predictable long-term finance in support of national educational sector plans with strategies for refugee children to access education through public schools and alternative education provision.

On the four specific proposals mentioned by the hon. Member for Kirkcaldy and Cowdenbeath in his speech—I was grateful to receive them beforehand, so I have no excuse for not replying to them—he first raised the importance of understanding the entire issue. The Government's cross-departmental research, information and communications unit conducts research on a wide variety of issues related to counter-terrorism and counter-extremism. One such report, issued in February, analysed the use of children in ISIL propaganda, which has escalated in recent months, although we have yet to see an ISIL video that actually includes a child suicide bomber. The Government also continue to draw on the wealth of academic research being carried out in this country and others.

Secondly, the hon. Gentleman raised the importance of countering the indoctrination of children. Defeating terrorism is a job for us all, as the Opposition spokesman described. That means that individuals, families, communities and Governments must work together to expose the hateful beliefs of extremists, deny them space in which to operate and protect those who are vulnerable to radicalisation. One aspect of the Prevent strand of the UK counter-terrorism strategy is to protect vulnerable people, including children, from being drawn into terrorism. We are also working closely with international partners to address extremist material online and mobilise civil society to challenge extremism and find more effective ways to counter ISIL's messaging.

Thirdly, the hon. Gentleman asked about creating a taskforce to address the issue. Although there are currently no plans to do so, I reassure him that the Government consult a wide range of stakeholders and experts as part of the policy-making process and will continue to do so as our extremism strategy is announced and rolled out in the coming months to ensure that it is as effective as possible.

Finally, the hon. Gentleman mentioned the plight of unaccompanied refugee children. Through the Syrian vulnerable persons relocation scheme, the UK is helping some of the most vulnerable refugees, including survivors of torture, women and children at risk and those in need of urgent medical treatment. As the Prime Minister announced on 7 September, we will expand the existing scheme to resettle up to 20,000 Syrians in need of protection during this Parliament. I stress that that is in addition to those whom we resettle under the gateway and mandate schemes and the thousands who receive protection in the UK under normal asylum procedures.

Mr Hanson: On that point, can the Minister shed any light on this? He has mentioned again the figure of 20,000 during the course of this Parliament. Does he have any indication of how many of that 20,000 he expects, let us say, within the next nine months, which will be a critical time given where we are in the refugee crisis?

Mr Ellwood: The Prime Minister has appointed my hon. Friend the Member for Watford (Richard Harrington) to be the Refugees Minister, and he answered questions on that issue yesterday. It is not for us to do the actual selection—it is being done through UN agencies—so I cannot give the right hon. Gentleman the specific number, but I will write to him with more details about how the process is forming. Time permits me to cover some of the other points raised by the right hon. Gentleman. He asked how many attacks are being made by children rather than adults. I do not have those statistics to hand, but I will certainly write to him in more detail. He is absolutely right: the approach that we take will differ depending on who is involved, and we will be able to focus in more detail if the numbers prove that in certain areas, children are used in preference to adults.

The right hon. Gentleman also raised the use of social media. That is the big difference between non-state violence today and 10 or 15 years ago: a terrorist group based in far-off, distant countries can reach families and individuals here in the UK and in other parts of the world. I was astonished and taken aback when I saw the horrific images on television of the Jordanian pilot who was burned alive, but three weeks after that event, several teenagers made the journey from the UK via Turkey into Syria after seeing ISIL's barbarity and what it stood for. It reflects, as the right hon. Gentleman said, the work that needs to be done with our communities to ensure that such people understand where they are going and what will happen to them when they join ISIL on the front line.

The use of social media is critical, and it is fair to say that we are only now coming to terms with how it is being leveraged. The information that ISIL produces online does not have to be accurate or legal, but every counter-message that we put out needs to be. I am hosting a summit at the end of this month on online extremism. We are inviting Facebook, Google, Twitter and a number of other organisations whose sites are used as vehicles by extremist organisations to pass along messages to share common practice on how to get the upper hand in countering such messages.

I also co-chair the smaller working group on strategic communications as part of the larger counter-ISIL taskforce, working with the United Arab Emirates and the United States. The Sawab centre has been set up in Abu Dhabi to monitor Twitter feeds and provide replies to some of the messages that we are seeing there, to ensure that there is an alternative view and that when ISIL puts out messages to attract people, there are imams there to say, "This is wrong. This is not how Islam should be interpreted." It is a major step forward in countering that online messaging. It was launched last month and is already having huge success.

The Prime Minister has also announced £10 million to be spent on a co-ordination cell in the Foreign and Commonwealth Office to draw together experiences not only of what we are doing in the UK, for example through the Prevent strategy, but of what other countries around the world are doing to counter extremism and the ability of such organisations—not only ISIL and Boko Haram—to recruit the young and vulnerable in society.

The right hon. Gentleman asked what more we can do in the region. I will probably have to write to him in more detail on that, but I will give the example of

Tunisia. The people who attacked Sousse in June were trained by ISIL extremists in Libya. We are now working with Tunisia on a series of levels: first, on first responders, with which he will be familiar; secondly, on gathering intelligence for a better understanding of the networks operating in that country; thirdly, on tackling the ideology itself, which goes to the core of the work that needs to be done on social media and so forth.

Finally, the right hon. Gentleman said that this is a war crime. He is absolutely correct; it is. Where it has been possible to track down those who have been grooming and training, via the internet or otherwise, arrests have been made.

It is very important to have this debate, not only for the Government to place on record what we have been doing, but so that we can understand the mood and concern expressed by parliamentary colleagues who want Britain to do more in the face of this immense challenge. As we heard today, children continue to be targeted, coerced and exploited during conflict, and that includes children abused by being used suicide bombers. We must do everything we can to end those abhorrent abuses, which means degrading and defeating barbaric organisations such as ISIL and Boko Haram and working with our partners in the region and around the world.

We must also continue to use our diplomatic, security and intelligence capabilities as part of the Contest programmes—our counter-terrorism strategy—that we run to pursue and disrupt terrorist organisations where they threaten the UK and our interests overseas. Critically, as the Prime Minister said at the General Assembly of the UN last week, we must

"take away the building blocks of extremism that lead people to an extremist world view, that then takes them to an extremist terrorist view."

In the appalling cases that we discussed today, that view can lead them to exploit and murder children.

I am grateful to the hon. Member for Kirkcaldy and Cowdenbeath for the opportunity to set out the Government's position today and to hear the views of parliamentary colleagues.

10.41 am

Roger Mullin: I pay tribute to everyone who participated in the debate. I hope that it has been an important opening up of an issue to which we will no doubt return in different settings in the coming months, before we find better ways of moving forward. I am particularly grateful to the Minister for his response to my suggestions. I would like to reflect on a couple of matters.

One is about the need for research. I heard what was said about the Government having undertaken internal reviews and talked to academics and the like, but we need more of what academics call primary research. It struck me that when looking at the emerging numbers and patterns, we are inevitably drawn to make assumptions about motives and the motivations for what has happened, and I am as much at fault as anybody in this debate. However, rather than base our understanding on assumptions made through the prism of our culture and where we are based, we need more primary research to get into the hearts and minds of those involved in these horrendous activities. Such research would be tremendously difficult to undertake. Academics have

[Roger Mullin]

made a few forays into the field, but we need to consider how more could be done to understand properly the motives and connections that lie behind these activities. I hope that the Government will continue to think about how they can improve their knowledge base.

Secondly, I ask the Government to pay further attention to refugees. I heard and understood what the Minister said about the assessments of who are appropriate refugees coming from other agencies, but the Government provide those agencies with the brief setting out their concerns. I ask the Government to ensure that there is sufficient resource and back-up available in the UK and that those agencies that undertake assessments on behalf of the Government, as part of the refugee programme, pay attention to the problem of unaccompanied children.

In the past couple of weeks, I have spoken to different agencies involved in providing counselling and psychological services my constituency, including a migrants forum that provides befriending services and the like. I assure the Minister that people in the voluntary sector, as well as the statutory sector, could provide better meaningful support here to some of those young children than can be given in a camp, and I am sure that that is true for many parts of the country. I simply ask the Government to give that matter further consideration.

The main thing that I want to say to everybody is thank you for participating in the debate. It has been important and I hope that we will all charge ourselves with the task of keeping a strong focus on the issue.

10.44 am

Sitting suspended.

Prostitution (Prosecution Trends)

10.55 am

Mr Gavin Shuker (Luton South) (Lab/Co-op): I beg to move,

That this House has considered trends in prosecutions for prostitution.

Women who sell sex on the streets have always been the most visible, most vulnerable and most stigmatised part of the sex trade. However, in the past two years, for the first time in our recent history, they have also become the most targeted by the state. In this debate, I will outline how the burden of criminality has shifted in our law courts between those who sell sex and those who procure it. Remarkably, despite there being a broad and publicly stated consensus among the police, the Crown Prosecution Service, the Home Office, survivors' groups, health services and academics that women in prostitution should be diverted from our criminal justice system, those women are being targeted—in some cases, at twice the rate of men.

We in this House know that views on prostitution can be deeply polarised. For some, prostitution is simply a matter of private choices, while for others the harm that it inflicts on individuals and communities requires the state to take proportionate action. It is therefore no surprise that our legislators rarely visit prostitution policy. It is politically charged; a subject where the need to prevent exploitation seemingly clashes head-on with notions of liberal freedom, and where there are few simple answers, a disputed evidence base and, frankly, very few votes. Also, I have yet to see evidence to suggest that MPs are different from the rest of the population, within which one in 10 men have purchased sex. Therefore, it is little wonder that last year's report by the all-party group on prostitution and the global sex trade, which I chair, on how the law should change was the first major cross-party intervention on this subject for some 20 years.

In taking evidence for that report, we spoke to women who sell sex and the men who buy it, as well as to the agencies we ask to police prostitution and the services we ask to pick up the pieces. Our conclusion was stark: because our lawmakers send no clear signals about the nature of prostitution, the most visible people involved—those who sell sex—are targeted, while the men who create the demand often walk away, without taking responsibility for the damage that they do. Therefore, the figures that I will highlight today are just another symptom of a broader problem.

Once, there were consistently more prosecutions for kerb-crawling, brothel-keeping and control of prostitution, but in each year since 2013 there have been more prosecutions for soliciting and loitering than for profiting from prostitution and kerb-crawling. In simple terms, offences that are, by and large, committed by men with choice, freedom and money in their pockets have a blind eye turned to them, while women are being targeted, and this trend is accelerating. In the law courts and in prosecutions, the most vulnerable party involved in the transaction carries the burden of criminality and punishment.

The total number of prosecutions for all prostitution offences in England and Wales has been decreasing since 2010, but not in a uniform fashion. Let us take

on-street sex buying as an example. In 2013-14, just 237 prosecutions were brought for kerb-crawling, but there were 553 prosecutions—more than twice as many—for soliciting and loitering. There is a similar pattern in the 2014-15 figures, with 227 charges for kerb crawling reaching court compared with 456 prosecutions initiated against people selling sex. Just 83 prosecutions for control of prostitution—pimping—were brought in the same year. Those figures refer to men and women on the same streets, and it takes a particular kind of liberal delusion to be convinced that prostitution is caused by a surge of women wishing to sell sex rather than by men wishing to purchase it. Yet it is women who sell sex who are targeted in our law courts, not the men who create the demand in the first place.

The current situation goes against the Crown Prosecution Service's own guidance:

"Prostitution is addressed as sexual exploitation within the overall CPS Violence Against Women (VAW) strategy because of its gendered nature. As with other VAW crimes, a multi-agency approach is needed to enable women involved in prostitution to develop routes out of prostitution, and to provide the most appropriate support... The ACPO's policy and strategy for policing prostitution is clear in its commitment to recognise prostitution as a victim-centred crime, and that those who are abused and exploited require holistic help and support to exit prostitution. There is a need to adopt a multi-agency approach and work with voluntary sector organisations to enable those involved in prostitution to change their lifestyles and to develop routes out.

At the same time, those who abuse and exploit those involved in prostitution should be rigorously investigated and prosecuted, and enforcement activity focused on those who create the demand for on-street sex, such as kerb crawlers."

That is the guidance—why then is this happening? For the same reason it always does. In our criminal justice system, stigmatised poor women are still, tragically, valued less than moneyed, often professional, men. As I have said, the number of prostitution-related offences is down, but that does not reflect a reduction in the size of the trade, nor in its inherently exploitative and violent nature.

Some reductions could be welcome. For example, the 75% reduction in prosecutions over the past six years for brothel keeping could reflect a more sensitive approach by the police to the requirement to protect, without coercion, a small number of women working together, but between 2008-09 and 2013-14 there was a nearly 50% drop in prosecutions for pimping, a 35% drop in prosecutions for kerb crawling and a 74% drop in prosecutions for advertising prostitution. All those offences concern the people who create the demand for, or exploit, the most vulnerable in the transaction—women who sell sex. And it is still women; prostitution remains highly gendered, with the 2004 Home Office publication "Paying the Price" putting the ratio of women to men at 4:1. In 2014-15, more than double the number of prosecutions were initiated for soliciting and loitering—offences committed by and large by women—than for kerb crawling, which is committed almost exclusively by men. In fact, in the past two years there have been more prosecutions for loitering and soliciting than for pimping, brothel keeping, kerb crawling and advertising prostitution combined. There may be an alternative explanation, but my reading of the figures is that there is a consistent thesis that as police funding has been squeezed, the focus of the law around prostitution has been diminished and downgraded, the level of resources going into ongoing and targeted operations to prevent exploitation

has reduced, and instead of going after those who create the demand and enable pimping, advertising or coercion—for understandable reasons the most resource-intensive operations—the authorities are going after the most visible part of the trade, and the quickest win: the women.

Despite differing views about how the legal settlement should be enacted, all sides in the debate have come together in the desire to see women diverted from the courts. Let us remember that it is still possible today, in 2015, for women to go to prison for offences related to prostitution, for example, for being unable to pay fines imposed for a series of prostitution-related offences. This debate raises those issues directly with the Ministers responsible, in the hope that they will reiterate and reinforce the current guidance and direct the police to take more measures to tackle demand rather than supply. To be honest, the prosecution bias against women in the law courts is not the problem; it is merely a symptom. The bias will be tackled only when the law reflects the inherent harm the trade presents to women, rather than sending mixed signals.

In the 2014 report produced by our all-party parliamentary group on prostitution and the global sex trade, "Shifting the Burden", alarming submissions highlighted the number of women in the trade who were survivors of child sexual exploitation, or were care leavers, or who had entered at an age where they could not consent. For most women in on-street work, drug and alcohol abuse is a fact of life. All that is a world away from the myth of the "happy hooker" promoted on television and in film. We reported that the legislation is complicated and confusing, and that loopholes still exist that allow men to escape prosecution for abusing girls as young as 13, and for trafficking women into the country to be raped repeatedly.

We also showed that policing and enforcement is unevenly prioritised and resourced across the country, with a few exceptions that are made possible only through extraordinary political leadership at a local level. We examined why girls at risk of entry were not effectively diverted and why women who wished to exit were unable to do so, often as a direct result of the law's stigmatising effect, and we looked at how notions of choice were deeply problematic where the sex trade was concerned. We also demonstrated the effect that prostitution had on wider cultural attitudes with regard to gender equality and how demand might be tackled by making it less socially acceptable to choose to buy sex.

In short, we recommended a shift in the burden of criminality from the most vulnerable and marginalised to those who create the demand in the first place. That is why I welcome the work of the "End Demand" campaign, with more than 40 organisations working to end the demand that fuels sex trafficking and prostitution, and advocating the adoption of a sex-buyer law throughout the UK. Such a law would criminalise paying for sex, while decriminalising its sale and providing support and exiting services for those exploited by prostitution. Next month, the campaign's report by a commission of expert witnesses on how a sex-buyer law could effectively be put into practice will be published, and I welcome that. Regardless of big changes in the law, however, I do not see how anyone can support the current state of affairs, with more prosecutions being brought against women than against men.

[Mr Gavin Shuker]

I would welcome the Minister's addressing the following issues in her response. First, I would welcome her reiterating the guidance about the diversion of women from the criminal justice system wherever possible, and reinforcing the instruction to go after those who create the demand, or coerce or exploit those in prostitution. The ratio of women to men being prosecuted should return to pre-2013 levels. Secondly, will the Minister update the House on the progress of the violence against women and girls strategy on which consultation recently closed? Specifically, will she inform us whether the Westminster Government will follow the example of Holyrood and formally treat prostitution as a form of violence against women?

Thirdly, will the Minister state what more can be done to ensure that the police are directed—and have the resources—to go after those who control and create the demand for prostitution rather than their using crude measures to move on-street prostitution on, further trapping women in cycles of abuse? Finally, will she reassure me that the authorities are not targeting women because they are easier to arrest and prosecute? That goes against the Government's own guidance, and against common sense and any sense of natural justice. In doing all that, I hope that the Minister will be able to make things an awful lot safer for one of the most vulnerable groups in our society.

11.9 am

The Parliamentary Under-Secretary of State for the Home Department (Karen Bradley): It is an honour and a privilege to serve under your chairmanship, Mr Evans.

I congratulate the hon. Member for Luton South (Mr Shuker) on securing the debate, and on his article on the *New Statesman* website, which I recommend to anyone listening. I know that he takes a great interest in this area, and I appreciate the points he raised. It is clear from what he said, as well as from the previous debates during the passage of the Modern Slavery Bill, that he and other hon. Members have strong views on this issue.

I start by reassuring the hon. Gentleman that the Government and I share his clearly stated desire to protect all women—particularly vulnerable women—from violence. As the Minister for Preventing Abuse and Exploitation, I am determined to do everything I can to protect victims and to bring perpetrators to justice. I recognise the harm and exploitation that can be associated with prostitution, and the Government are committed to tackling that. In that context, we cannot look at prostitution in isolation from the broader work taking place across Government and beyond to eradicate violence against women and girls, to protect vulnerable people and to tackle exploitation in all its forms. Protecting victims from crime remains at the heart of our approach. We can do that by preventing crime from occurring in the first place, supporting victims through the criminal justice system and helping them to recover, regain their confidence, and reclaim their lives. In short, we need to believe them, take them seriously and listen to them.

In March, the Government published a report detailing progress in tackling violence against women and girls—if you will forgive me, Mr Evans, I will refer to it as VAWG from now on, which is the acronym that we all recognise—

over the last Parliament. Our commitment to that important work continues: the previous Government ring-fenced £40 million for VAWG services—that is £10 million a year—and the Government are continuing that funding to April 2016. We are consulting on refreshing our VAWG strategy, which will be published later this year. I will say a little more on that in a moment.

It is important to recognise that local areas are in the best position to identify and respond to issues in their areas, and that includes the complex problems that can be associated with prostitution. Working alongside front-line organisations, other agencies and the Crown Prosecution Service as appropriate, local police are in the best position to respond. They know what to prosecute, when and why. The police are assisted in that by guidance from the national policing lead for prostitution, which makes clear that the police's first priority is the protection of often vulnerable individuals from violent and sexual crimes. The national policing lead's strategy for policing prostitution is clear on that, and the message will be emphasised in the refreshed and updated strategy due to be published later this year.

To be clear, the protection of victims is the Government's priority, and our work on refreshing our VAWG strategy is based on that. As the hon. Gentleman said, we continue to work on that. I am leaving straight after this debate to have another round-table discussion on refreshing the strategy. I look forward to presenting that refreshed strategy, which will put victims at the heart of everything we do.

The hon. Gentleman also made a point about multi-agency working. He is absolutely right: the issue cannot be tackled solely through arrests and the criminal justice system; it has to be tackled by all agencies working together and by ensuring that women feel they have the support they need to not be forced into prostitution in the first place and that if they are, they will be helped out of it.

Legislation and prosecutions are only one aspect of the response. The police and the CPS are empowered by a degree of discretion in arresting, charging and prosecuting. We want them to use that discretion sensibly and appropriately, based on the circumstances of each case. That will allow them to focus on what causes the most harm.

Members will know that legislation on prostitution has grown somewhat organically over time. The most recent changes to offences in this area were made by the Policing and Crime Act 2009. Prosecution data from the Crown Prosecution Service show that there were 83 prosecutions for controlling prostitution in 2014-15, compared with 58 in the previous year. That represents a continuation of the increase in prosecutions since 2011 and reflects a focus on tackling exploitation. As the hon. Gentleman said, there was also an increase in prosecutions for brothel offences: 96 in 2014-15, compared with 55 in the previous year.

However, prosecutions are not everything. Many factors can contribute to women's presence in a brothel. They may be victims or perpetrators of exploitation, running or profiting from activities. Importantly, where the police refer cases to the CPS, there is discretion and guidance on whether to charge and prosecute. Generally, the degree of coercion and control of a prostitute's activities, as well as penalising those who profit from their earnings, will determine the public interest in prosecuting. The CPS's approach emphasises that anyone abused and

exploited through prostitution needs help and support on health and welfare to exit prostitution. The CPS is encouraged to adopt a partnership approach with local authorities and other statutory and non-statutory organisations to find routes out of prostitution other than charging.

It is worth noting that the longer-term trend for the number of offences of soliciting for prostitution recorded by the police in England and Wales is downward. Since 2010-11, fewer than a thousand such offences have been recorded annually—it was 868 in 2014-15, compared with more than 2,000 in 2002-03. Of those, only approximately half were prosecuted, and prosecutions are also showing a downward trend. Those figures will reflect a number of factors, including incidence, community concerns and police enforcement approaches.

Strong moral and ethical questions are raised by prostitution, but the Government's overriding priority remains the safety of people involved in prostitution. Existing legislation regarding buying and selling sex is focused on minimising the harm and exploitation that can be associated with prostitution. Most recently, for example, the Government removed all references to the misleading and unhelpful terms "child prostitution" and "child pornography" from statute during the passage of the Serious Crime Act 2015. That was in recognition of the exploitation that can be associated with prostitution and clearly shows our shared duty to protect the most vulnerable, particularly children.

Different legislative approaches have been adopted in different jurisdictions. I know that the hon. Gentleman is aware of the approach in Sweden and some neighbouring countries, which is often referred to as the Nordic model. I am also aware of recent legislative developments in Northern Ireland, and we will follow their implementation and impact with interest. It is important to reflect that an alternative view challenges the position that all paying for sex is by definition violence. That has been expressed by a variety of organisations, including those that represent people involved in prostitution. It was expressed most recently by Amnesty International, which changed its position.

It is difficult to argue that any single legislative approach to prostitution is ideal. A perfect solution probably does not exist. To be clear, I am not suggesting that those involved in prostitution have made an independent and free choice to do so. In fact, during my work on the Modern Slavery Act 2015, I met many victims of trafficking who were forced into prostitution entirely against their will. We all recognise the need for the law to protect the vulnerable and punish the perpetrator, but when considering alternative legislative approaches we must consider carefully whether we are confident that they support the safety of those involved in prostitution. I continue to and have always been willing to listen to the evidence about what works to keep the public safe. At this stage, I do not believe there is sufficient evidence of the value of such significant changes to the legal and moral position of buying sexual services in reducing harm to those involved, but I will continue to watch with interest.

We hear differing views on this issue whenever it is debated, and I respect Members' genuinely held positions on how to achieve the best outcomes for often vulnerable individuals. The issues around prostitution are complex and contentious, but regardless of the legal position of prostitution, the law on rape and sexual assault is crystal clear and unequivocal. We expect every report of violence to be treated seriously from the time it is reported, every victim to be treated with dignity and every investigation and prosecution to be conducted thoroughly and professionally. In that context, it is important to reflect on the increased reporting rates for these terrible crimes, which show that victims increasingly have the confidence to report and can access the support they deserve. I am proud of the progress we are making in tackling all aspects of violence against women and girls and in protecting all victims. As the Minister for Preventing Abuse and Exploitation, I am determined to do everything I can to protect victims and bring perpetrators to justice.

Question put and agreed to.

11.18 am

Sitting suspended.

Media Plurality (Wales)

[MR CHRISTOPHER CHOPE *in the Chair*]

2.30 pm

Guto Bebb (Aberconwy) (Con): I beg to move,

That this House has considered media plurality in Wales.

It is a pleasure to serve under your chairmanship this afternoon, Mr Chope. I am pleased to be able to bring this issue to the attention of the House. The issue of media plurality in Wales is one of growing concern for many in a Welsh context, mainly because we have undoubtedly reached a position where Wales is more clearly defined as an administrative and political entity than possibly at any time in its history, and yet there is a question as to whether its administrative and political distinctiveness is recognised in public discourse in the Welsh media.

The purpose of the debate is to highlight concerns about issues relating to the media in Wales and the way in which we are served by the media in Wales. I also want to ask the Minister a few questions. I am sure he will be able to respond to my points either in full today or in due course. To give the Minister an opportunity to have a think while I speak, I will list the main areas that I wish to talk about in this debate. First, as I have said, we need to recognise the changed political and administrative situation in Wales. We are undoubtedly part of the United Kingdom with a distinct Government and administrative system, and that needs to be recognised. Indeed, the Welsh political system is increasingly being taken seriously. For example, the decision of the hon. Member for Ogmere (Huw Irranca-Davies) to put his name forward for election to the Welsh Assembly shows that the way in which the political situation in Wales is developing affects decisions made by hon. Members in Westminster, so we need to recognise that political entity and its existence.

However, we need to ask ourselves whether our media portray that entity fully, and whether the consumption of media in Wales reflects the changed political situation that we face in Wales. Do we have sufficient discussion within the media, whether in the printed media, online, in newspapers or on television and radio? Do we have a consumption in Wales that allows for a discussion of our political discourse that contributes fully to the way in which our democracy works? There is a question as to whether we have such media in place.

Then we need to ask ourselves whether there are shortcomings in the printed media in the Welsh context. We are increasingly dependent on two daily Welsh titles that see a regular fall in sales. The question we then have to ask is whether Wales and Welsh politics are taken seriously by the UK media. We can make a contrast between the situations in Scotland and Wales, for example, so I will touch on those issues as well.

The print media in Wales are declining. I will talk about the figures, but when we see the reduction in the *Western Mail* and *Daily Post* sales figures, it is impossible to deny that. What does that decline tell us about what is expected of the Welsh media by the Welsh people? Is there a lack of interest or is it a response to what is perceived to be a declining product, with some exceptions, I am sure? If the print media situation is as bad as I am

making out—I will provide statistics that imply that the situation is pretty dire—we have to ask ourselves whether that results in a dependency on the broadcast media that is far beyond what we see in many other parts of the United Kingdom. Again, I will provide statistics that show how the dependence of the Welsh public on broadcast media—television and radio—is much clearer in Wales than in the rest of the United Kingdom.

For example, more people get their news in a Welsh context from the television than in any other part of the United Kingdom. Is that a good or a bad thing? Does that lead to a dependence—an overdependence, perhaps—on the BBC? That is not an attack on the BBC, but do we want to end up in a situation in which most news is provided in Wales by one broadcaster? Granted, some of the BBC output goes out on S4C as well, but we are talking about one broadcaster, the BBC, being responsible for the two main radio stations in Wales, for the BBC news output in English and the S4C news output in Welsh. Is that a healthy situation? Is it the best use of licence payer and taxpayer funding if we end up in a situation where the BBC has almost a monopoly?

Susan Elan Jones (Clwyd South) (Lab): There is a problem in north-east Wales where the BBC output in certain parts comes either from the north-west or the midlands. The hon. Gentleman talked about overdependence on the BBC, but it could be said to be overdependence on the wrong type of BBC.

Guto Bebb: I am fascinated by the concept of the wrong type of BBC, but I understand what the hon. Lady says. Even in my constituency, which is significantly further west than the hon. Lady's, we have the phenomenon of people turning their aerials towards the north-west because, apart from wind farms, there is nothing to stop signals from the north-west hitting the north Wales coast. It is a fact that people in north-west Wales pick up media from the north-west of England.

The Minister will not be surprised to hear the final point that I will touch on: the situation in relation to S4C and how it can fit into the whole media situation in Wales.

Is the political discourse a problem? I think it clearly is. Any politician knows that it is a problem, because when we knock on doors—I am sure I am not giving away any secrets—we often feel frustrated at people's lack of understanding about the way in which they are governed. I find it very frustrating, having had a full two years of showing how clearly the Welsh NHS is failing. Some hon. Members will disagree on that point, but it is frustrating to fight a general election with people telling me on the doorstep that they are not voting for me because I am a member of the Government, and the Government are closing maternity units in north Wales. That is the type of frustration that politicians are aware of.

The question is: how can people make the right decision? How can we have an accountable Welsh Assembly if people do not even know what the Assembly is responsible for and they are not even following the discussions that lead to decisions? For example, decisions on the maternity unit in Glan Clwyd are made in Cardiff through the health board, but that accountability is missing in a Welsh context. Frankly, after 18 years of

the Welsh Assembly, such lack of accountability is something that should concern all of us. If all political parties believe the Welsh Assembly is central to the way in which Wales is governed and that we should have devolution to greater or lesser extent—there are disagreements as to exactly how much—and if there is a feeling that we should have a devolved Administration who are responsible for crucial decisions in a Welsh context, we have to ask ourselves whether there is a lack of a coherent discussion of the issues relating to people in Wales in the printed media and the media in general. Clearly we have a problem, and I would argue that it is pretty much undisputed that there is a democratic deficit in the way in which public issues and affairs are discussed in a Welsh context. That issue should concern all of us on a cross-party basis. The responses might differ from party to party, but the concern should be genuine and heartfelt among all Members of this House and all people involved in politics in a Welsh context.

The problem arises to a large extent because more than 90% of the printed media read in Wales comes from London. I have nothing against London. I happily live here three to four days a week, and I would be lost without my daily morning paper and certainly my Sunday papers. I know I am in a minority in still enjoying a morning paper. Indeed, my daughter is now doing the same paper round that I used to do 30 years ago. That shows we believe in equality in our household, because she has taken over the paper round from my son. When I did the paper round, I delivered to more than 50 houses, but that has gone down to less than 20. Clearly, there is a decline that is not related to Wales alone. The key point, though, is that as 90% of the printed media sold in Wales come from London, there are clearly questions to be asked. First, why are the Welsh media declining so quickly? Secondly, why do London media not do in Wales what they do in Scotland?

We should ask serious questions about the contrast between Wales and Scotland. There are three daily national newspapers in Scotland, all of which sell more than the two papers we have in Wales. On top of that, Scotland has two regional papers with significant distribution and sales. Furthermore, no fewer than seven UK titles produce Scottish editions. It is difficult to argue that there is not a more lively debate about politics in Scotland than in Wales. I am not saying that that is all down to the failure of the media—politicians must take responsibility as well—but it is difficult to have an engaged discussion when so much of the content people read daily does not address Welsh issues.

Even if some parties present were unhappy with the *Daily Mail's* campaign on the Welsh NHS last year, there was something quite refreshing about the fact that day after day for several weeks a London-based newspaper concentrated on the so-called failures of the Welsh Government. I should be clear that I am not trying to make a political point, but in my view there is no doubt that that campaign resulted in public discourse about the Welsh context, because suddenly the London papers were taking an interest in Wales. That type of discussion of Welsh matters should not be confined to one-off issues with, perhaps, a slightly partisan political agenda in the background. I happen to think that the *Daily Mail* was highlighting important issues of concern to us all, but I respect the fact that some people in the Cardiff Administration would respectfully disagree. I think we

would all agree that if there is a perceived failing of the Welsh Government, that should be highlighted in the media read by the people of Wales. If not, we have a problem.

Mr Mark Williams (Ceredigion) (LD): I congratulate the hon. Gentleman on securing this important debate. What role does he see for a vibrant and powerful local press? In my constituency, the *Tivy-Side Advertiser* and the *Cambrian News* have led some very spirited and robust defences of our local health service, yet I think he would agree that, sadly, the local press is also in retreat.

Guto Bebb: Indeed, I was going to touch on that. It is significant that Wales has a track record of a strong regional press, although it could be argued that it has been subject to far too much centralisation of ownership. There is a vibrant local press in Wales, but I checked the figures with the Library this morning, and, as far as I am aware, not a single one of our newspapers is showing an increase in sales. Some declining sales are truly worrying. In my constituency, the *North Wales Weekly News* has given up on its valley edition. It still produces two editions for the coast, but sales are falling.

The *Caernarfon & Denbigh Herald* was immortalised in a pop song by a group called Y Cynghorwyr, who argued that it says it in the *Caernarfon & Denbigh* so it must be true: “Mae o’n dweud yn y Caernarfon & Denbigh, y papur sy’n dweud y gwir”. For a newspaper to be immortalised in a pop song but suddenly find its sales falling below 9,000 must be a concern for the regional press. Yes, there is a regional press that can take up the slack, and there is no doubt that, for example, the regional press in north Wales has been at the forefront of the issue when it comes to concerns about the A55 or the health service, but is it in a position to respond positively as sales fall dramatically? I suspect not.

The Institute of Welsh Affairs recently did some media monitoring and found that between 1999 and 2013 the number of journalists working in the local and national press in Wales—I will call the *Daily Post* and the *Western Mail* a national press—went from 700 to around 110 or 115. That fall is significant. In my constituency I have first-class journalists who work for both the *Weekly News* and the *Daily Post*. They might cover an issue in Llandudno in the morning and then be in another constituency covering a different issue for the *Daily Post* in the afternoon. They are multi-tasking in order to keep the show on the road. I am not sure whether, in the long term, that will result in the vibrant culture we need for discussion of what is going on in Wales.

There is no denying that the decline has resulted in cuts that, it could be argued, reduce the appeal of the regional press. On Sunday, I was delighted to see the *Daily Post* print a Sunday edition for the first time in its history. It says a lot about this debate, as the purpose of that edition, on which I warmly congratulate the *Daily Post*, was to celebrate Welsh sporting success after the Welsh rugby and football teams qualified. I must add that both teams qualified after losing, but that did not stop the *Daily Post* making a big issue of the success of our Welsh sporting heroes—good for them for doing so. I would be delighted to see the *Daily Post* appearing again Sunday in future. Nevertheless, that masks the

[Guto Bebb]

real situation, because there is a decline in the regional press and in our two main daily titles in Wales, resulting in the dominance of public discourse in Wales by the broadcast media, which probably means the BBC in the form of BBC 1 and S4C news content, and Radio Cymru on Radio Wales.

Before I turn to the dominance of the BBC, it is worth mentioning people's expectations and hopes for online media as an alternative. There is no doubt that the *Daily Post* and the *Western Mail* have dramatically increased their online content. The BBC provides a sterling service in trying to cover Wales online in both languages, but I have concerns, as well as hope. For all its faults, the Welsh Assembly has at least recognised the importance of some degree of alternative plurality in Welsh news gathering. Golwg360 is a second online news provider that has been made possible through Welsh Government funding, and I welcome it as a response to the need for diversity in online news. As a Welsh speaker, I welcome the fact that I am able to turn to the BBC and to Golwg360 and find that the content is not always the same—it is often significantly different—but if we acknowledge that there has been a market failure in the provision of plural voices in Welsh online, we should also recognise that there is an issue with online provision in English.

Hywel Williams (Arfon) (PC): Does the hon. Gentleman share my concern about the quality of online content? I am heartily sick of reading 20 things I wanted to know—or did not want to know—about some celebrity, some aspect of our geography or whatever.

Guto Bebb: I tend to agree. There is always a question of quality, although when MPs are asked to provide 20 facts about themselves they seem quite happy to do so.

Craig Williams (Cardiff North) (Con): I congratulate my hon. Friend on securing this debate and approaching it in his usual style. We have debated intervention in this declining market at length. First, does he welcome the Department for Culture, Media and Sport's welcome efforts with Made in Cardiff and the increase in local television news? Secondly, I say unashamedly that S4C is based in Cardiff North for now, although of course there are plans for it to go elsewhere. If we look at S4C's spending, we see that 82% goes on independent broadcasts and supporting the independent network. I commend that as a way in which the media in Wales could approach supporting the sector.

Guto Bebb: I agree with both my hon. Friend's points. We should applaud the success of a local television network in the Cardiff area, but that does not address the needs of the whole of Wales—of course, that is not to decry the success of such a service in the Cardiff area. I welcome S4C's spend in the Welsh context and how that can foster a plurality of providers in production companies and so on. The fact that we have an independent television sector in Wales is in many ways a direct result of the existence of S4C. That plurality of production companies, if not of final destinations for programmes, is something that I welcome very warmly.

I mentioned our over-dependence on television for news in a Welsh context. The figures are stark. In most of the UK, about 45% of people get their main news from television; in Wales, the figure is more than 60%. Strikingly, because commercial radio is much more successful in most of the United Kingdom than in Wales, the figures on the number of people in Wales getting their news from the radio is slightly lower than in the rest of the UK. The overall picture, however, is clear: we have a dependence on the broadcast media that is not replicated in the rest of the United Kingdom. We should be concerned about that.

Even more concerning was a study of the 2007 Welsh Assembly election. No respondents to the survey said they gained their news about the election from London-based newspapers. It is difficult to see how there can be a democratic debate if 90% of the newspapers sold in Wales are London-based and contain no coverage of the election. Some 42% of the news that people received about the 2007 Assembly election came from BBC Wales. Obviously, we should congratulate BBC Wales for getting that reach, but before the BBC gets too proud of itself I should point out that the same survey showed that 55% said that their main source of information about the campaign was the polling card, and 72% said it was political literature—so it could be argued that we beat the BBC's reach.

Glyn Davies (Montgomeryshire) (Con): Although S4C and Welsh-language broadcasting covers very Welsh issues, does my hon. Friend agree that it would be wrong to separate that from the British context? Wales is a part of Britain, and if we are going to continue to subsidise the Welsh-language channel—inevitably it will need a degree of subsidy in the future—it would be wrong for the British Government just to say, "That's a matter for the Welsh Government. They do not need a contribution from the British Government." It would be a mistake to isolate the Welsh language as an issue to be dealt with only in Wales and say that it has no consequence for Britain; that would extend the trends he is talking about in other forms of media.

Guto Bebb: I have come to this debate without all the answers, but with many questions. That question is worthy of consideration.

The S4C viewing figures, which include viewing figures from platforms available in England, show a significant following of S4C programmes from viewers based in England. The Welsh language is one of the ancient languages of the United Kingdom, and therefore it should not be looked at in isolation from things that happen on this side of the border. The viewing figures show that S4C undoubtedly provides a service for people living on the other side of Offa's dyke. It is the same for Radio Cymru's radio provision. People who enter competitions in the daytime often live in Wolverhampton and Liverpool, happily listening to Radio Cymru. I accept that this debate should not be a Welsh-only debate, but it is important that it does not ignore Wales completely by becoming London-centric. I am genuinely concerned about that.

The figures show our dependence on broadcast media. There is a concern—again, this is not an anti-BBC point—that our dependence on the broadcast media in a Welsh context becomes a dependence on the BBC.

The provision of news in Welsh and English in Wales comes from the BBC. If somebody watches BBC news or S4C's news, they are watching a BBC product. The same is true of Radio Cymru and Radio Wales.

I was recently talking to my wife about this issue. She said that she seldom watches the nine o'clock news on S4C because she has heard most of the content on "Post Prynhawn" on Radio Cymru at 5 pm. That is a genuine concern. If we think that the viewing figures for "Newyddion Naw" on S4C—about 25,000—are not high enough, we need to ask why. When we acknowledge that people in Wales are dependent on the broadcast media for their news, we also acknowledge that they are dependent on the BBC for that content. I wonder whether the fact that 85% of all news content in Wales is provided by one provider is healthy. That is not to say that the BBC is doing anything wrong, but do we need more plurality? If News International provided 85% of all news content in a Welsh context, I suspect that most Opposition parties would complain. The same should stand in relation to the BBC.

We are slowly starting to have a debate in a Welsh context. The Media Reform Coalition and the Institute of Welsh Affairs are starting to talk about these issues, but we need to move forward at a much faster pace. Frankly, it is not just that the provision of information and news is lacking; our democratic institutions in Wales will be undermined if we do not deal with this issue quickly.

There is no denying that S4C is an important issue for all of us who care about broadcasting in a Welsh context. For those of us who are worried about the future of the Welsh language, it is an even more important issue. Most Government Members were willing to consider the spending reductions in 2010 in the context of the spending review, the real challenges facing the Government and other institutions, and the need for them to live within their means. But we need to ask ourselves a simple question: should the future of S4C be decided solely as an add-on to the charter review process, which is being undertaken in London?

The BBC has a budget of some £3.6 billion, and the grant for S4C and the programmes provided by the BBC comes to about £90 million. In the context of a £3.6 billion budget, it is difficult to argue that the £90 million that goes to S4C will be the tail that wags the dog. My concern is that S4C will be forgotten in the charter renewal process. We need to ask ourselves seriously whether it is enough for S4C to be considered as part of the charter review process, or whether an independent review should be undertaken in relation to S4C to ask a simple question: after 33 years, what exactly is the point of a dedicated Welsh-language broadcaster in the 21st century? I think the answer would be very positive indeed, but we have not asked that question since the channel was established in 1982.

In 2010, when the changes were announced to the funding of S4C, and when the reduction to the funding of the BBC and S4C was announced, the then Minister at the Department for Culture, Media and Sport promised that there would be an independent review into the future of S4C at the same time as the charter review. I think that would be welcomed in Wales—not because S4C is more important than any other broadcast element of the Welsh media picture, but because a review would be a starting point for asking serious questions about

what exactly we want from the Welsh media in a Welsh context. I would argue strongly, therefore, that the promise that was part of the 2010 settlement should be delivered. I think there is an appetite in Wales for looking creatively and constructively at how to utilise and fund S4C in the future and at how to protect what is important in delivering a service to the people of Wales.

If an independent review is instigated—one was discussed in 2010, but the details were not as forthcoming as they should have been—it is crucial that it should be freed from the issue of cost and money saving. It is important that there should be a two-year provision of financial stability while the review is undertaken, and I would argue that that provision should come from both the BBC and DCMS. I appreciate that the Minister does not represent DCMS, so will not be able to give me certainty about funding streams from another Department. However, if there is an independent review, it has to take place in the context of a stable financial situation.

Mr Mark Williams: Will the hon. Gentleman give way?

Guto Bebb: I will give way quickly, but I am running out of time.

Mr Williams: I very much welcome the tone of the hon. Gentleman's comments. I echo the need for stability, which is particularly important for the independent production sector, given the scale of some of the small enterprises. They are facing the prospect a £2.7 million cut in the central Government spending review, and possibly, if there is a 20% reduction from the BBC to S4C, a £15 million cut for S4C, which would have dire implications for the independent production sector.

Guto Bebb: It is difficult to escape the likelihood of real consequences. It is staggering how well S4C has coped with the funding reductions that were part of the 2010 settlement, but, given that less than 4% of the total budget goes on overheads, any further cuts will clearly be to programming, which would be a further kick to media plurality in a Welsh context. The review should not be just about S4C; it should be a starting point for an ongoing civic discussion in a Welsh context about what we want our media to provide.

I am coming to the end of my very long speech, Mr Chope; I apologise. We should be looking at the issue of the plurality of news content, which worries me as somebody who is obsessed with news and interested in current affairs—as I should be, given the job that I do. Ofcom states clearly that if our desired outcome is a plurality of media ownership, we should prevent any one media owner or voice from having too much influence on public opinion. That is certainly the situation in Wales. S4C is a recognition of market failure; it would not exist were we dependent on the market. As a free-market capitalist, I accept that. I believe in the free market, but I also believe that it does not always have all the solutions to all the problems that we face.

If S4C is to respond to the need to provide a service to Welsh speakers in a Welsh context, financial intervention through the licence fee payer, through the taxpayer, should be used for a further common good. For example, why does the deal between the BBC and S4C for 10 hours of BBC programming every week include news content? It must be easy for the BBC because it is not duplicating

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any services, but if we are concerned about the plurality of news content in Wales, such issues should be considered seriously in any independent review of S4C.

If such a review took place, it would also be an independent review of the media situation in the whole of Wales, because the organisations are so interlinked. If S4C could commission a new service from another provider, that would impact on the BBC, so an independent review would be a real step in the right direction in responding to the deficit in the provision of media content that allows us to discuss what is going on in Wales in a real and proper manner.

This is an important and, to a large extent, a cross-party issue. However, I fully recognise that decisions will have to be made and that my Government will have to respond to some of my points. I am not hiding from that responsibility. I hope that the Government will listen carefully. They responded positively in the past when calls were made to protect S4C's budget. There is an opportunity here not only to respond to those who want to protect S4C, but to consider carefully how S4C fits into the media pattern in Wales and how, if we recognise a market failure, the intervention of licence fee payer and taxpayer money could deal with some of the deficiencies in media plurality in Wales. We need the opportunity to discuss matters in a Welsh context in the same way as happens in Scotland, Northern Ireland and certainly here in London.

3.2 pm

Hywel Williams (Arfon) (PC): I congratulate the hon. Member for Aberconwy (Guto Bebb) on securing this debate. The topic has been of concern to me throughout my political career, from the campaigns in the '70s and '80s to set up S4C to today, via the debate on media plurality in July, during which the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) spoke eloquently. At that time, if I remember correctly, I said that Welsh broadcasting, specifically Welsh language broadcasting, is an issue for the entire UK in that S4C is probably the largest contributor to the diversity of UK broadcasting, providing so many hours in a language other than English. Were one the ubiquitous Martian, arriving on this planet and looking at broadcasting in the UK, where would one look for diversity? S4C would obviously be what that Martian would see.

I must take issue with what the hon. Member for Montgomeryshire (Glyn Davies), who is no longer in his place, said about the subsidy for S4C. One could argue that the licence fee is just a subsidy. I do not know why we should single out S4C as having a subsidy; ITV is subsidised by the advertising industry. Subsidy is a pejorative term and we should not be using it.

As the hon. Member for Aberconwy said, Wales now has a clearer identity than at any point over several hundred years at least, but it is not in the league of the "Great British" identity, with TV schedules containing the Great British this and the Great British that. There are not that many listings for the Great Welsh this or the Great Welsh that, but Wales has a clear media identity. Paradoxically, the sources of information available to our population seem to get more precarious and narrower.

The hon. Gentleman referred to the incredibly high penetration of newspapers from England. People in Scotland get their news from domestic sources, but people in Wales get their news from sources outside Wales. One could almost compare the situation to the infamous entry in the Encyclopaedia Britannica that read, "For Wales, see England." That could be the case here. The interesting thing to note is that if one looked at the entry for England, there was virtually nothing about Wales, which rather says it all—plus ça change.

There is a legitimate concern that Trinity Mirror owns both large—largish—newspapers in Wales, the *Daily Post* and the *Western Mail*. The hon. Gentleman referred to News International, and the situation in Wales is something of a monopoly. Although other newspaper companies exist—the hon. Member for Ceredigion (Mr Williams), who is no longer in his place, referred to the *Cambrian News*, which is widely read, and the *Tivy-Side Advertiser*—but the papers in the national forum, if such a thing exists, are owned by the same company. That is not such a concern regarding content, but for the newspapers' general future direction. I made a point about the quality of online provision and the pressure on journalists to get the "click". They have to formulate their reports in such a way that allows them to be put online quickly, which leads to issues of quality.

New technology allows all kinds of options, not only in newspapers, but on television. I was recently interviewed by a journalist who set up his own camera and sound recording equipment and then rushed around the back to ensure that everything was working and then rushed around the front to question me. I am unfortunately old enough to remember being interviewed by local broadcast journalists with two or three crew, and by national or UK-wide journalists with two Land Rovers-full of crew, who turned up in Caernarfon to interview me.

Falling circulation is a problem common to all newspapers, but I agree with the hon. Gentleman that the problem is particularly acute in Wales given the centrality to the national debate of the small number of newspapers. As there are really only two quasi-national newspapers, any fall in their circulation is of deep concern.

The hon. Gentleman mentioned the Institute of Welsh Affairs, which is to publish a report on 11 November showing that the circulation of Welsh newspapers has again fallen dramatically. The statistics that I have do not give much depth, but they report a fall of 60% in the circulation of the *South Wales Echo* and a 33% drop in sales of the *Daily Post*. I do not know over what period that relates to, but it gives an impression of the trend. It is also reported that the *Western Mail* now sells only 17,815 copies a day, which must be a concern for a national newspaper.

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): On that point about the *Western Mail* being a national daily newspaper for Wales, it has barely ever featured on the reading agenda in my part of west Wales. That is not an insult to the paper; we have just never read the *Western Mail* in Pembrokeshire and not much in Carmarthenshire either. Is the hon. Gentleman's point that we are somehow worse off as a result of not having access to the paper? We have never really historically had one at all. I do not quite understand why this is the tragedy that he makes it out to be when it has never been an issue for us.

Hywel Williams: I am all for diversity. Of course, the *Daily Post* is the paper for the north, and perhaps I can regale Members with a brief story. When I moved from Cardiff to Pwllheli many years ago, I asked the local shop to keep the *Western Mail* for me. I think I was its only reader there at the time, and it was kept next to the *Morning Star* and the men's magazines at the back. There are other newspapers in south Wales and north Wales that have a particular importance.

While I am referring to amusing matters from the past, I should also mention that I once asked my mother why she bothered reading the *Daily Post*, and she, being an elderly lady, gave me a very straight answer: "I only buy it for the deaths." Whatever sells newspapers is important, but it is also important that we talk to each other. However, I do not want to reminisce too much.

One small sector—Welsh language community newspapers—is doing quite well, and other newspapers could learn a great deal from papurau bro, as they are called. They are very small and very local, but their market penetration is enormous—about half the people they serve might look at them at some point. We are talking about circulations of 1,000 or 2,000, but these papers give people what they want, and growth in such provision might be one way forward.

As the hon. Member for Aberconwy said, television is extremely important in Wales because so many people get whatever Welsh news they get from it, rather than from newspapers. We have a very successful news service, albeit limited and provided mainly by the BBC. Although provision in English, on, say, "Wales Today", tends to be somewhat domestic—one might even say parochial—the news in Welsh addresses international issues. Quite amusingly, it has a network of people around the world—they are not professional journalists of course—who can contribute, and it can find people in Ontario, Mexico or wherever. The other day, when Wales played Fiji at rugby, Radio Cymru went for a comment, not to the ground or to Cardiff, but to a Welsh person living in Fiji, who told us all about the game. That has its weaknesses, but there is a breadth of provision.

All broadcasters face the challenge of declining audiences, as people turn to alternative ways of getting their television, either by delaying watching or by choosing alternative ways of viewing. When I was preparing for the debate in July, I looked at what the Audience Council Wales had said. It used a very striking phrase, which I quoted in my speech. It said broadcasters in Wales were living

"closer to the cliff edge"

than ever before. Broadcasters might be living, and they might be on the right side of the cliff edge, but their position is more precarious than in the past.

The point about S4C is that, although people may be able to access their news in English from anywhere around the world—from Fox News, from the BBC in London or from France 24, which has a service in English—S4C is the only place in the world, and indeed the universe, where people can get a full Welsh language TV news service. In that respect, it is extremely precious and must be defended. Its decline is particularly serious and dangerous.

The BBC and S4C have had funding cuts. I take the hon. Gentleman's point about possibly reviewing S4C; broadcasting is in a period of extreme fluidity, with all

the talk about the licence fee and charter renewal, so this might be an opportune time to do so. However, we should not concentrate just on S4C, because it does quite well. Despite the fact that the news comes from one source—the BBC—and despite all the other problems we might associate with it, the service does at least come through, and people do watch it and get a diverse range of views. I would not, therefore, want to limit a review just to S4C, because that might problematise the service in a way that is probably unfounded.

I noted the hon. Gentleman's wish to have a freeze on cost-cutting for two years. Certainty of funding is incredibly important for television. The production cycle is not six months or a year, but often much more than two years. Those involved need certainty so that they can produce the high-quality programmes we have seen in the past, which have won such international renown for S4C. Given the circumstances, and given the pressure on Government and BBC expenditure, a two-year freeze might be something of a vain hope, but I look forward to hearing what the Minister has to say about that.

3.16 pm

Chi Onwurah (Newcastle upon Tyne Central) (Lab): It is a pleasure to serve under your chairmanship, Mr Chope. I congratulate the hon. Member for Aberconwy (Guto Bebb) on securing this important debate. I also congratulate hon. Members on both sides on their contributions.

As has been said, media plurality is at the heart of any healthy democracy. The United Kingdom is a vibrant, diverse, complex and, at times, eccentric country. It is essential that our broadcasting reflect that. It is also important that we have not only a diverse creative sector, but a plurality of current affairs sources.

Wales is an important, lively and diverse nation within the United Kingdom, and it has its own distinctive language and culture. I cannot claim to have any Welsh connections, but it is often remarked that there are similarities between the north-east, where I am from, and Wales in terms of people's warmth, eloquence and attractive accent, and, unfortunately, in terms of the decline in some of their more classic industries.

It is critical that Wales should have a plurality of broadcasters that not only encourages different viewpoints, but ensures that Welsh people are informed of matters that are important to them. Having a critical mass of media production also stimulates the creative industries, which create jobs.

It has been clear for some time that UK media coverage of Welsh affairs is poor, to put it mildly. Representing a constituency 290 miles from London, I have first-hand knowledge of how insular a national media based almost entirely in London can be. Indeed, I have held debates in this room about the effect that that has on the diversity, or lack of it, in the national media. It was, indeed, in July that the contribution by the hon. Member for Arfon (Hywel Williams) helped to familiarise me with the unique situation in Wales and some of the challenges there.

In the north-east, there is a strong regional news presence to fill that gap. I am grateful to our locally based *Journal* and *Chronical*, as well as to the Made in Tyne & Wear channel, and indeed to BBC's "Look North" and to "Tyne Tees" news, which have a local base, even though they are not locally headquartered.

[Chi Onwurah]

It is important to remember that non-devolved services are covered in the UK news, and they are relevant to my constituents, but much less so to Welsh ones. It is clear from speeches made on both sides of the Chamber that the market for current affairs in Wales is failing to provide adequate services for the Welsh people. BBC Wales covers the National Assembly, as we have heard, but it is essential that people should be afforded a choice of current affairs programming and coverage. Coverage is being reduced, and the problems that traditional media organisations across the UK experience are exacerbated for Welsh content providers.

Susan Elan Jones: My hon. Friend is making an eloquent speech. Does she agree that a difference between the north-east of England and Wales is that the BBC provides a network of local radio stations in England, but that in Wales we no longer have that? We do not have the old Radio Clwyd, Radio Gwent or the others. That is a big oversight, and the BBC needs to look at the issue again.

Chi Onwurah: My hon. Friend intervened just as I was going to mention her in another context. She is quite right that a local radio network, particularly a BBC one, is an important part of media plurality, providing a local or regional insight and perspective on the news. I do not know where we would be without local coverage of our great sporting events, for example. I was grateful to her for making the point that large parts of north-east Wales cannot, in any case, receive BBC Wales, so its impact is limited and that encourages many Welsh citizens to turn to the national UK media outlets.

The fact that many Welsh people choose to consume UK media may also be a symptom of the convergence of media outlets. We cannot and do not want to stop the rise of digital and new media, and the innovation that that brings. However, as Ofcom's Welsh advisory committee has noted:

"None of the London-based newspaper titles publishes a Welsh edition and there is almost a total absence of Welsh content in UK-wide newspapers."

Historically, as we have heard, north and south Wales have different papers, and many Welsh people, if not the majority, take UK papers. While technology is disrupting traditional media models and creating many innovative online communities and interest groups—we have heard some of the hopes for the future in that regard—it has yet to provide a model that pays for local journalists on the ground covering events in communities and council chambers, or even the National Assembly Chamber. I speak as a champion of the internet when I say that we must recognise that the internet is not yet an alternative to independent professional journalism—certainly not yet in Wales. Ofcom's advisory committee on Wales reported what many people have known for some time: that the situation is a cause for considerable concern and is getting worse.

Now a double whammy of cuts is coming down the track for public service broadcasters in Wales. The Chancellor's decision to make the BBC pay for free TV licences for those over 75 has resulted in cuts to services. The Secretary of State for Culture, Media and Sport confirmed that Welsh programming would not be spared.

As to the direct funding—I do not believe it is a subsidy—from DCMS for Welsh output, it has been reported in the media, although of course we do not know, that DCMS is planning for 40% cuts to its budget. In those circumstances it is highly likely that there are further cuts in the pipeline for Welsh output; but of course it is for the Minister to give us certainty about that.

Guto Bebb: The hon. Lady is right to make the point about the decision to agree with the BBC that the licence fee should come out of its budget; but from the point of view of concern about S4C, which is a small part of the BBC's funding stream, surely the point is that the director-general agreed without any consultation with S4C, even though there were funding implications for it. Surely if the BBC were serious about its role in protecting S4C it would at least have consulted before making an agreement.

Chi Onwurah: The hon. Gentleman makes an excellent point. I agree that there should have been consultation with S4C, but I would also make the observation that the Secretary of State made his decision without consulting anyone, and in direct contradiction of criticisms he made while he was the Chair of the Select Committee on Culture, Media and Sport. In a democratic country we would expect consultation on a decision as important as funding, and obviously that would include consulting S4C on its funding.

I want to finish with some questions to the Minister. I am curious about what assessment he has made of the cuts, in a situation that is already a cause for serious concern. I have asked DCMS Ministers that question about a number of areas over the years and the answer is all too often a variation on "not much". I hope that a Wales Office Minister can do better. What is the Minister doing to improve and strengthen media plurality in Wales? What discussions has he had with the Welsh Government and DCMS on cuts to Welsh public sector broadcasters? What assessment have the Government made of the effects of cuts on those broadcasters both before and since they were made? What discussions has he had with national media organisations more broadly, in the private and public sectors, about their coverage in Wales? Does he agree that there is a crisis in Welsh media plurality, and can he point to a policy or plan to address it?

I am sure that the Minister agrees with me and hon. Members about the importance of the issue to Wales. I am leaving as much time as he could need to set out how he plans to tackle it. The challenge is a long-term one that is not likely to go away without intervention from his Department, working in partnership across Government.

3.27 pm

The Parliamentary Under-Secretary of State for Wales (Alun Cairns): It is a pleasure to serve once again under your chairmanship, Mr Chope. I welcome this debate on an important issue, and pay tribute to my hon. Friend the Member for Aberconwy (Guto Bebb), who has shown an interest in the subject for many years since he came to the House. He is a champion of plurality, S4C, the Welsh language and news consumption, which are matters I want to return to.

I thank all the hon. Members who spoke. My hon. Friend the Member for Cardiff North (Craig Williams) highlighted the role of Made in Cardiff TV and of S4C,

which is based in his constituency. The hon. Member for Arfon (Hywel Williams) reflected on a range of issues, including *papurau bro*. The hon. Member for Ceredigion (Mr Williams), who is not in his place at the moment, highlighted the relevance of local media, and the hon. Member for Clwyd South (Susan Elan Jones) talked about radio broadcasts and the impact of what has been happening in north-east Wales in particular. The hon. Member for Newcastle upon Tyne Central (Chi Onwurah) left me with a list of questions that I will do my best to answer as the debate develops.

It was also a pleasure to hear contributions from my hon. Friends the Members for Montgomeryshire (Glyn Davies) and for Carmarthen West and South Pembrokeshire (Simon Hart), who is looking forward to the move of S4C from Cardiff North to his constituency—no doubt he will be not only an existing champion, but a future champion of the interests of the channel.

In Wales, as in the rest of the United Kingdom, the public's ability to access a wide range of news, views and information about the world, nation or region in which they live is central to the health of democracy and society. My hon. Friend the Member for Aberconwy talked about the changing political nature of Wales, and devolution rightly underlines the need for distinct and robust media outlets to contribute to the effective scrutiny of decisions made by tiers of government at all levels—it is essential to have accountability; a word he rightly used for testing policy and holding decision makers to account.

I recognise the specific challenges for media plurality in Wales outlined by hon. Members, in particular where the Welsh language is involved, and I will return to some of those points. Some issues were highlighted in Ofcom's report on the future of public service broadcasting published in July, in particular our heavy reliance on BBC and S4C output for news and information about Wales. That point was also made by my hon. Friend.

I also recognise the importance of the Welsh context. Our topography has always presented challenges for terrestrial television coverage—for example, on commercial digital terrestrial television multiplexes—as well as for FM and DAB coverage. There has always been a battle over access to the broadcasting spectrum in Wales, which has arguably been characterised by fewer local commercial radio stations. Lower broadband take-up is another challenge because of the topography, although we are making excellent progress in closing the gap, but that has contributed to higher take-up of satellite TV than in other parts of the United Kingdom.

The debate has focused significantly on S4C. The channel has helped Wales to create one of the most dynamic examples of a creative industry cluster in the UK and beyond. In that context, it was a privilege to host a meeting at the Wales Office between key independent programme makers and companies and Teledwyr Annibynnol Cymru, the independent representative body, with the Secretary of State for Culture, Media and Sport only a couple of weeks ago. It was an opportunity for the independents to highlight their priorities for the Secretary of State and for him better to understand the needs of the sector in Wales.

Many of the companies involved are international in their outlook and operations. Their form rightly evolves and responds to the ever-changing marketplace. They

have attracted private equity interest and takeovers, demonstrating the constant evolution and interest maintained in the industry from the perspective not only of viewers, but of the investments that result in a successful industry.

The success of Welsh television production has led to internationally recognised awards that have opened up significant export markets. Welsh-made television shows and formats are now sold worldwide. We have even had a Welsh hill farmer presenting on a French television programme—Gareth Wyn Jones, a farmer from Conwy, who originally starred in “The Hill Farm”, a show that has won an award from the British Academy of Film and Television Arts. He was asked to front a travel show on Wales for a major French television channel. That demonstrates diversity, which was one of the points made by the hon. Member for Arfon.

As well as a scene of dynamic independents, Wales has become a hub of creativity and a desirable place to make programmes, and I need only mention a few: the BBC 1 drama series “The Indian Doctor”, which has been sold to the US, China, Estonia, Mexico and Israel; “Dr Who”, for which Wales is the production centre and which is an iconic success of British television that has aired in more than 200 countries and been dubbed into many languages; S4C's “Fferm Ffactor”, which is now licensed and produced in Denmark, Sweden and China; “Hinterland”, which was filmed in both Welsh and English, highlighting innovation and significant economies of scale from co-operating with the BBC and creating interest overseas from other independents; and children's programmes shown on CBBC, with BAFTA-winning spin-off apps demonstrating the divergence between modern and traditional broadcasting technology.

Wales is home to more than 50 television and animation companies, which collectively generate around £1 billion a year for the Welsh economy. That all contributes greatly to employment in Wales, and last year 51,000 people were employed in the creative industries—a 10.5% increase since 2011—and 80,000 in the wider creative economy.

We have not given too much attention to plurality in radio in our debate, but it is relevant to the issues that were raised. I am pleased that the BBC is extending its national DAB coverage with 22 new transmitters across Wales by the end of 2015. Furthermore, with the BBC and commercial radio, the Department for Culture, Media and Sport is investing up to £7.75 million to extend local DAB to match local commercial FM coverage. That will support further plurality in broadcasting in Wales, for which the hon. Member for Newcastle upon Tyne Central called. I hope that that will be welcomed in all parts of the House.

The benefits will be more choice of digital radio services for Welsh listeners and substantial improvements in BBC radio and BBC Radio Cymru digital coverage. Equally importantly, that offers opportunities for local and regional commercial radio services, which are popular throughout Wales and which play an important part in the plurality of news services—an important point highlighted by the hon. Member for Clwyd South. The new technology will provide more opportunities to fill the gaps, where they exist. I recognise, however, that more needs to be done further to enhance digital radio coverage in Wales—something we highlighted in the BBC Green Paper.

[Alun Cairns]

As hon. Members have mentioned, Wales does not have as strong a print media sector as Scotland or Northern Ireland. Ofcom, in its recent assessment of public service broadcasting across the UK, highlighted the fact that most daily newspaper readers read newspapers that include little content related specifically to Wales and the National Assembly for Wales—something that was underlined by my hon. Friend the Member for Aberconwy. While the print circulation of dailies in Wales continues to decline, along with the circulation of dailies throughout the United Kingdom, online services go from strength to strength. There has been little coverage of that in the debate so far.

Media Wales is one example, with its Wales Online brand doubling its audience last year, according to the latest ABC—Audit Bureau of Circulations—figures. North and south Wales are specifically targeted by Media Wales through the *Western Mail* and the *Daily Post* brand. It is also worth highlighting, however, the fact that Wales's highest-selling daily newspaper, the *South Wales Evening Post*, based in Swansea, has also shown a strong performance online.

Other regional groups are important. The Tindle group has an exceptionally strong presence in my constituency, with the Glamorgan GEM series, but also in Monmouth, Pembrokeshire and elsewhere. Newsquest has the *Barry & District News* and the *Penarth Times* in my constituency, and the *South Wales Argus* in south-east Wales, as well as publications elsewhere. Similarly, its focus has shifted to its online output, on top of the weekly sales or distribution of its papers.

Glyn Davies: I thank the Minister for giving me the chance to mention the *County Times* in Montgomeryshire—probably the only newspaper sold in Wales that has not yet had a mention today. My constituency is close to Shropshire, so it is also worth mentioning the *Shropshire Star*, a hugely important newspaper in Wales. These media, including internet companies in Welshpool and Newtown, are growing incredibly rapidly and having significant influence. A whole range of providers in eastern Wales might not have featured in the debate until I intervened.

Alun Cairns: My hon. Friend has a strong reputation for carrying the front page—and not only of the *County Times*, in which he regularly features; I remember him even making the front page of the *Daily Star*, which certainly brought his name to the attention of many, particularly in Wales. He rightly champions the *County Times* and I know the interest he shows in it, but mid-Wales is an area with a gap in local radio coverage. That is recognised and ties in with the point made by the hon. Member for Clwyd South.

Guto Bebb: I want to focus again on online content. It is important to recognise that the media in Wales, whether south or north, such as the BBC and Golwg 360, is doing a great job in providing content on the internet. However, having spoken to some such organisations, my concern is about their ability to generate an income from online activities; that income is not growing as fast as the decline in income from trade sales. Great work is being done, but that online provision will soon be lost unless that gap can be plugged quickly.

Alun Cairns: My hon. Friend makes an important point. The online market is still new and different newspapers are seeking different approaches to capitalise on the readership they are generating to try to create an income. We all know that News UK's online news is a paid-for service, which is different from what some of the other UK national newspapers are pursuing. The market will mature in time, but he rightly makes the point about the switch from selling daily newspapers to media online. I do not think that they are mutually exclusive; they are complementary, but a model needs to be developed to suit their individual communities.

Much attention has been given to UK national newspapers and their lack of coverage of Wales. However, there have been some positive steps. I mentioned News UK, and we need to recognise that *The Sun on Sunday* and *The Sunday Times* now have Welsh editions. That is at an early stage and it is a limited adjustment compared with different newspapers, but it is a welcome, positive step. When Wales beats England in the rugby, it will be a Welsh rugby player on the front page celebrating rather than what might be on the front of the English version: commiserations for an English rugby player disappointed at Welsh success.

On a more serious note, the news emphasis is changing. We need to pay tribute to and welcome News UK's intervention and hope that other newspapers will follow that model and that the readership will increase as a result of reflecting the needs and demands of Wales as a wider community.

In addition, local and hyper-local media projects are of growing importance and have helped plurality in Wales. They are supported by the destination local project, which is supported by Nesta and other partners. In one such project, the papur bro—community newspaper—in Caernarvon is working with television company Cwmni Da and further education college Coleg Menai to create a Welsh-language mobile and digital service to provide hyper-local news and information to the community; the hon. Member for Arfon touched on that briefly.

As we draw to the debate's close, I want to say a few words about the Government's overall approach to media plurality.

Susan Elan Jones: The Minister referred to papurau bro—community newspapers. Does he recognise that one of the great features of those hyper-local news outlets is that in many cases they have existed for a very long time? I think of the *Nene*, the papur bro in Rhosllanerchrugog. What they provide is absolutely unique and, in many cases, that has been one of the reasons for encouraging the Welsh language in many communities across Wales.

Alun Cairns: The hon. Lady makes an extremely important point. Any innovation and new technology that can be brought to the papurau bro to allow them to maintain their audiences and reach new ones over time is to be encouraged. It is good to see broadcasting companies such as Cwmni Da working with the papurau bro to try to bring about new technology and allow their economies of scale to be used.

In terms of the overall approach to media plurality, the Government have two roles to play. The first is to see that public service broadcasting is in good shape in

the nations and regions. The second is to ensure that all parts of the UK continue to be served by an effective range of services that represent a range of media voices, including the Welsh language in Wales.

On television, public service broadcasting in Wales is in pretty good shape. ITV Wales was separated from the Wales and west regional licence in January 2014, which means that Wales has its own commercial, English-language PSB channel. In addition, local news requirements for ITV licences were strengthened, and I pay tribute to ITV Wales for how it has responded and for what it achieves with more limited resources than other public service broadcasters. It offers a genuinely high quality service, which creates much better choice for viewers who can decide which options to pursue.

We have also ensured that S4C continues to make its contribution to Welsh cultural life and to the diversity and variety of TV content across the UK, as many have mentioned, including the hon. Member for Arfon. It is easy to take S4C for granted and not recognise that it is pretty unique—not just in the UK, but in Europe. We should also recognise that the previous comprehensive spending review protected S4C's financial position.

It would be premature of me to respond to questions on how the current CSR will affect the channel. Discussions are ongoing, but our commitment to Welsh-language programming and the future of S4C stands. That is relevant to the BBC's charter renewal, which is also ongoing and includes the relationship between the BBC and S4C as well as the BBC's role in the nations.

Some have expressed concern about the reduction in English-language output in Wales, which I am pleased to see the BBC is looking at, as highlighted in the evidence it has presented for the charter renewal. It has said that it wants to protect the interests of the nations of the UK in charter renewal and I trust that that extends to S4C. We would encourage that.

We have said many times that we will safeguard S4C's editorial and operational independence. The call for a review, made by my hon. Friend the Member for Aberconwy, will certainly be taken into account. It is interesting and will be considered as part of the BBC's charter renewal process. He is a steadfast champion of S4C and hosted a similar debate on this subject five years ago. Its outcome led to the current settlement. Many at the time doubted or criticised that outcome, so it is ironic that the same people are now calling for the current position to be maintained. The reality is that we gave a manifesto pledge to secure its future and we will always respect S4C's editorial and operational independence. That was promised five years ago and has been delivered since then. His call for a review of S4C is interesting and something that we will look at in the context of the BBC's charter renewal and the CSR.

It is worth highlighting the other side of broadcast media as raised by my hon. Friend the Member for Cardiff North: the emergence of local TV services in Cardiff, which have been on air for nearly 12 months. Services in Mold and Swansea are due to launch shortly, which will give more choice in new and local programming. It is early days for those services, but we hope that they will be able to grow audiences and that, with their clear remit for local news and information, they will help to strengthen local democracy and accountability by giving attention to local issues.

The Department for Culture, Media and Sport is working closely with Ofcom to support Mold's application to extend services to Wrexham, which I know a number of Welsh Members on both sides have raised with the Minister for Culture and the Digital Economy, my hon. Friend the Member for Wantage (Mr Vaizey).

With only 10 stations, however, Wales does not appear to have embraced community radio in the same way as Scotland has, with its 26 stations. Community radio is especially important for rural areas that are under-served by radio as a whole. Stations such as Tudno FM in Llandudno, MônFM in Anglesey and Radio Glan Clwyd in Bodelwyddan are well established. They provide a fantastic and valuable resource for their communities, broadening the choice of services, and are examples that can be built on to deal with some of the gaps elsewhere in Wales that I have highlighted. But there are no community stations in mid or west Wales. I want to look at that with DCMS and Ofcom as part of the planning for the next round of community radio licensing. The Minister for Culture and the Digital Economy mentioned that when he responded to the debate on community radio held on 8 September, which was led by my hon. Friend the Member for Cannock Chase (Amanda Milling).

The Government's second responsibility is for the media market, and has two important aspects: first, to ensure that we have workable rules on media ownership and secondly, to ensure that we have a robust and objective framework for measuring media plurality. On the first aspect, Ofcom reviews the media ownership rules every three years. It will report to the Culture Secretary on its latest review in November, and the Government will consider its findings carefully before deciding whether action is required.

As for the second aspect, in July 2013 the Government carried out a consultation on what the scope of the measurement framework for media plurality should be. From a range of options, we concluded that online media should be included, for some of the reasons that have been highlighted in the debate. We also concluded that news and current affairs are the type and content of media most relevant to media plurality, a point many hon. Members have underlined today.

The scope of the framework should include all organisations that impact on news and current affairs services, including organisations that generate, gather and aggregate news, services that could affect discoverability and accessibility—online news services, for example—and professional and non-professional commentary such as blogs and social media. We also concluded that the BBC should be included within the review. The framework must deliver indicators capable of illustrating the situation at UK level and in each of the nations of the UK, and should examine issues at a regional and local level in some areas. However, full examination of every local area is not anticipated. Following the consultation, in September 2014 we commissioned Ofcom to develop a measurement framework for media plurality. That work is ongoing.

In the couple of minutes remaining, I will return to the issue of the BBC's dominance in broadcasting in Wales. We are all familiar with the fact that the BBC has responsibility for 10 hours of broadcasting for S4C. The content of that 10 hours is not stipulated and it is of course for the S4C executive to negotiate and decide

[Alun Cairns]

what those 10 hours should consist of—it need not necessarily be news content. I am interested to hear about any discussions that have taken place between the two organisations because, as the Ofcom report highlights and as many contributions from across the Chamber have championed, diversity and plurality in news outlets are exceptionally important.

We have highlighted local, ultra-local, regional and national newspapers as well as online coverage and the commercial output from ITV Wales, but we need to recognise the BBC's unique role. It can provide greater opportunities for other organisations—competitors, as it were—to develop in the market, which would be welcome. It is for S4C to decide where it will commission its news from. There was an interesting debate on that matter some six or more years ago, and my hon. Friend the Member for Aberconwy raised it in his championing of the channel. He has always been a champion of S4C, as have many other Members here.

I thank you for chairing our debate, Mr Chope. I also thank hon. Members for their contributions to a discussion that has been a very effective contribution to the charter renewal discussions and the comprehensive spending review negotiations.

3.54 pm

Guto Bebb: I thank the Minister and the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) for their responses to the debate. I suspected that the Minister would not be in a position to make any promises on the question of finance and I understand why. I appreciate his positive comments and am aware that in the ongoing negotiations within Government we have in him a strong champion for broadcasting in Wales of all types—whether online or on radio, in Welsh or in English. I thank him for his response.

Question put and agreed to.

Resolved,

That this House has considered media plurality in Wales.

Burton Magistrates Court

3.55 pm

Andrew Griffiths (Burton) (Con): I beg to move,

That this House has considered the proposed closure of Burton Magistrates' Court.

It is a pleasure to serve under your chairmanship, Mr Chope—it is the first time I have done so and is a great honour. I am grateful to the Minister for giving up her time to take part in the debate. My dealings on the subject to date have been with her ministerial colleague, the Under-Secretary of State for Justice, my hon. Friend the Member for North West Cambridgeshire (Mr Vara), who I must admit has been extremely positive in giving up his time to discuss the issue with me and other Members; I think he realises the importance of getting this right. However, my premise today is that we have got this very badly wrong.

I do not wish to be a deficit denier or to pretend that we do not need to reform our courts; in fact, I absolutely support reforming our court system to make it modern and applicable to the way we live our lives today, taking advantage of modern technology. I also recognise that in times of austerity, when we have to make the best use of taxpayers' money, we have to look at innovative ways of providing services to our citizens. However, I have to say that in this case the Ministry has got it very badly wrong.

On 16 July, Her Majesty's Courts and Tribunals Service published its proposal for reforming the court system. The proposal contained a list of courts that the service believes are not providing

“appropriate value for...public money”

due to either poor facilities or low use. I will argue strongly that neither of those is the case for Burton magistrates court. It was, however, one of the courts on the list, and its inclusion has shocked local residents. The court has a reputation as a thriving, efficient community asset providing access to local justice. In fact, my residents are so upset and concerned about the proposal that there is now a 2,000 signature petition against it. When there is such concern among our constituents that they sign a petition in such large numbers we must address it and consider why it has arisen.

As the Member of Parliament for Burton I was immediately concerned that Burton's inclusion was a huge mistake. During the past two months I have undertaken a detailed examination of the Tribunals Service's reasoning and the evidence it has provided, and have found a number of errors that seriously undermine the validity of the Department's arguments.

Andrew Bingham (High Peak) (Con): I would have spoken in the debate, but it is only a 30-minute one, so I will settle for making an intervention. My hon. Friend is making a powerful point on behalf of Burton. I am here on behalf of Buxton court—there is only an r and an x between Burton and Buxton and when I saw the debate title I thought, “They have picked my court debate.” Does he agree that the consultation document on Buxton court in my constituency of High Peak is riddled with inaccuracies, errors, mistakes and inconsistencies that render it—I am sorry to have to say this—completely and utterly useless?

Andrew Griffiths: While there might be a letter or two between my hon. Friend and I, there is nothing between us in our view of these consultations and the validity of the evidence they contain. They are riddled with mistakes; he is absolutely right. If the Minister and her colleague are to stick to their word, and if this consultation is to be based on fact and on evidence, they must reconsider the glaring inaccuracies in the proposals.

[SIR DAVID AMESS *in the Chair*]

Let me move on to the reasons why I think there are mistakes in the proposals for Burton. First, Burton magistrates court's closure would require court users to make impossible or unreasonably lengthy journeys. The utilisation figures that the Tribunals Service has used to assess Burton magistrates court are incorrect. Burton magistrates court is, I believe, one of the best and most efficient in the country. According to the Tribunals Service's own statistics, Burton magistrates court is performing better than the local and national average in terms of providing justice swiftly and effectively. The Tribunals Service has mischaracterised the quality of Burton's facilities, which are much better than Cannock magistrates court, which is set to replace it.

Heather Wheeler (South Derbyshire) (Con): I congratulate my hon. Friend on securing the debate. As the people of South Derbyshire also use Burton magistrates court, will he assure me that in his strong defence of keeping the court open, he will bear in mind the importance of South Derbyshire folk's not having to travel to Cannock, which would be utterly ludicrous?

Andrew Griffiths: I thank my hon. Friend for her intervention and her strong support for this campaign. She, like me, understands the impact of this court closure on our constituents. It is true that closing Burton magistrates court would leave nowhere in the south-east of Staffordshire that is suitable for, for instance, family work, which I know she is particularly interested in.

Let us get down to the nitty-gritty of the facts that the Ministry of Justice is using to defend this proposed closure. The proposal contains travel times for each court. The Tribunals Service has included a chart detailing what percentage of people will have to travel 30 minutes, 60 minutes and so on. In order to work that information out, it is necessary to know where each individual is travelling to and from. In other words, it is necessary to know what the new local justice areas will be and where the replacement court will be. Of course, the new local justice areas are not established in the proposals. That information is not there, so the Department is sticking its finger in the air and guessing.

It transpires that many of the estimated times are completely inaccurate. The Tribunals Service has included estimated times from Burton magistrates court to each of the replacement courts. As the proposal itself admits, not everybody lives in Burton town centre. For instance, my constituents would have to travel into Burton town centre and then get another bus to the replacement court, which would add a considerable amount of time. For the purposes of today, I have worked out travel times simply from the centre of Burton, where the magistrates court is.

Let us look at the travel times we would be considering for my constituents to reach Cannock magistrates court. By car, it would be 45 to 55 minutes, but of course, only

52% of my constituents own a car. That means that almost half would be forced to use public transport. The Minister will be shocked to learn that we are talking about a travel time by bus of one hour and 56 minutes to get to Cannock, including two changes, and one hour and 53 minutes to return. That is a total travel time of three hours and 49 minutes. It is hard to see how that is access to local justice. By train, it is little better; it is one hour and 51 minutes to get there, including one change, and one hour and 49 minutes to return—a round trip of three hours and 40 minutes. That includes, importantly, a 60-minute walk time, because there is no other way of accessing the court. Derby, of course, is much quicker, with a total travel time of one hour and 32 minutes. The other proposal is to send court work to north Staffordshire justice centre, which is in Newcastle-under-Lyme. By car, that would be a 45-minute trip each way, but by bus, it would be three hours and eight minutes to get there and two hours and 57 minutes to get back.

Andrew Bingham: This has an eerie ring of familiarity about it, because the document for my court in High Peak shows that 73% of public transport journeys for my constituents will take more than two hours. That is to Chesterfield, which is not practical. This is another example of inaccuracies and a lack of thinking in the consultation.

Andrew Griffiths: I absolutely agree. When we are talking about a travel time to access a court that is as long as it would take me to fly to America, we certainly have a problem. I do not think the Minister has properly understood how she has been let down by the information contained in this document.

The document suggests that the Tribunals Service will use more video conferencing and that there will be new ways of working that will not require people to travel. However, I have spoken to the magistrates at Burton, the solicitors and everyone involved, and it is clear that in Burton only a small proportion of the work dealt with is amenable to video conferencing. It simply will not be possible to do that in the vast majority of the court cases that Burton deals with.

There is another point: court cases start at 10 am. It is absolutely impossible to get to Newcastle-under-Lyme for a 10 am court case. We understand that there is a requirement for the accused to attend court, but if there is physically no way for them to get there, what will be the consequence? Even more so, what will be the consequence for the witnesses? We already have a problem with court cases having to be delayed and adjourned because witnesses have not turned up. What will be the situation when we are expecting witnesses to give up six hours of their time just to get to and from court? It is simply unacceptable and unworkable, and the Minister must understand that.

Perhaps the most alarming statistic in the table is the 60 minutes of walking required of train users going to and from Cannock magistrates court. Even if one replaces part of that journey with a bus ride—costing an extra £4.20, I add—one would have to walk for 46 minutes, which is simply unrealistic for people with mobility issues. The significance of that cannot be overestimated. The Government's proposal would make it impossible for a large section of the community—disabled people—to

[*Andrew Griffiths*]

access justice, simply because they are physically incapable of reaching the location of their hearing. Under both domestic and European Union legislation, public authorities, including the Courts and Tribunals Service, are required to accommodate the reasonable needs of the disabled. How are we accommodating those needs if we are preventing these people from accessing the court system?

It is also important to remember that difficulties in reaching courts affect not only those involved in the proceedings but their families and the support that people might expect during the court case. Jane Garner, senior victim service manager at Victim Support Staffordshire, has pointed out that these people, who provide important support to all witnesses, will not have their travel expenses reimbursed and so will not be there.

Lastly, the fact that there are so few travel options between Burton and the replacement courts raises a serious concern in terms of victim and witness safety. It will not be uncommon for a defendant on bail and a victim to have to travel on the same public transport at the same time. As we have heard, no bus can get a person there for 10 o'clock. People will be forced to use the same bus—imagine the distress that would be caused if a victim has to spend an hour and a half on a bus with somebody who has assaulted or intimidated them. What are the implications for witness safety and the safety of the process? Intimidation of witnesses and victims must not be underestimated, and there is no way, under the proposal, that we can guarantee the safety of those victims and witnesses.

The Tribunals Service would require court users to travel for unreasonable lengths of time to arrive at their hearings. Moreover, the closure of Burton magistrates court would actively discriminate against those with mobility issues and raise massive safety questions as a result. That is serious enough, but the Department's proposal is based on a completely false premise, which is the number of courtrooms that are available at Burton magistrates court. According to the Tribunals Service's proposal, Burton magistrates court has four courtrooms, but that, I am sorry to say, is incorrect. Burton has three courtrooms and one advocates' room, which, since the closure of Burton county court in 2013, has very occasionally been used as a spillover room for private proceedings. In fact, there is no sign for court four in the reception, because it is never used.

At 6 metres by 3.5 metres, the advocates' room is little more than a glorified broom cupboard. It is not fit for purpose. Because of its size, parties are forced to sit uncomfortably close to each other, almost banging knees. That is particularly problematic in the kind of acrimonious family cases for which it is used. To make matters worse, the room has no security staff.

Unsurprisingly, the advocates' room is only ever used as a last resort. From January to August this year, it was used for a total of 19 days: 15 days for family work, three days for matters relating to the Driver and Vehicle Licensing Agency and TV licensing, and one for tribunal services. That means that for 110 days—around 22 weeks—the advocates' room was not being used for legal proceedings. In fact, the space is used so infrequently that it is not even registered or signposted.

As a result of that error, the Tribunals Service has made a serious miscalculation about court usage. It says that it is used to 51% of its capacity. I believe that after correcting this mistake, that court usage goes up to 68%, which would make it hugely efficient.

Things get worse, however. Burton court has suffered severe prejudice through the dates used to calculate usage figures. The statistics that the Ministry of Justice has used for its proposal were gathered between 1 April 2014—note the date: I believe that this must be some sort of April fool's joke—and 31 March 2015. As the Minister knows, between October and December 2014, Burton's police cells were undergoing refurbishment, meaning that much of the court's normal custodial work was transferred to Cannock. Obviously, that has resulted in Burton's usage figures being artificially depressed. When we put those things together, we see that the court is not operating at 51% capacity but at 68%—at least, I suggest.

Let us look at how Burton operates compared with other courts. We have heard that that is important. I raised the issue of the missing courtroom four with the Under-Secretary of State for Justice, my hon. Friend the Member for North West Cambridgeshire, who helpfully wrote back to say:

"You raise a concern regarding the size of Courtroom 4 and its inclusion...when calculating the utilisation of Burton Magistrates' Court. Courtroom 4 has been used for hearings previously and continues to be available for suitable cases should it be required. Workload at Burton Magistrates' Court is low overall, meaning that Courtroom 4 as the smaller of the four rooms is rarely used."

As we have demonstrated, that is simply not the case, and I urge the Minister to take her staff who compiled this report into a darkened room and give them a talking to, because the facts do not fit what is being suggested.

Of course, utilisation figures are just one measure of how well a court is performing. To get a complete picture, it is necessary to compare such things as the time it takes to complete a case after it has been listed or the percentage of trials that prove ineffective. Fortunately, the Tribunals Service is already in possession of such data, which are published regularly as judicial oversight of magistrates court performance reports.

Those reports provide data on 10 different performance measures at the national, cluster and local justice area level, thereby offering a comprehensive insight into how well one region is doing. When we examine those data, we find that Burton magistrates court—being the only magistrates court in south-east Staffordshire, and that is, of course, important—ranks above the national average in seven out of 10 of the Tribunals Service's measures. It is also above average in six out of 10 measures when compared with the Staffordshire and West Mercia cluster, which is, in itself, one of the best clusters in the country.

The primary purpose of any court is to provide justice swiftly and effectively. According to the statistics that I have outlined, Burton magistrates court does that more successfully than the vast majority of courts in England and Wales. Closing Burton magistrates court would therefore deprive the local area and the tribunals service itself of an incredibly valuable community asset.

Let us consider Burton magistrates court's facilities. In his response to me on 15 September, the Minister said:

"I must highlight that the consultation proposal for Burton Magistrates' Court is not based solely on the usage of the court. The court has no separate facilities for defence witnesses and there are a number of access issues for people with disabilities."

Okay, so let us judge it on the basis of the information that the Minister has been given. First, take the issue of access. I have been to Burton magistrates court and I have spoken to the staff there. I have spoken to the magistrates and the solicitors who work there, and I have even spoken to disability groups in Burton. None of them believes that Burton magistrates court has any access issues whatever. All three courtrooms are entirely disability-friendly, including in the public areas. The proposal is simply wrong. There is even a lift in the court. The only exception is the witness box in court one, but that has never presented any issue in the past. Witnesses are permitted to give evidence under oath from anywhere in the courtroom, meaning that the problem does not exist. This is a straw man put up by the Department, desperately trying to defend its proposal to close the court, but it does not stand up to even the slightest scrutiny.

Let us look at the lack of separate waiting facilities for defence witnesses. It is absolutely true that Burton does not, at the moment, have separate waiting facilities for defence witnesses. However, that could easily be resolved by converting the advocates' room, or courtroom four—or the broom cupboard, as I like to call it—to make it available for that purpose. In fact, the advocates' room is ideally situated for that purpose, as its location is away from the main body of the court and would ensure that defence witnesses felt very safe.

The other point that has been made in defence of the closure proposal is the lack of cell accommodation. Although it is true that Burton court does not have its own cell accommodation, it does have access to the state-of-the-art cells in the police station next door. Those cells are directly linked to Burton magistrates court through an underground tunnel, which emerges straight into the high-security dock in court one. Cell accommodation has been unavailable only twice in the past 15 years. The proposal is right to say that during the last closure for refurbishment the custodial work was moved to Cannock, but it is wrong in saying that that was a success. In fact, the move caused serious problems for court users, especially victims, witnesses and advocates, in terms of both unacceptable travel times, as we have heard, and expense.

The court and the police station have worked together for a very long time. Indeed, the tunnel between the courtroom and the police station allows anyone giving evidence—witnesses and the accused—to appear right in the dock. It is safe, it is secure and it works incredibly well. In fact, the police have such a good relationship with the court's security service, GEOAmev, that they have granted GEOAmev a permanent work station within their facility. There is no reason why that should not continue.

If we look the facilities that Burton offers compared with those that the Ministry is claiming to keep open, they not only stand up to scrutiny, but they are better, safer and more fit for purpose. It is not possible to argue that Burton court should close due to inadequate facilities,

when the court that is proposed to replace it has much worse facilities. The truth is that Burton court's facilities are of a very high standard and do not in any way impede access to justice. That is what we are here for: to ensure that our constituents have access to justice.

A final implication relates to the family court. We recognise that it deals with people who are incredibly vulnerable. No other facilities in south-east Staffordshire could deal with family court work. It would be forced to go to Stoke and the facilities there are also not fit for purpose.

I have spoken for a long time and I am grateful, Sir David, for your leniency. I think you can understand that my constituents want me to defend Burton court and their right to justice. We have established the facts of the case, which are that Burton court should stay open. Its facilities are right, it has served the people and it is good value for money. All I ask is that the Minister looks at the facts, and bases her judgement on them. I am sure that that will lead her to the same conclusion as me: that Burton court must stay open.

4.22 pm

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage):

It is a great pleasure to serve under your chairmanship, Sir David. I congratulate my hon. Friend the Member for Burton (Andrew Griffiths) on securing this important debate. I will ensure that his kind words about my colleague, the Minister for the Courts and Legal Aid, are passed on. He has asked me to emphasise again today that the consultation is genuine and that although it has now closed, no decision will be made until the responses to it have been carefully considered.

In the meantime, I very much welcome the opportunity to explore this important issue. I commend my hon. Friend on the diligent way in which he has represented the interests of his constituents in this matter. I understand many of his concerns about the proposal and the accuracy of the published document, and appreciate the hard work he has put into the matter. I know that he has corresponded with my ministerial colleagues and I assure him that where corrections are required, they will be made in the response document. We will of course consider all the points he has made today, alongside those he has already made, and all the other responses we have received, when we make a decision about the future of the court.

I would like to address directly a couple of issues, including the accuracy of the consultation document regarding courtroom four's size and suitability for hearings. The courtroom is of a modest size, but it is suitable for a variety of judicial work and has been used for hearings in the past year. That it has not been used more often is more a reflection of the low workload at Burton magistrates court. Although courtroom three is larger than courtroom four, it is also used irregularly due to the low workload.

My hon. Friend raised the issue of access to justice for his constituents with particular reference to travel time. I agree that this is really important, but we would expect Burton court users' cases to be heard at Derby, a journey time of 45 minutes by bus. However, we will analyse any information we receive relating to travel times in the consultation and ensure that the response reflects that analysis.

Andrew Griffiths: I am sorry that the Minister's officials are again giving her the wrong information. Her proposal says that my cases will go three ways: to Cannock, to Newcastle-under-Lyme and to Derby. Two thirds of cases will not go to Derby.

Caroline Dinenage: I am sure that everything my hon. Friend says will be taken into consideration. We know that the world outside the courts is changing rapidly. We expect to be able to transact all our business online, quickly and efficiently, and at a time that suits. Justice must be accessible, with court users able to transact their court business efficiently at a time that suits them. We have a great opportunity to invest in our courts and to modernise them to meet the challenges of present and future requirements of court users and improve delivery.

In the consultation, we asked for suggestions about providing court services from an alternative local building and all those will be fully evaluated. We also want to change the way in which the public can access the courts. That does not have to take place by attending a conventional court building so we are exploring whether there are opportunities to hold hearings in local buildings. In addition, we have welcomed views on whether to establish video conferencing facilities and whether that would improve access to justice for victims, witnesses and court users. The proposals on the court estate in England and Wales must also be considered in the wider context of our ambitious plans to transform the way in which courts and tribunals operate and deliver services to the public.

As the Justice Secretary has said, reform of Her Majesty's Courts and Tribunals Service offers a once-in-a-generation opportunity to create a modern, user-focused and efficient service. Many people encounter our justice system when they are at their most vulnerable, be they victim or witness. We must make better use of technology to provide easier access and a more responsive system with swifter processes and a more proportionate service.

As we know, front-line staff in the courts work very hard to provide a high quality service, but they often work against a backdrop of poor infrastructure and IT

systems that are often inefficient, disjointed and based on old technology. We must respect the traditions of our court system, but recognise that court attendance is time consuming and often an inefficient process for everyone involved. A more proportionate approach to court attendance would eliminate wasted time and enhance confidence in the administration of justice. We have a duty to offer more convenient and less intimidating ways for citizens to interact with the justice system, which is what we intend to do while maintaining the authority of the court for serious cases.

We need to invest to deliver those improvements and we will do so with care to ensure that taxpayers are funding investment in a sustainable and efficient system. My hon. Friend knows as well as I do that the Government are facing tough decisions about how we spend limited public funds and we do not shy away from making these tough decisions, but the programme of reform on which the courts and tribunals are embarking is a remarkable opportunity to transform essential public services. It will result in delivery of quicker and fairer access to justice and a courts and tribunals system that better reflects the way the public access and use services today. It is important that we make the right decisions about investment and operate from a court estate that is sustainable and represents value for money.

As my hon. Friend said, the consultation has now closed and we will analyse the responses. He referred to the 2,000 signatures that have been collected in the local area and they will be taken into consideration. The Minister for the Courts and Legal Aid and the Lord Chancellor will consider all the difficult decisions about whether a court should close. As they do so, they will consider all the responses and the points that my hon. Friend has made in the debate today.

Question put and agreed to.

Resolved,

That this House has considered the proposed closure of Burton Magistrates' Court.

Funeral Poverty

[SIR DAVID AMESS *in the Chair*]

4.29 pm

Paul Maynard (Blackpool North and Cleveleys) (Con): I beg to move,

That this House has considered funeral poverty.

It is a pleasure to serve under your chairmanship once again, Sir David. Whenever I come to this Chamber, you seem to be in the Chair, so it is nice to see the tradition maintained. It is also a pleasure to speak on this issue, which perhaps does not always get the attention that it deserves. Everyone will die at some point, unfortunately. It is an issue that we do not discuss often as a community or even within families, so it is worth bringing it to the Chamber today.

I am grateful to the many industry bodies, charities and campaign groups that have helped in drawing together the information for the debate. It has become clear in recent weeks that this is an issue of growing public interest and it is worth dwelling on why that might be. The hon. Member for South Shields (Mrs Lewell-Buck) had her ten-minute rule Bill just before the election. We have seen the National Association of Funeral Directors campaigning on this issue and Quaker Social Action innovating in how it is seeking to drive down the cost of funerals. I have discussed the issue with my right hon. Friend the Secretary of State on numerous occasions over the past five years and with Steve Webb, my hon. Friend the Minister's predecessor in the Department. We have also seen Royal London and SunLife—two of the major insurers—issuing regular reports over the past decade indicating the extent to which funeral costs have gone up over the years.

I never thought that I would find myself saying this, but the Scottish National party may have shown us the way forward: just last Friday it published the Burial and Cremation (Scotland) Bill, which looks at many of these issues. Most interestingly of all, it includes a commitment to review funeral poverty in Scotland. I welcome that and would welcome a commitment from the Minister to look carefully at that Bill—the funeral poverty issues in particular—to see whether anything can be learned. Some of the issues would be a Ministry of Justice responsibility here in England.

When I do one of these debates, I meet all the relevant bodies, read all the relevant reports and gather far more information than I can possibly deploy in the hour at my disposal—not that I have the full hour at my disposal. I will do my best to enable everyone to speak. I recognise that the hour at the end of the day is a new format for this Chamber and I hope that we can accommodate everyone.

It is worth being quite specific. There is a full debate to be had about the rising cost of funerals, but that is not the topic of my debate today. I want to focus specifically on that group of people for whom the cost of a funeral is over and above what they can afford. Many of the trends, I agree, do overlap. Scarcity of burial space drives up costs, for example, but I want to focus in particular on those in financial need.

Karen Lumley (Redditch) (Con): Does my hon. Friend agree that in places such as Redditch county, funeral poverty is a massive problem for people? Having lost

both my parents, I know that the stress of needing to organise a funeral is bad enough without having to worry about the cost of it.

Paul Maynard: My hon. Friend is right. None of us really wants to think about what we will do when the reality presents itself to us and we have a funeral to organise. Not only do we have to process the emotions that we inevitably feel, but there is an entire series of practical steps that have to be gone through that we are probably not best placed to go through at that time. We are not acting as the informed consumer that we might be if we were going down the supermarket to make a normal purchase. This cannot be the normal purchase that we might like it to be.

The experience can be overwhelming at times and many people require a degree of practical help in trying to navigate the process. For some, yes, the need to organise might be a welcome distraction from the process of grieving, but I do not think it can ever be accepted that these things will just happen of their own accord. As Marie Curie points out, there can be quite an adverse consequence for the grieving process if the result is not the right one in the end. Above all else, the cost of a funeral can be a massive shock to the budgets of families who perhaps do not start off with a significant amount of resilience in the first place.

The fact that I organised today's debate seems to have provoked a number of insurance companies into rushing out annual reports a few weeks early. Both Royal London and SunLife had to get a move on down the printers, and Royal London's report, which came out on 5 October, showed once again that funeral costs continue to rise. It now estimates that about one in 10 people is struggling to meet the cost of a funeral. The other provider, SunLife, in its "Cost of Dying" report, which came out even more recently—this weekend—found that the cost of a basic funeral had risen to £3,693, with a further £2,000 spent on discretionary items such as extra limousines, venue hire and catering. That is a sizeable sum, which, if not met out of the deceased's estate, will place a substantial burden on the family if they have few savings yet need to find the money for a deposit even to start the process. No wonder research shows that credit cards and funerals are two of the items that we most commonly find together.

For those whose financial resilience is low to begin with, the phenomenon of funeral poverty almost has a sad inevitability about it. It leaves people facing a scale of debt and a suddenness that they simply cannot be expected to prepare for, so I think that it is right and proper that we look today in particular at what the Government's tools are for trying to deal with the problem.

The main one is the social fund funeral payment, which has been in existence since 1988. It combines an uncapped commitment to "necessary" costs such as burial and cremation fees, along with a capped amount of £700 to cover such items as the coffin, the memorial and funeral directors' fee. With an average award of £1,347, it undoubtedly makes an important contribution to the costs of a funeral for those who receive a qualifying benefit and where no other family member can meet the bill.

It should be made clear that the benefit is designed not to pay the full amount of the funeral costs, but to make a contribution. That is the policy objective. It is

[Paul Maynard]

worth assessing whether the benefit functions as it should against that policy objective. I am sure that we could all express views on whether it should achieve other objectives, and there might well be a debate to be had on that matter, but I want to assess the benefit against that particular objective to start with.

It is worth noting that within the average figures, there is a broad discrepancy. The discrepancy between the cost of a burial versus a cremation leads to some perverse outcomes. The amount that an individual gets will depend on which they opt for and where they are in the country. There is no inherent, internal logic in the amount that an individual will get when they are faced with meeting these bills.

The capping of additional costs at £700 has been controversial for quite a while. I first got involved with this topic when the NAFD came to see me about it. I understand why it is a complex issue. Some suggest that over time the value of the £700 has been eroded. Mathematically, that cannot be argued against. Inflation means that if we were paying that £700 now, based on the amount that it started out at when capping first took place in 2003, it would be slightly over £1,000. Perhaps the best way to think about this is not to argue whether it is too high or too low, but to look at the costs that it is designed to meet.

We have a very poor understanding of where the money from the social fund funeral payment is actually going. We understand where the capped amount—the £700—goes. It does not meet all the additional costs, many of which are discretionary and at the choice of the consumer, but the Government—rightly, in my view—seek to meet all the necessary costs, which relate to the legal requirement regarding the disposal of someone's remains. It is right and proper that the Government should meet all those costs, and they recognise that. There can be no model in which all the necessary costs are not met.

However, despite five years of trying to achieve that—without any luck—it is very hard to track through the Department for Work and Pensions where those necessary costs are going. Different local authorities charge different fees for cremation and burial. There is no consistency across the country. There are some perverse factors, such as the growth of private crematoriums driving up local authority crematorium costs as well. I have asked on a number of occasions, as other hon. Members have, for more information on what the money is going on. It makes it very difficult, I think, for both the Department and interested observers to make an accurate assessment of whether the benefit is performing adequately and reaching its policy objective. We need to understand what the cost drivers are, and it is important that the Government try to work out what more they can do to improve the data collection. I would be interested to know what steps the Minister thinks that he can take to improve the data collection to allow that analysis to take place.

There are various anecdotal reports that not every council runs its crematoria on a cost-recovery basis. If some are seeking to cross-subsidise, that ought to be at least transparent to the Government; that might help them to understand how the overall amount spent remains roughly the same at some £46 million each

succeeding year, while the proportion spent on necessary costs continues to fluctuate. The Government need a better understanding of what is going on.

Many have argued that a relatively straightforward step in the right direction would be to index-link the capped payment—the £700—to inflation. When I put that to the Minister's predecessor, Mr Webb, he replied:

“One risk of index-linking these payments is that prices would rise and recipients would be no better off”.

I have interrogated that statement from as many logical positions as I possibly can, and I still cannot make head or tail of it. I do not think it relates to the reality faced by funeral directors or consumers. Although I recognise that there is a need for much greater transparency on the part of funeral directors when it comes to offering itemised estimates without having been asked to do so, to my mind a £700 cap leads to some perverse outcomes. Increasing numbers of funeral directors carry a substantial amount of debt because they have to act as debt managers, and that leads some of the larger chains to turn people away when it becomes clear that they may require some social fund payments to pay for the funeral.

I ask the Government once again to look at index-linking—not merely as a spending commitment, but to help them better understand the cost drivers from local Government and to use whatever savings they achieve to pay for the index-linking that would allow funeral directors to cover more of their costs. That would also give the Government an opportunity to look at saying to funeral directors, “Right. We have index-linked, so now let us look at how the industry can improve its delivery of services and act in consumers' interests to get a fair outcome.”

I ask the Government to consider balancing the need to fund necessary costs with the need to ensure that those costs are constrained on the part of local councils—there can be no blank cheques—and that additional costs are not squeezed merely to ensure the funding of necessary costs, of which we do not have a full and proper understanding. There is a danger that, as debate on and public interest in the subject grow, we may get some perverse demands for change that will not lead to any improvement in the experience of the bereaved. We need robust, coherent data to judge the right way forward, and at the moment we do not have that information. Many observers in the sector strongly believe that to be true.

We also need to look at how the benefit works. From my time on the Work and Pensions Committee, I know that it is important to be quite forensic on each individual benefit. What is its policy objective? Is it delivering that objective? How is it being managed? With some 51,000 applications for the social fund funeral payment, some 41% of which were rejected, I wonder what scope there is to improve the pre-eligibility scrutiny of those applications, because 41% is quite a large number. I suspect that many will be quite transparently not eligible at an early stage.

There have been numerous meetings about how to improve the process, but we still seem to get roughly the same number of rejections. I would welcome the Minister's view on what more could be done to improve that. The bereaved should not be left disappointed by going through the process of arranging the funeral, only to be rejected later. That can be quite devastating, and it causes many

of the financial problems that I have mentioned. In turn, it leaves the funeral directors out of pocket, and they have to chase the debt.

Will the Minister address the situation of people who are awaiting a decision on a qualifying benefit? They are trapped in two DWP holding circles: a decision on their own benefit, which will have consequences for their entitlement to the social fund funeral payment. The form is very complex. Virtually every Work and Pensions Committee report that I have been involved with asks the Department to improve the layout of the form and to subject it to the test of the behavioural insights team. No DWP form can ever not be improved, and I think that this particular form would defeat even me if I tried to fill it in.

The timeliness of decision making matters. The Department's performance on that is quite good; its target is 16 days, and it seems to fluctuate between 17 and 18 days, so it is not that far off—I can think of many other examples of where it is nowhere near its targets. Although that represents quite good performance, the target of 16 days is actually three days longer than the average time between a death and a funeral. Timeliness of decision making is still an issue, and it might be improved by a pre-application eligibility procedure, if such a thing could be introduced.

I would welcome the opportunity for relatives to know before they commission a funeral the scale of resources that they are likely to have at their disposal. Some relatives may feel that the measure of their grief and loss can somehow be proportionate to the complexity of the funeral that they commission, and although I understand why that is the case, it would be helpful for people to have a clear understanding from funeral directors at a very early stage about what the items on the bill will cost. It would help for them to know how much will be spent on each element and which elements were required, which were discretionary and which were optional. At the moment, people are not acting as informed consumers. Affordability works both ways, because if a funeral director offers a more affordable plan to the customer, they are more likely to get their money in the end. Both parties can benefit from that, and it would alleviate the levels of debt.

One interesting element of the debate is budgeting loans. Steve Webb participated in a debate on this subject a few years ago, in which he talked about budgeting loans being a solution to much of the problem. Despite repeated efforts by the NAFD to get more information out of the Department through freedom of information requests, no one seems to have evidence of any budgeting loan being taken out for the purpose of paying for a funeral. I would be interested to know whether there is any evidence that that is actually happening, because we do not have any data on it.

I will try to wrap up rapidly, because I am running out of time. I have been struck by the calls for regulation of the industry. I recognise that it is tempting to say that there should be a much greater state role, but I do not think that we have exhausted the good will of the industry. Quaker Social Action runs its fair funerals pledge, and many funeral directors are signing up to it, particularly from the younger end of the industry—the insurgents. That disruptive influence on the industry, focusing on what the consumers actually need, can only be a good thing. I am not entirely clear that the industry

needs to be castigated. I know many of my local funeral directors, and they are compassionate, caring people who want to do the best on behalf of their community. I am sure that that is true in all our constituencies.

At the heart of the matter is the fact that no one goes into the process with a clear understanding of what costs they should reasonably expect. No one knows what a cheap funeral looks like versus an expensive funeral; one is merely presented with a bill at the end. It is difficult to understand how the component parts of that bill have been assembled, and, emotionally, one is probably not in a position to interrogate it. That can make it difficult to be an informed consumer, and it suggests to me that the market is not fully formed. It is hard to regulate a market that is not acting like one, and in which consumers are not making informed decisions at the point of purchase.

I support Quaker Social Action's call for some sort of non-governmental third-party ombudsman role. When Steve Webb discussed the matter a few years ago, he talked about "Tell us once" being a possible mechanism for achieving that, but I do not think that it has lived up to its expectations in that regard. It has done a good job of reducing some of the bureaucracy, but it is not acting as a signpost to the best advice on how to navigate this complicated process. I would welcome the Government's looking at signposting people to groups such as Quaker Social Action, and considering whether such a group could perform an ombudsman role. Yes, that would need to be funded—advice always needs to be funded—but I suspect that sufficient savings could be made in the administration of the benefit to fund Quaker Social Action to play that role.

Many would argue for some linkage between the social fund funeral payment and a defined "simple" funeral, and that suggestion perhaps causes the greatest concern. It is very hard culturally to define what a simple funeral would look like. Quaker Social Action has been cautious not to require those funeral directors signing its fair funeral pledge to guarantee to provide a simple funeral. Instead, it says that the funeral director should clearly advertise their cheapest available funeral.

We need to be careful not to go down the route of the state defining what type of funeral it is prepared to pay for. A lot of cultural elements circle around how we decide what is appropriate for our loved one. It is difficult to try to define what that simple funeral ought to look like.

Mrs Emma Lewell-Buck (South Shields) (Lab): Will the hon. Gentleman give way?

Paul Maynard: I am happy to, although I was just about to finish.

Mrs Lewell-Buck: I thank the hon. Gentleman; I appreciate that I will be speaking in a second. I have spoken to a lot of funeral directors who have said that they already offer a simple funeral. That was something that I proposed in my Bill, and the industry was split down the middle—some were for it and some were against it. I just wanted to clarify the hon. Gentleman's point.

Paul Maynard: I suspect that we are closer to agreement than the hon. Lady might realise. I know what a simple funeral would look like and I know what its pricing

[Paul Maynard]

structure would be; I just get a little nervous about tying the social fund funeral payment to that precise model. There may be cultural or religious reasons why people need optional extras.

In summary—if I have left any time for the Minister and anybody else—I would welcome a bit more information on how we can get the basic data to make the right decision about whether this benefit is delivering on its policy intent. I think it can, I hope it will and I look forward to hearing what everybody else has to say.

Several hon. Members *rose*—

Sir David Amess (in the Chair): Order. The wind-ups will start at 10 minutes past 4. I want to include everyone, but I am afraid that colleagues will have to make very short speeches or interventions. With the leave of the House, Mrs Lewell-Buck will be making her speech while seated as she is temporarily incapacitated.

4.51 pm

Mrs Emma Lewell-Buck (South Shields) (Lab): It is a real pleasure to serve under your chairmanship, Sir David; I thank you for allowing me to sit through the debate. I congratulate the hon. Member for Blackpool North and Cleveleys (Paul Maynard) on securing the debate. Funeral debt affects a growing number of people, but the private nature of grief and the social pressure to provide a decent send-off means that those people do not always have a voice. One of the things that we should always do in this place is speak up for the voiceless so the hon. Gentleman has done those people a great service by calling this debate today.

Perhaps like other hon. Members, the issue first came to my attention through a constituent who had got into serious debt paying for their brother's funeral. At the time, I assumed that such cases were relatively rare but, sadly, that is not the case. More than 100,000 people are living with funeral debt, while others struggle to meet the costs, end up selling their possessions, or turn to friends or family to cover the cost. These debts are significant. Royal London's national funeral cost index shows that the average debt is £1,318.

Catherine West (Hornsey and Wood Green) (Lab): Does my hon. Friend know that since 2004 there has been an 80% increase in the price of funerals, but wages and benefits have increased only fractionally in line with inflation—if not, they are struggling to keep up with inflation? The average social fund funeral payment was £1,225, which means that there is a huge gap in what is affordable. Would she congratulate Quaker Social Action on its excellent work in this regard?

Mrs Lewell-Buck: I would definitely like to thank Quaker Social Action, which I have done a lot of work with over the past 12 months. I am aware of some of the quite startling stats about this growing problem mentioned by my hon. Friend. I really do not think it is going to go away; it is going to get worse. Worryingly, as she said, the cost of a funeral service continues to rise well above the rate of inflation and the average debt is rising.

Losing a loved one, as most of us will sadly know, is one of the most difficult experiences we face in our lives. It shakes us and changes our world forever. In the

middle of that personal turmoil, the last thing that people need is money worries. People will always feel a strong duty to do right by others when they depart, which makes it especially painful for those who are not able to provide what they see as a fitting service for their loved ones. That is why we need to have a really serious conversation about funeral affordability.

Hon. Members may be aware that in the previous Parliament I introduced a ten-minute rule Bill. The aim of my Funeral Services Bill was to approach some of the issues around funeral affordability. At the centre of the Bill was a call for the Government to carry out an overarching review of funeral affordability. When researching the issue, it quickly became clear how many factors affect the price of a funeral and how many Departments have a stake in it. Making funerals more affordable is not simple and requires co-operation between the Department for Communities and Local Government, the Department for Environment, Food and Rural Affairs, the Department for Work and Pensions, and the Ministry of Justice; only a cross-departmental approach can work. I hope that the Minister can give us a commitment that the Government will begin to look strategically at funeral poverty.

I am aware that there is not enough time to cover everything, so I will focus on one thing that should be reformed urgently: the way in which social fund payments operate. Funeral payments give people much-needed support, but the system has some major flaws. A funeral payment covers all of an applicant's necessary costs plus up to £700 of other costs. That might sound reasonable enough, but, in fact, those other costs include things such as funeral directors' fees and ministers' fees—things that we can agree most applicants would consider necessary. The £700 cap was set in 2003 and has not kept pace with the rising cost of funerals, so funeral payment awards are increasingly inadequate. The average award is just over £1,300 at a time when the average funeral costs £3,700. If the cap on other costs had risen with inflation, it would stand at just under £1,000 today. As we have heard, funeral costs rise even faster than inflation. Although I appreciate the comment by the hon. Member for Blackpool North and Cleveleys that the social fund is a contribution, the reality is that if we want funeral payments to be fit for purpose, that cap needs to rise.

The other issue is the way applications are administered. At the moment, the DWP requires an invoice from the funeral organiser before it can process a claim, which means that people have to commit to a service before they know the value of the funeral payment they will receive. Inevitably, that means that some people commit to a funeral service they cannot afford and end up in severe debt. The process is completely backwards. The DWP urgently needs to look at how it can give applicants a clearer idea of the support they will receive, which will help people to make a more informed decision about the kind of service that is right for them.

Stella Creasy (Walthamstow) (Lab/Co-op): I add my support for Quaker Social Action and the work it has done on the matter. My hon. Friend is making a point about the people's ability to plan funerals. Does she agree that we have to be very sensitive to communities when the speed at which someone is buried comes into play in being able to plan and cost accordingly, and to some of the risks that creates for those communities?

Mrs Lewell-Buck: My hon. Friend is correct; this does not only affect people who have the time to plan a funeral, which is short in itself. Some communities cannot plan—full stop—so that debt will be incurred by everybody across the board.

The decisions by the DWP are far too slow. Most funeral services, as we have said, are decided very quickly after a person's death, but the average claim can take up to three weeks to process, which means that most people only find out whether they are entitled to support long after committing to costs. My Bill, among other things, called on the DWP to introduce an eligibility check to help applicants understand whether they are likely to receive support before they make any commitments to funeral costs. I hope that the Minister can update hon. Members on social fund funeral payments, and accept what his predecessors would not—that there are serious flaws in the current system. I would like him to tell us what he will do to improve the process.

When I introduced my Bill last year, I hoped to start a national conversation about funeral affordability. The Government and the wider public have become increasingly aware of the issue. This debate is a welcome continuation of that conversation, but it is about time that some of that talk is turned into action. I hope the Minister will tell us about some of that action today.

4.59 pm

Mark Pawsey (Rugby) (Con): It is a pleasure to serve under your chairmanship, Sir David. I congratulate the hon. Member for South Shields (Mrs Lewell-Buck) on her speech and on her work on this issue. I also congratulate my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard), who very effectively set out the problem that we face. He is a regular attender of the all-party group on funerals and bereavement, and this issue sits regularly on our agenda.

The existing system is not working, the £700 grant is inadequate and only 53% of those applying for a grant are successful. The consequence is that many people are getting into substantial debt. Funeral costs are often unplanned expenditure, and people mostly put it on their credit card. They may go to a mainstream lender, but in some instances they are forced to use backstreet lenders or build up debt elsewhere by borrowing to pay for goods. In some instances, people incur a debt with the funeral director. Of course, one of the funeral director's roles is to offer a range of prices to families so that they can select a funeral that is appropriate and right for them. Cost is a factor, and the National Association of Funeral Directors has a strict code of practice for adapting funerals to people's needs and constraints. It is not in a funeral director's interests to sell a funeral that a family is unable to afford, but funerals are a sensitive time for families and it is not always possible for a funeral director to gather full information about a family's circumstances and ability to pay. When the bill is finally received by a family, it often comes as a shock. Some funeral directors have put in place their own payment plan to enable bills to be settled over a lengthy period of time, which, in certain instances, leads to debts that the funeral director has simply not been able to recover. The impact on the funeral director, and on the possible costs of other funerals, should be borne in mind.

It is entirely right that the social fund exists, but it needs to be considered. I will take a short moment or two to mention the uncertain nature of the bills that families face. We should have a broader discussion and more openness about the cost of funerals, and greater thought should be given to the options available to people at a much earlier stage in their life. We speak a great deal about planning for people's old age, and we know that the earlier people start to make such provision, the better. Perhaps people should start thinking about the time that comes post-old age. Instead of funerals being purchased in a very short space of time, perhaps they could build up and plan their funeral for some time.

When I looked into this subject, I was shocked to discover that many schemes are available, but they are not widely promoted, which might be because such promotion is inappropriate. I visited the website of a large national funeral director and discovered that for someone of my age—I was born on 16 January 1957—a basic funeral would involve expenditure of £27.75 a month. It may be that, in the same way as pension provision, if people gave some thought to their funeral at an earlier stage, a big, unexpected bill might be avoided.

Yvonne Fovargue (Makerfield) (Lab): Does the hon. Gentleman agree that some pre-paid funeral plans are not protected? My constituent thought they were protected. Their father had died, and they thought, "Fine, there is a pre-paid plan," but the funeral director had gone out of business and their money had gone. There needs to be protection.

Mark Pawsey: The hon. Lady draws attention to the need for some form of regulation in the management of such plans. I am suggesting that we consider greater promotion to raise awareness of such plans so that families avoid receiving a big bill at what is always a very difficult time. This is an important issue. My hon. Friend the Member for Blackpool North and Cleveleys deserves credit for securing this debate, and I look forward to the Minister's response.

5.4 pm

Jim Shannon (Strangford) (DUP): I understand that there are five minutes left, Sir David. If that is correct, I will divide them with the hon. Member who follows me.

Sir David Amess (in the Chair): There are two more speakers, and the winding-up speeches start at 5.10 pm.

Jim Shannon: I will take two and a half minutes. I thank the hon. Member for Blackpool North and Cleveleys (Paul Maynard) for securing this debate. I am conscious that, at a time when people have been forced to tighten their purse strings, funeral poverty has risen sharply. Unfortunately, as with other things, wages have not increased enough, which means that the poorest in society are often faced with the very real prospect of not being able to afford to bury their loved ones.

A gentleman came to my constituency office last week regarding a funeral grant. He had lost his brother a few months previously, and the brothers who were left had borrowed money from here and there to pay the funeral costs. They applied for a funeral grant and were

[Jim Shannon]

turned down despite three of them being in receipt of benefits. The brother who paid the majority of the costs was in employment, and for that reason, despite the fact that one brother was on the minimum wage and borrowed money to pay the costs, the brothers were ineligible for the grant. That is a common problem, and it becomes worse for staff on casual or zero-hours contracts. Such people cannot receive the financial assistance they need because they are classed as working, regardless of whether or not their income is regular.

Is it not time to have a means test for those who apply for a funeral grant? The gentleman who came to my constituency office was left with a burden. He is on the minimum wage, which means that he was not able to take the full cost himself. Prices have risen by 3.9% in the last year alone, which is £140 in real money. One in 10 people struggle to pay for a funeral, to the tune of £1,318. Over the past five years, the price of cremations has gone up by almost a third from £470 to £640. I welcome the work of the charities and organisations, but will the Minister indicate what help we can give? Will the rules be changed to include a means test? We need to help the most vulnerable in our society, and we need to ensure that people on zero-hours contracts, casual contracts or the minimum wage can get some financial assistance.

I commend the hon. Member for South Shields (Mrs Lewell-Buck) on her hard work. I am impressed by her contribution, and I look forward to the contribution of the hon. Member for Coatbridge, Chryston and Bellshill (Philip Boswell) on behalf of the Scottish National party because the Scottish Parliament has shown us the best way forward.

5.7 pm

Robert Jenrick (Newark) (Con): I will be brief, given the impending time limit. I support this debate, and I thank my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard) for putting across the arguments so thoughtfully. I also thank the hon. Member for South Shields (Mrs Lewell-Buck) for raising this issue in the national consciousness in the way it deserves.

I will make a couple of brief points. The first is obvious, but it deserves to be said again that we have a cultural problem in this country, even more so than in many other countries, because we do not talk about death and, as a result, do not plan for it. That is part of the reason for the problems that we all get into. Death is a certainty, yet we do not talk about it and too few of us plan for it, even those who have the income to do so if they only thought about it at an earlier time.

As we have heard, it is possible to plan ahead and take a fixed-cost, pre-need funeral plan. I have also had constituents whose funeral director had gone out of business and, as we have just heard, their family only discovered it at the point of death, which is an awful tragedy. I have had two constituents in that position. Such schemes are important and should be promoted by the Government and by funeral directors because, in their defence, they fix the cost at the point at which the scheme is taken out. As we have heard, the cost of a funeral has risen so much in recent years that, in all likelihood, a funeral will be significantly cheaper if a scheme is taken out several years in advance.

Lastly—I know that we need to move on—we must, without bashing funeral directors, make the point that the cost of a funeral has risen enormously in recent years, by seven times the rate of inflation. That is too much. Many funeral directors have quite high margins; some basic products, such as coffins, can be provided for as little as £60 or £100. I do not want people to be pushed into undignified funerals, but funeral directors could do more to reduce the cost of funerals and enable members of the public to have dignified funerals at a sensible price.

Members might not be aware that there is a growing trend in this country of DIY funerals. That has both good and bad sides, but we need to be aware of it, because hundreds of thousands are happening now: members of the public do a lot of the work themselves rather than going through funeral directors. They take control of the paperwork, arrange and even conduct the service and make transport arrangements. That is a difficult process, but we need to be aware of it. If we do not sort out the problem, we will see far more DIY funerals in years to come.

5.10 pm

Philip Boswell (Coatbridge, Chryston and Bellshill) (SNP): I thank the hon. Member for Blackpool North and Cleveleys (Paul Maynard) for holding this debate on such an important matter, as he clearly highlighted in his worthy contribution. I also thank all Members who have spoken. After a serious piece of slash-and-burn, let me say that recent reports have found that not only are many people unable to pay for the cost of a funeral, 47% of individuals are forced to take out high-interest credit card debt or short-term loans to cover the shortfall.

According to findings published in *The Guardian* on 20 October, jobcentre staff actively encourage individuals to take on debt in order to pay for funeral costs. The fact that they have done so when individuals have approached them at a time of desperation and emotional turmoil after the loss of a loved one is morally reprehensible and frankly unacceptable. Although the reports do not specify whether encouraging individuals to incur high-interest debt to cover the costs of a funeral is an official Department for Work and Pensions internal policy, I hope that this debate will encourage the DWP to tackle that emerging pattern, and I would appreciate a ministerial response on that particular concern.

According to the 2015 Citizens Advice Scotland report, “The cost of saying goodbye”, which has been mentioned by many Members who have spoken, North Lanarkshire council ranks in the top 40% of the most expensive councils for funeral costs in Scotland. According to Citizens Advice, the total cost of a funeral for people living in our constituency falls somewhere between £2,500 and £8,000. As more than half the households in Lanarkshire have an annual household income of less than £20,000, the cost of a funeral in our constituency can represent more than one third of household income for many.

Sir David Amess (in the Chair): Order. I must tell the hon. Gentleman that he is now eating into the time of his colleague who is about to speak.

Philip Boswell: Then I will end my speech.

5.13 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I pay tribute to the hon. Member for Blackpool North and Cleveleys (Paul Maynard) for introducing this important debate, which has inspired uncharacteristic consensus around the Chamber. Everybody in this room agrees that there is a problem and that funeral poverty is a huge issue affecting every constituency and every part of the United Kingdom, a trend shown by the 80% rise in funeral costs over the past 10 years—or higher in some parts of the UK. In the past year, the cost of a funeral has risen by more than 7%. Household incomes are simply not keeping pace.

As many Members have said, at an already difficult and stressful time, families are being forced into credit card debt and unwise access to money. They do so in desperation, to cover funeral expenses. Everybody understands that when a loved one dies, we want to give them the dignity and respect of a fitting send-off. What families are left with at the end, as well as their grief, is debt anxiety, which does not allow people to grieve properly as they ought to be allowed to do. There is also wide disparity in pricing. People can find out that in another part of the country, the funeral might not have cost quite as much as they paid for it.

Far too many families on low incomes face the brutal reality that they simply cannot afford the sudden death of a loved one. Of course, there is the option of life insurance, but to people struggling to put food on the table for their family, it too often seems like an unnecessary luxury. In certain circumstances, local authorities step in to provide a public health funeral, but recent research shows that the demand for such funerals is rising and many local authorities are struggling to cope. Funeral plans have been mentioned, but we have evidence that some companies offer over-50s plans to provide for their funeral, which can lead people on low incomes to pay thousands upon thousands of pounds without their families ever recovering the full amount paid in, because they paid in more than the funeral costs.

It is unacceptable for a bereaved family coming to terms with the loss of a loved one to have to go through the turmoil of worrying how to afford a funeral. Many Members have spoken about Scotland. The power to deal with funeral payments is due to be devolved under the Scotland Bill. Currently, the social fund is the mechanism that can, where conditions are met, help individuals in such circumstances with certain one-off payments, but as we know, the social fund has become another victim of the Government's austerity cuts, and more pressure is being placed on families. The fund has failed to keep pace with the true cost of funerals, leaving some families with substantial debts. To illustrate further, the social fund reported a 35% increase in the number of clients facing funeral debt in the year 2013-14.

Tribute has been rightly paid to the social fund in this debate, but the issues I have raised have led some groups to take a more direct approach. I hope that we can all pay tribute to the Quaker Social Action group which, along with a network of not-for-profit organisations, has established the Funeral Poverty Alliance, dedicated both to raising the profile of funeral poverty as a social justice issue requiring the attention of Government decision makers and to ensuring that the public and the funeral

industry alike are aware of the options available and the wider challenges. Such developments further elucidate the seriousness of the issue of funeral poverty.

Sir David Amess (in the Chair): Order. I hate to interrupt the hon. Lady's speech, but there are two more speakers waiting, and the debate finishes at half-past 5.

Patricia Gibson: I will wind up. I have not had time to say all that I wanted to say, but I shall end by saying that we know that many people in our country struggle to make ends meet. They can barely afford to live; now it would seem that they cannot afford to die either. We have spoken about the distress and the lack of dignity into which funeral poverty plunges families and the deceased. Let us hope that the Government are listening.

5.18 pm

Nick Thomas-Symonds (Torfaen) (Lab): It is a pleasure to serve under your chairmanship, Sir David, and to appear opposite the Minister. We have crossed swords before, and I look forward to doing so again. I commend the hon. Member for Blackpool North and Cleveleys (Paul Maynard) on raising such an important issue: the chance to hold a dignified funeral in our society. I also commend the speakers who have contributed to this debate, particularly my hon. Friend the Member for South Shields (Mrs Lewell-Buck), who introduced a ten-minute rule Bill in the last Parliament and has campaigned tenaciously on the issue. I thank the hon. Member for Rugby (Mark Pawsey) for his contribution, particularly for the way in which he spoke about debt; the hon. Member for Strangford (Jim Shannon) for his words on funeral poverty; the hon. Member for Newark (Robert Jenrick); and the hon. Members for Coatbridge, Chryston and Bellshill (Philip Boswell) and for North Ayrshire and Arran (Patricia Gibson), all of whom contributed significantly to the quality of this debate.

It was that famous Welsh poet, Dylan Thomas, who said:

"After the first death, there is no other."

It illustrates that people always react to death very differently. Each funeral is different and unique, a point made powerfully by my hon. Friend the Member for Walthamstow (Stella Creasy) in her earlier intervention.

None the less, funerals serve common purposes. They are not only a celebration of a life lived; they offer symbolism, the public expression of farewell and the marking of loss. That is why it is absolutely right that support is available to bereaved families to provide dignified funerals and why the rise in funeral costs, described very well by my hon. Friend the Member for Hornsey and Wood Green (Catherine West) in her intervention, is so worrying.

I impress on the Minister today the need for a strategic approach. My hon. Friend the Member for Makerfield (Yvonne Fovargue) made that point in her contribution. Central to that is the availability of information to inform a strategic approach. In a parliamentary answer on 29 June, the Minister stated that, of the 52,500 applications to the social fund for funeral payments, only 32,000 were approved. An explanation of why nearly 20,000 were rejected would be useful. It would also be useful if the Department for Work and Pensions published other specific data. What, for example, is the total number of

[Nick Thomas-Symonds]

people who cannot afford a low-cost funeral? What is the average cost of a funeral? How many bereaved families fall into debt? I could go further and say that it would be useful if the Minister committed today to seeking and consulting on a definition of funeral poverty that could be used in future.

The hon. Member for Blackpool North and Cleveleys spoke powerfully about budgeting loan applications in his contribution. Budgeting loans have been available since May 2012. An indication of the likely award would be useful, because ex post facto awards create an extra complication for the family at a time of bereavement. It would be useful, when looking at this policy area, if the Government distinguished between maternity and funeral expense applications in the statistics.

Those elements taken together would provide a more strategic approach. I urge the Minister today to turn his attention to this issue and focus on it. It is difficult to think of a more noble cause than providing people with a dignified funeral, regardless of their income.

5.23 pm

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): It is a pleasure to serve under your chairmanship, Sir David. I congratulate the hon. Member for Torfaen (Nick Thomas-Symonds). I have enjoyed debating with him on previous occasions, and I thought that his suggestions and his decision to focus on a strategic approach were sensible and practical. It was a helpful contribution.

The debate was secured by my excellent colleague, my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard), whose proactive, thoughtful and knowledgeable work in this area highlights what an important issue funeral poverty is. The debate has raised important questions today. I also pay tribute to the hon. Member for South Shields (Mrs Lewell-Buck) and her work on the ten-minute rule Bill. I am interested in her point about a national conversation, and I will come back to that. I will have to whizz through some of my points, but I will do my best to cover as much as I can in the limited time available.

Before I focus particularly on the comments of my hon. Friend the Member for Blackpool North and Cleveleys, I want to say to my hon. Friends the Members for Rugby (Mark Pawsey) and for Newark (Robert Jenrick), who both raised constructive ideas about overall costs and planning for costs in the future, that we will need to look carefully at those points. The question from the hon. Member for Strangford (Jim Shannon), who has left the debate, is relatively easy for me to answer because the powers have already been devolved to the Northern Ireland Assembly; he will need to relay his questions there. In answer to the hon. Members for Coatbridge, Chryston and Bellshill (Philip Boswell) and for North Ayrshire and Arran (Patricia Gibson), the powers will be devolved. I will take a particular interest in what new innovative ideas Scotland will try. If there are areas that work well, we will have to look closely at them. I wish them the best of luck. As policies are developed, my teams will continue to be supportive through sharing information on what we have learnt in the past.

Losing a loved one is one of the most difficult things that any of us will experience. My hon. Friend the Member for Blackpool North and Cleveleys is right to highlight the fact that, in addition to the significant emotional cost, dealing with a bereavement brings practical challenges. Although the Government have never taken responsibility for meeting the full cost of funeral arrangements, they provide support to help the most vulnerable people with funeral costs, and rightly so.

For people in receipt of universal credit, income-related benefits and tax credits, the social fund funeral expenses payments provide a significant contribution towards the cost of a simple, respectful, low-cost funeral. The scheme meets the full costs of a cremation or burial, including: the purchase of a grave; necessary burial or cremation fees; for cremations, the cost of any medical references or removal of active implanted medical devices, such as pacemakers; reasonable costs if the body has to be moved more than 50 miles; and the cost of a journey for the applicant to arrange or go to the funeral. A funeral payment is paid in about 7% of deaths in Great Britain.

In 2014-15, 32,000 funeral payments were awarded, worth about £44 million. Other costs, such as the coffin, church and funeral director fees, are limited to a maximum payment of £700. Members questioned whether that is the appropriate level. The majority of claims exceed the £700 limit, which is why in May 2012 we made interest-free social fund budgeting loans available for funeral costs, in addition to the funeral payment. The average budgeting loan award in 2014-15, for all purposes, was £413. Applicants can claim up to a maximum of £348 to £812, depending on their circumstances. Crucially, the introduction of budgeting loans is a vital part of removing the need for bereaved families to turn to high-cost lenders or credit cards, and removes the worry of meeting the funeral director's bill. The National Association of Funeral Directors welcomed that move, and we need to promote it further.

I will try to answer as many points as I can in the remaining time. What steps can the Government take to improve Department for Work and Pensions data collection to help improve transparency? What figures on the use of budgeting loans for funerals can the Department share? The shadow Minister also raised that point. The Department collects and publishes, via the social fund annual report, comprehensive data on applicants, application and award volumes, expenditure and processing times. That allows the Department to monitor the operation of the scheme. Extra data beyond that could be collected, but we must consider the costs of doing so; the scheme costs about £2.6 million to administer for a £44 million benefit to the most vulnerable, so we must strike a balance. We will continue to look at the situation. The Department does not currently collect data on the take-up of budgeting loans for funeral costs, but we are exploring options to produce those data, so I welcome hon. Members' comments.

Will the Government look again at index-linking the cap? It is a balancing act. It is important that the scheme does not influence or inflate the prices charged by the funeral industry for a simple funeral. I know my hon. Friend said that he struggled to get his head round that point. The cap for funeral director fees means that we can continue to ensure that the system remains both sustainable and fair to the taxpayer, and to help

a large number of benefit recipients with funeral expenses. Although the £700 cap is not index-linked, there is no cap on the necessary costs category. On the points about inflation and funeral costs exceeding people's rise in wages, the year-on-year rise in average payment amounts reflected that. The average award increased by 27% between 2006 and 2014-15. We will continue to work on that. I am conscious that I do not have much time left in the debate, so I will whizz through the points.

Ensuring better understanding of eligibility pre-application is probably the most important point. When I looked at the figures, I was concerned about the number of people applying, because of the time that it takes to go through the applications, and the people who do not get an award. I have asked whether there can be pre-eligibility checks. It is complex. We are looking at it, but at the moment, we do not feel confident that we can do it because we do not want to give somebody a 100% assurance and then not approve the application. There is a lot more work to do, but we have made progress. The proportion of successful applications has increased from 55% to 63% over the past five years.

Baroness Altmann is the Minister responsible for the policy. I will suggest a round table discussion with me and Baroness Altmann for hon. Members who have spoken today to explore the issue further, because it is crucial. We are committed to getting to 16 days. We have made progress and want to go further. The round table discussion will explore that as well.

The "tell us once" scheme was promoted in the coalition Government by the former Minister. We want to ensure that the service communicates well. If Members have specific examples of where it has not worked, please raise them.

The debate has been practical, proactive and constructive. I am conscious of the time constraints. I look forward to the round table discussion with those who are interested.

5.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

Written Statements

Tuesday 13 October 2015

BUSINESS, INNOVATION AND SKILLS

SSI

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): Further to my statement yesterday, I want to update the House on matters relating to SSI UK in Redcar.

Yesterday afternoon, the official receiver, in his capacity as liquidator of SSI UK Ltd, announced that he had received no viable offers for the coke ovens and blast furnace following discussions with potential buyers and would therefore begin closing these facilities.

This is hugely regrettable news, for SSI workers, their families and the local economy more broadly. It is also a reflection of the current difficulties facing the steel industry.

The Government remain absolutely focused on supporting those who find themselves out of work as a result of SSI's liquidation and, through a package of up to £80 million, will continue to invest in them and the future of the Tees Valley economy.

Safety is a top priority and we will continue to ensure the official receiver has all the funding and support necessary to deliver a safe and orderly closure of these assets, working with the Health and Safety Executive and Environment Agency.

Finally, I would like place on record my own thanks to all of those who have helped to operate SSI's facilities safely during this particularly difficult period and are continuing to do so.

[HCWS234]

Copycat Packaging

The Minister for Skills (Nick Boles): Today I am publishing a report on the enforcement provisions of the Consumer Protection from Unfair Trading Regulations 2008 (the "CPRs"). The report reviews the case for giving businesses a power to seek civil injunctions against "copycat packaging" (packaging designed to give a product the "look and feel" of a competing well-known brand).

The coalition Government agreed to review the case for granting businesses an injunctive power in relation to copycat packaging. BIS published a call for evidence seeking views on the proposal in April last year. I do not believe that the responses to the call for evidence have yet made the case for granting such civil injunction powers. I am announcing my decision that such a power should not be granted at this time.

The CPRs implement the unfair commercial practices directive (the "UCPD"). Copycat packaging potentially infringes provisions of the CPRs which prohibit traders from engaging in certain misleading actions including marketing a product in a way which creates confusion with a competitor's products, distinguishing marks etc. Specified enforcers such as the Competition and Markets

Authority and trading standards officers may enforce the CPRs by civil sanctions; there are also separate criminal sanctions. Although the UCPD allows for competing businesses to be given enforcement powers, that option was not exercised when the CPRs were made in 2008.

The report I am publishing today highlights the key issues and assesses the evidence on consumer detriment, competition and innovation.

The views expressed during the review were polarised. Certain brand owners argued that a lack of enforcement has resulted in consumers being misled and sales being diverted from brand owners, which they say reduces innovation and distorts competition. For retailers, these arguments illustrate that the case is driven not by consumer concerns but by commercial considerations; they consider granting the power could be anti-competitive while not benefiting consumers. Others noted the absence of consumer appetite for action, questioned the appropriateness of amending consumer law to facilitate business-to-business litigation, and doubted whether there is a material enforcement gap given existing powers to pursue action in respect of intellectual property infringement as well as passing off. Public enforcers do not currently consider there is consumer detriment arising from similar packaging (and if there were, that it would be mitigated by access to quick and easy redress i.e. exchange of products bought in error). They are also concerned that granting the power would damage the integrity of the enforcement system.

Brands are important to the UK economy and it is clear from the report that positive brand innovation is important to consumers. Following the review, I conclude there is little clear evidence that the use of similar packaging is causing any significant consumer detriment or hindering competition or innovation. There would be risks of unintended consequences if we changed the status quo, given the uncertainty around the evidence and the effects of the change, particularly in respect of the litigation that would result, and on enforcement. More generally, it would be difficult to reconcile granting this enforcement power with the Government's deregulatory objectives.

I will be placing the report in the Libraries of both Houses. It will also be published online at:

<https://www.gov.uk/government/consultations/consumer-protection-copycat-packaging-call-for-evidence>

[HCWS232]

Consumer Protection (Secondary Ticketing)

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): Together with my right hon. Friend, the Secretary of State for the Department for Culture, Media and Sport (right hon. John Whittingdale). I am today announcing that Professor Michael Waterson, Professor of Economics at the University of Warwick, has been appointed to chair an independent, consultative and evidence based review of consumer protection measures in the online ticket resale market. As required by the

Consumer Rights Act 2015, this independently chaired review on secondary ticketing will report its findings before 26 May 2016.

The terms of reference of the review and a call for evidence will be available on the gov.uk website and will be placed in the Libraries of both Houses. Professor Waterson will consider the evidence and consult the broad spectrum of views on secondary ticketing, including from event organisers, primary ticket sellers, the online resale industry, enforcement authorities and consumers as both sellers and purchasers of tickets. I am sure that parliamentarians will be interested in the progress of the review.

[HCWS229]

Royal Mail

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid):

The Government have made a further sale of Royal Mail plc shares equivalent to 13% of the company, at a price of 455p pence per share. The Government will also take this final opportunity to reward Royal Mail's eligible UK employees for their hard work and will gift a further 1% of the company to them.

These disposals will complete the disposal of all of the Government's shareholding and the company is now for the first time wholly owned by a combination of employees and private investors.

Following independent financial advice, the Government decided to sell their remaining shareholding in Royal Mail. The shares were sold through an accelerated bookbuild which enabled Government to realise value for the taxpayer.

The disposal has raised £591.1 million which will be used to help pay down the national debt.

There is no policy need for Government to hold shares in Royal Mail as the universal postal service remains well protected by law and by Ofcom.

Royal Mail has demonstrated that it can thrive in the private sector. It now has the ability to access the funds it needs to ensure that it has a sustainable future and can adapt to the changes in the postal market.

We will be liaising with Royal Mail about the arrangements for the further gift of shares to Royal Mail's UK employees and will inform the House of the details when these have been finalised.

Post Office Ltd, which operates the network of branches throughout the UK, remains wholly owned by Government and was separated from Royal Mail in April 2012. The relationship between the Post Office and Royal Mail is a commercial one and a 10-year contract for the delivery of Royal Mail services through post offices was put in place in 2012.

[HCWS228]

ENERGY AND CLIMATE CHANGE

September Environment Council

The Secretary of State for Energy and Climate Change (Amber Rudd): I attended the EU Environment Council in Brussels on 18 September. Dr Aileen McLeod, Scottish Minister for Environment, Climate Change and Land Reform also attended.

Following the final formal agreement on the market stability reserve for the EU emissions trading system (which was an "A" item and therefore took place without the need for discussion), Ministers adopted reparations for the 21st session of the conference of the parties (COP 21) to the United Nations framework convention on climate change (UNFCCC). These were agreed relatively swiftly following effective chairing from the Luxembourg presidency.

Ministers' discussion focused on the issues of a long-term goal for global decarbonisation, a mechanism of five-yearly reviews for increasing the ambition of the agreement over time and climate finance. Some member states sought more ambitious language regarding these issues; however, others called for the conclusions to reflect domestic pressures on various delegations.

Following a complete table round, the presidency tabled a compromise text, which successfully balanced the concerns of all member states.

On adoption of the conclusions, the Commission tabled a declaration questioning the legal accuracy of a reference in the conclusions to the Council's intention for member states to "jointly fulfil" the "at least 40%" target for emissions reductions and claiming that the Union has exclusive competence to undertake international obligations regarding climate mitigation. Some member state, including the UK, noted that they would table counter statements disagreeing with the Commission's view of the legal situation, and have subsequently done so.

Over lunch, Ministers had a further discussion on tactics and preparations for COP21, including on communications.

[HCWS230]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Marine Licensing Recovery Policy

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): Following a consultation exercise led by my Department in early 2015, the Government have made an amendment to the order delegating the exercise of certain marine licensing functions to the Marine Management Organisation (MMO). These changes took effect on 1 October 2015.

The marine licensing system was introduced by the Marine and Coastal Access Act 2009. The exercise of most licensing functions in England and the offshore areas of Wales and Northern Ireland has been delegated by the Secretary of State to the MMO.

The purpose of the amending order is to strengthen democratic accountability on the most complex marine licence applications by providing an opportunity for locally accountable bodies (i.e. local planning authorities, inshore fisheries and conservation authorities) to seek an independent inquiry into certain marine licensing applications, with the final decision taken by Ministers directly accountable to Parliament. It will also enable Ministers to determine certain applications which involve activities of national significance but in relation to which there is no or insufficient planning policy guidance.

The order includes the criteria according to which the Secretary of State will consider whether to “recover” an application. In this context “recover” means that an application is to be determined by the Secretary of State.

The Government’s intention is that the policy will be highly selective and that only a very small proportion of marine licensing cases will be recovered.

The Secretary of State has issued statutory guidance to the MMO setting out how it should apply the policy, including providing indicative targets for each stage of the process. A copy of the guidance has been placed in the Libraries of both Houses.

The Government will review the effectiveness of the policy and consult with stakeholder groups in October 2016.

[HCWS233]

WORK AND PENSIONS

Employment, Social Policy, Health and Consumer Affairs Council

The Minister for Employment (Priti Patel): The Employment, Social Policy, Health and Consumer Affairs Council took place on 5 October 2015 in Luxembourg. Shan Morgan, the UK Deputy Permanent Representative to the European Union, represented the UK.

There was a policy debate on social governance. As part of the discussion, Vice-President Dombrovskis noted the success of the 2015 streamlining of the semester, but outlined that further work was needed to ensure better co-ordination, increased implementation of country specific recommendations (CSRs) and more ownership of the process. While some Ministers outlined their support for increased social benchmarking within the semester process, others, including the UK, stated that existing indicators in the semester were sufficient and raised concerns at any attempt to introduce common standards across all member states. The presidency concluded that there was a clear need for strengthened

social governance that respected the treaties, and that it would bring forward council conclusions on that topic in the December EPSCO.

The Commission outlined its proposal for a Council recommendation on the integration of the long-term unemployed into the labour market which all Ministers welcomed, highlighting actions undertaken at national level and reiterating the need for flexibility within the recommendation.

The presidency sought a general approach on the proposals for a directive of the European Parliament and the Council on “improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures”. The UK had continued to block this and the presidency withdrew the item due to lack of progress in the negotiations, but committed to return to the issue at the December EPSCO.

The Council adopted the proposal for a council decision on guidelines for the employment policies of member states. The Chair of the Employment Committee outlined his hope that the revamped European semester would increase the use of the guidelines across member states.

Two council conclusions on adequate retirement incomes in the context of ageing societies, and a new agenda for health and safety at work to foster better working conditions, were both agreed without discussion.

The Council received information from the vice-president highlighting the actions the Commission was taking to strengthen social dialogue at EU level.

The presidency provided a short update on the informal meeting of “eurozone only EPSCO Ministers” that had preceded Council. He reported that they had discussed deepening the social dimension of the EMU, and that social policy needed to go hand in hand with economic policy with particular attention being paid to the social dimension of further eurozone integration.

Under any other business, the Commission presented figures on labour mobility. The Commission will present its labour mobility package at the December EPSCO. The presidency informed the Council about the conference on “Working conditions for tomorrow” which had taken place in Luxembourg in September.

[HCWS231]

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