

**Monday
19 October 2015**

**Volume 600
No. 52**



**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Monday 19 October 2015

House of Commons

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The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

School Cadet Units

1. **Will Quince** (Colchester) (Con): What steps he is taking to increase the number of cadet units in schools. [901592]

5. **Mike Wood** (Dudley South) (Con): What steps he is taking to increase the number of cadet units in schools. [901596]

12. **Jeremy Lefroy** (Stafford) (Con): What steps he is taking to increase the number of cadet units in schools. [901603]

The Parliamentary Under-Secretary of State for Defence (Mr Julian Brazier): Cadet forces offer young people the chance to develop character and essential skills in units based in schools and in the community. The coalition Government funded 100 extra units in schools, and this Government have committed an extra £50 million to increase the number by about 145, which will bring the total number in the United Kingdom to 500 by 2020.

Will Quince: I was fortunate enough to go to a state comprehensive school which was linked to an Army cadet unit. What plans has my hon. Friend to ensure that more pupils from state comprehensive schools have the opportunity to join the cadets?

Mr Brazier: Those 145 extra units will all be in state schools. One of the new school cadet forces that we have formed is in north-east England and started against a very difficult background, but it is now so successful that pupils are required to show that they have completed a full year of good attendance and good behaviour before they can join it.

Mike Wood: As a former flight sergeant in a combined cadet force, I have benefited from the advantages provided by cadet forces in state schools that the Minister has described. Will the Minister join me on a visit to Brierley Hill Squadron's air training

corps in Brockmoor to see the excellent work that is being done with young people from a range of backgrounds?

Mr Brazier: I am most envious of my hon. Friend: I am afraid that I only made lance corporal in the CCF. His invitation is very tempting. I will be making a number of visits to CCFs—indeed, I was with the sea cadets yesterday, Trafalgar day, in Trafalgar Square—but I cannot promise an immediate visit to his constituency.

Jeremy Lefroy: Lieutenant Commander Graham Townsend, RNR, has overseen a fivefold increase in the number of people attending Stafford and Rugeley sea cadets, and the Army and air cadets in Staffordshire are also thriving. May I urge my hon. Friend to ensure that the experience gained from those existing units is spread to the new units, which I welcome?

Mr Brazier: My hon. Friend has made an excellent point. There are four community units in my constituency, as well as two CCFs, and another is being formed under the new programme. One of our key criteria for the new units is that they must not clash with existing successful community units. Some of the new units that we are setting up in schools are in the community rather than the CCF programme.

Andrew Gwynne (Denton and Reddish) (Lab): I am keen for as many young people as possible from as many different backgrounds as possible to have an opportunity to join the new cadet forces in their schools. What is the Minister's estimate of the number of young people eligible for free school meals, or from black and ethnic minority communities, who will join the new groups?

Mr Brazier: That is a very good question. The short answer is that we are focusing the 145 new units in areas where there is the most deprivation and the least opportunity to join existing successful community units.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): May I begin by making two declarations of interests? First, my wife is a national trustee of the Sea Cadets, as was the Minister. Secondly, I am honorary president of air cadet unit 31 at Mile End.

As the Minister knows, his presence at Trafalgar Square yesterday was very welcome and very well received. Can he assure us that the Ministry of Defence will support cadet units that are not necessarily attached to schools, but are general units consisting of local people?

Mr Brazier: I thank my dear friend opposite—I am not allowed to call him my hon. Friend—for his kind words. I was very pleased to meet his air cadets on the Terrace of the House of Commons with him last year. The answer to his question is very firmly yes. We support cadets both in communities and in schools, and the new programme will be designed to be complementary, filling in gaps rather than competing with existing community arrangements.

Mr Speaker: I am sure that those cadets were very excited to meet the Minister. I have no reason to doubt that.

Rachael Maskell (York Central) (Lab/Co-op): Given that the community cadet forces enable young people, particularly those from disadvantaged communities, to gain confidence and skills that they might not otherwise have a chance to gain, what assurances can the Minister give that the cadet expansion initiative will not disproportionately benefit school cadet forces at the expense of community cadet forces?

Mr Brazier: I welcome the hon. Lady to her place as shadow Minister and thank her for the support for cadet units. I am delighted to give her the assurance she seeks. The new units will be set up in areas where there is no existing community provision. They will not be in competition with existing successful community units.

ISIL

2. **Stuart Andrew** (Pudsey) (Con): What assessment he has made of the effectiveness of the UK contribution to international efforts to degrade and defeat ISIL. [901593]

3. **Julie Elliott** (Sunderland Central) (Lab): What assessment he has made of the effectiveness of the UK's efforts to degrade and defeat ISIL. [901594]

4. **Nick Smith** (Blaenau Gwent) (Lab): What assessment his Department has made of progress in defeating ISIL. [901595]

11. **James Morris** (Halesowen and Rowley Regis) (Con): What assessment he has made of the effectiveness of the UK contribution to international efforts to degrade and defeat ISIL. [901602]

18. **Sir Oliver Heald** (North East Hertfordshire) (Con): What assessment he has made of the effectiveness of the UK contribution to international efforts to degrade and defeat ISIL. [901609]

The Secretary of State for Defence (Michael Fallon): The UK is making a significant contribution to the coalition of more than 60 countries, supporting the Iraqi security forces to deny ISIL the freedom to operate in 30% of the Iraqi territory it once held, helping Syrian Kurds take 17,000 sq km from ISIL in Syria, and degrading ISIL's ability to refine oil or to access the international financial system.

Stuart Andrew: I am grateful for that answer. It has been truly horrifying to see the atrocities being committed by Daesh in Iraq. Can my right hon. Friend tell the House what difference the British training to counter explosive devices will make to the Iraqi security forces' ability to recapture territory?

Michael Fallon: The UK military is focusing its efforts on areas where we can bring particular expertise and I am pleased to announce today that the new courses of counter-IED training for Iraqi ground forces are starting this week following the Prime Minister's pledge in the summer that we would increase the number of personnel

assisting the Iraqi Government's counter-ISIL efforts. These 54 personnel, drawn mainly from 33 Engineer Regiment (Explosive Ordnance Disposal) from Saffron Walden, are delivering life-saving counter-IED instruction to members of the Iraqi security forces at training centres in Bismayah and Taji.

Julie Elliott: What assessment has the Secretary of State made of interrupting the flow of oil across ISIS borders over which ISIS holds a monopoly?

Michael Fallon: We are part of the international coalition of more than 60 countries, as I said, and the hon. Lady is right that we need to continue to degrade ISIL's ability to export its oil or to trade in oil across the border areas. There is specific coalition work under way on that. We have more work to do.

Nick Smith: May I press the Secretary of State on this? What progress has the UK and its coalition partners made in disrupting the ability of ISIS to raise significant funds? I understand it earns \$1.5 million a day through selling oil.

Michael Fallon: Some of the military operations—the strikes—have changed the pattern of refining. ISIL appears now to be getting some of its oil from small-scale wells rather than the larger refineries, some of which have been put out of commission, but we are intensifying our efforts internationally to make sure that where ISIL is attempting to sell oil, it is not able to gain the proceeds from it.

James Morris: ISIL poses a direct threat to our national interest as well as threatening the stability of the middle east, and Britain should not be a bit-part player in combating ISIL on the ground. Does the Secretary of State agree that the time has come for Britain to extend its military operations beyond Iraq to take on ISIL in Syria?

Michael Fallon: I agree with my hon. Friend that ISIL has to be defeated in both Iraq and Syria, and we support the air strikes being conducted by the coalition against ISIL in Syria—air strikes which are now being carried out by Australian and French as well as American aircraft. As my right hon. Friend the Prime Minister has said, there is a very strong case for us to be doing more in Syria to deal with the heartland of ISIL—its command and control—but we will only return to Parliament for authority to do so when we have established a sufficient consensus here in this Parliament.

Sir Oliver Heald: Does my right hon. Friend agree that unmanned aerial vehicles have an important role to play both in intelligence gathering and in targeting in the effort against ISIL, and that the recent announcement of the 2% budget for defence over time will mean we can continue to invest in these vital modern technologies?

Michael Fallon: I entirely agree with my hon. and learned Friend. Our remotely piloted aircraft play a key role in current operations in the middle east and the 2% commitment enables us to obtain more of them. We have a moral duty to protect the lives of our servicemen

and women to the best of our ability, and the use of remotely piloted aircraft avoids placing our aircrews in jeopardy.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): If ISIL is degraded in Syria, what assessment has been made of whether the vacuum will simply be filled by Assad?

Michael Fallon: ISIL is being directed from an area of north-east Syria where Assad has no control at the moment. That is where it has its command and control, its logistics, its personnel and the command of its supply routes from Syria into Iraq. It is well away from most of the civil war that is raging further west in Syria.

Keith Vaz (Leicester East) (Lab): This is not just about Iraq and Syria. On 24 September, affiliates of Daesh claimed responsibility for the explosion in the central mosque in Sana'a in Yemen. ISIL is taking advantage of the civil war to extend its operations in that country. What is being done to stop it?

Michael Fallon: We agree that the legitimate Government of Yemen is that led by President Hadi, and to that extent we support the efforts of Saudi Arabia and its partners to ensure that President Hadi can again be recognised as president of the country. We also want the fighting there to stop so that we can get much-needed food aid and fuel into Yemen, where millions of people are now at risk of starvation. In the end, however, this is a war that must be brought to a conclusion through some kind of political settlement.

Brendan O'Hara (Argyll and Bute) (SNP): Will the Secretary of State tell me whether the year-long bombing campaign in Syria has improved the stability and security of the region? Does he think that it has brought peace closer?

Michael Fallon: As I said in my original answer, it has reduced the ability of ISIL to operate, particularly in Iraq. To that extent, the coalition strikes in Syria are useful to that campaign. Given that ISIL is a danger to the people of this country as well as to the security of that region, and bearing in mind that 30 of our holidaymakers, including four Scots, were slaughtered on a beach in an ISIL attack in Tunisia, it would not be right for the task of defeating ISIL in Syria in order to keep our streets safe to be left to French, Australian and American aircraft.

Brendan O'Hara: The Secretary of State says that military personnel from America, Australia, Russia, Qatar, Saudi Arabia, Turkey, Libya, Egypt, France, Jordan, Iran, Belarus and North Korea are already in Syria, along with the peshmerga, the Free Syrian Army and Daesh. What does he think the UK dropping even more bombs is likely to achieve? Should not the United Kingdom be using its influence in the United Nations to pursue peace through diplomacy rather than gearing up for airstrikes?

Michael Fallon: ISIL has been butchering our own civilians, killing people of other faiths and throwing gay people off buildings. With respect, I have to say to the hon. Gentleman that I find the idea that it would suddenly cave in to diplomacy in the form of a United Nations resolution a little naive. ISIL has to be defeated

in Iraq and in Syria, and the coalition would welcome the precision capability that our Tornado aircraft could bring in Syria, as they have done in Iraq.

Maria Eagle (Garston and Halewood) (Lab): When the Secretary of State was asked on "The Andrew Marr Show" at the weekend whether it was still his intention or his hope that RAF jets would be flying over Syrian airspace to tackle the threat of ISIL/Daesh before too long, he said that "the logic is inescapable". Opposition Members will consider any Government proposal on this with the utmost seriousness, but in view of that reply, will he tell the House whether it is still his intention to ask for parliamentary approval ahead of any such intervention and, if so, when he expects any such vote to take place?

Michael Fallon: I should like to begin by welcoming the shadow Secretary of State to her first Defence questions and by welcoming the team that she has assembled alongside her. I made it clear yesterday, as I have done today, that ISIL has to be defeated in both countries, not least if we are to support the democratic Government of Iraq and help to keep our own country safe. This is a new Parliament and we will continue to work with colleagues across the House to build a consensus that will allow the RAF to operate in north-east Syria and not have to turn back at the border. When we have established that consensus, we will come to the House for the authority to act.

Dr Julian Lewis (New Forest East) (Con): Countless past campaigns show that air strikes are seldom, if ever, decisive unless they are in support of credible ground forces. What credible ground forces are fighting Daesh in Syria, other than the Kurds, in limited areas, and Assad's, which are not also Islamist?

Michael Fallon: There are moderate opposition forces contesting against Assad, trying to protect their towns and cities from the brutality of Assad, who is of course dropping barrel bombs on them—on his own people. The coalition is helping these moderate opposition groups where it can, with training and with equipment. Our troops have been helping to train some of those forces, outside Syria.

Angela Smith (Penistone and Stocksbridge) (Lab): If this Parliament were to approve an extension of UK engagement in the conflict in Syria and Iraq, that would be predicated on an understanding that we will be relying on reservists as never before, because of the changing shape of our UK defence capability. Will the Secretary of State therefore update the House on the roles currently being undertaken by reservists in operations against ISIL?

Michael Fallon: I understand that about 10% of the personnel operating in the middle east as part of our operations against ISIL are reservists, and they play an increasing part in our operations around the world.

Remotely Piloted Aircraft

6. **Michael Fabricant** (Lichfield) (Con): What the rules of engagement are for the use of remotely piloted aircraft in tackling terrorism; and if he will make a statement.

15. **Craig Williams** (Cardiff North) (Con): What the rules of engagement are for the use of remotely piloted aircraft by the armed forces. [901606]

The Minister for the Armed Forces (Penny Mordaunt): The rules of engagement for remotely piloted aircraft systems are the same as those for manned aircraft, and take into account UK and international law, following the principles of military necessity, humanity, distinction and proportionality. A rules of engagement profile is developed for each operation, including counter-terrorist operations, and these rules are classified to ensure that they cannot be exploited to an opponent's advantage.

Michael Fabricant: I thank my hon. Friend for her answer. In response to an earlier question, the Secretary of State rightly explained the advantages of using remotely piloted aircraft, particularly in protecting our own forces. Members on both sides of the House will, however, have some concern about the use of these aircraft by our allies where collateral damage has occurred and innocent people have been hurt. What assurance can she give the House that there will be great protection for those not involved in the conflict?

Penny Mordaunt: I agree entirely that we have a moral duty to protect the lives of our servicemen and women in very unpredictable and difficult operational environments, and the use of these systems means we can do that without placing them in harm's way. I wish to take this opportunity to pay tribute to the crews of these systems, who do a tremendous job in many places around the world. I assure my hon. Friend that although these aircraft are remotely piloted, at every stage of the targeting process and its initiation a human being is making those decisions. We have a record to be very proud of in terms of civilian casualties.

Craig Williams: I wish to build on the point that my hon. Friend the Member for Lichfield (Michael Fabricant) just made. Will the Minister confirm that, unlike what we have seen from Russian military intervention in Syria, our rules of engagement are very strict and seek to avoid civilian casualties where they can?

Penny Mordaunt: Absolutely; the UK undertakes all possible measures to protect civilians and ensures that UK targeting policy and rules of engagement provide clear direction for commanders. I will leave it to my hon. Friend to consider whether Russia follows similar practices, given the reports from Syrian search and rescue volunteer teams stating that 707 civilians have been injured and 274 killed by Russian strikes and regime bombing since 30 September.

Mrs Madeleine Moon (Bridgend) (Lab): The Defence Committee's report in March last year on the use of remotely piloted aircraft systems stressed that we follow international humanitarian law and the international law of armed conflict. However, we did not use our RPAS to conduct strikes in Pakistan against those who implied threats to our armed forces. What has changed in the rules of engagement that we now feel that we can use our RPAS in Syria to target British nationals?

Penny Mordaunt: As the Prime Minister has clearly stated—he came to the House at the earliest occasion after that event—we reserve the right to use force if it is

necessary to protect the UK from a clear and imminent threat. In that very clear statement, the Prime Minister said that if British lives are in danger and we can act to prevent that, then we will.

Kirsten Oswald (East Renfrewshire) (SNP): Some recent reports suggest a higher incidence of post-traumatic stress disorder in pilots of remotely piloted aircraft compared with that of conventional air crew. Will the Minister advise what steps are being taken to assess relative levels of PTSD and to address the reasons for any differences that are established?

Penny Mordaunt: I thank the hon. Lady for raising that important question. Just because someone is not deployed to a desert and is not in front of the people whom they are confronting directly, it does not mean that they are invulnerable to the things they see or to what we ask them to do. Our support for those people is very similar to that of conventional deployments. They have decompression and a pre-deployment build-up. Embedded in those teams are mental health specialists who can advise, support and assess the individuals.

19. [901610] **Mrs Cheryl Gillan** (Chesham and Amersham) (Con): The Department is currently involved in the Taranis unmanned combat aerial vehicle technology demonstrator project, which is a joint Anglo-French operation led by BAE Systems. Will the Minister tell us how many people in the UK are currently employed on that project and what the implications are for the UK workforce and supply chain as this welcome area develops?

Penny Mordaunt: I thank the right hon. Lady for raising that matter. A number of initiatives and reviews are taking place as part of the strategic defence and security review. I can write to her with the numbers of individuals and partners with whom we are involved on those projects, including the ones she mentions.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Minister agree that there is concern about the rules of engagement that terrorists might use? There is no doubt that, increasingly, drones will be used by terrorists. Once the technology exists it will not only be in the hands of people of whom we approve, and what will we do about that?

Penny Mordaunt: I am pleased to reassure the hon. Gentleman that we recognise that emerging threat and that there is a clear strand of work in the SDSR that is looking at counter measures for the situations he describes.

22. [901615] **Stephen McPartland** (Stevenage) (Con): I voted against air strikes on the Syrian Government and would appreciate clarification from the Minister on whether drone strikes will be authorised on any other country where she believes that there is a similar threat to our security?

Penny Mordaunt: Again, I draw my hon. Friend's attention to the Prime Minister's statement that, if there is a clear threat to Britain, to our people and to our streets and we are able to stop it by taking immediate action against that threat, we will always try to take that action. The action we took in Syria was legal, necessary,

proportionate and in response to a clear, credible and specific threat to the UK. I reassure him that that course of action is taken only in the last resort.

Kevin Brennan (Cardiff West) (Lab): Following the drone strike that killed Reyaad Khan, will the Minister tell us whether there is in existence a list of individuals who are considered such a great risk to Britain that they can be targeted for killing by UK drones?

Penny Mordaunt: Again, I refer the hon. Gentleman to the Prime Minister's statement. If that set of circumstances exist and we can act to save British lives, then we will do so.

Legion d'Honneur (UK Normandy Veterans)

7. **Mr David Hanson** (Delyn) (Lab): How many UK Normandy veterans have been awarded the Legion d'Honneur between 6 June 2014 and 12 October 2015. [901598]

The Parliamentary Under-Secretary of State for Defence (Mark Lancaster): The Government are grateful to President Hollande for his generosity in offering the Legion d'Honneur to all living veterans of the campaigns to liberate France in 1944-45. Although this is properly a matter for the French Government, Ministry of Defence officials are working closely with their counterparts and understand that French authorities have approved approximately 1,100 awards and that around 750 of these have been dispatched to UK veterans. I am confident that that number will increase significantly over the coming months.

Mr Hanson: Everyone will welcome the contribution of and the recognition given to those who fought bravely in the second world war from 6 June onwards, but does the Minister share my concern at the slowness and bureaucracy of the process? My constituents have raised with me the fact that more than 500 people who could have had the award died before receiving it. That is not acceptable.

Mark Lancaster: I accept that what the right hon. Gentleman says is true historically, but he will be aware that since July the admin procedure has changed significantly. We are now submitting 100 awards a week and the turnaround time is between six and eight weeks. Recently, I met my French counterpart here in the UK and he absolutely reassured me that the French will continue to do what they can to ensure that these awards are sent to our veterans as quickly as possible.

Sir Edward Leigh (Gainsborough) (Con): Let me put matters into perspective. I have been in touch with the French ambassador who told me that they have been overwhelmed, with more than 3,000 of these heroes applying. They are doing their best and she has asked me to say that they want to hear from Members of Parliament if they know of any constituents who are likely to get the award. The ambassador will try to get them through as quickly as possible.

Mark Lancaster: I am grateful to my hon. Friend for those comments. By definition, the cohort of veterans receiving this award are elderly but if any hon. Member

has a constituent who feels that we must speed up the process I would be delighted to receive those applications and I will treat them as a priority.

Mr Speaker: I do, and he does. My constituent will be most grateful to the Minister.

Kevin Foster (Torbay) (Con): I appreciate the comments that the Minister has just made. Over the past year, two Normandy veterans living in my constituency have passed away without receiving the award and the situation is becoming even more urgent for the eight who remain. Will the Minister, given what he has just said, pledge to use all the persuasion he can with the French authorities to resolve this? Although these veterans could win the battle against Nazi oppression, they cannot win the battle with old age.

Mark Lancaster: We accept the general concern being expressed in the Chamber today. I can simply repeat what I have said before: I am confident now that the turnaround time for these awards has increased significantly to approximately six to eight weeks. We are confident that we can get through the backlog relatively quickly, but if any hon. Member has a constituent who needs the award quickly I ask them please to contact me.

Investment in New Equipment

8. **James Cleverly** (Braintree) (Con): What plans his Department has to invest in new equipment for the armed forces. [901599]

The Minister for Defence Procurement (Mr Philip Dunne): This Government are committed to meet both NATO pledges to spend 2% of GDP on defence and to spend 20% of the defence budget on equipment for each year of this Parliament. We intend to publish the latest annual iteration of the defence equipment plan shortly, which will show that we are investing more than £160 billion in equipment and support for the armed forces over the next decade.

James Cleverly: I welcome the commitments to spend 2% of GDP on defence and 20% of the budget on equipment, but what is the Department doing to ensure that such equipment is appropriate for the full spectrum of potential future conflict so that we are equipping ourselves not for the last war but for the next?

Mr Dunne: My hon. Friend is absolutely right to focus on present and future threats, which are being assessed through the national security strategy and the strategic defence and security review. The UK remains one of only two European nations able to provide a full range of responses to threats posed to our security, and this full spectrum of capabilities will remain our posture throughout the SDSR. It is vital to maintain technological advantage over those who would do us harm and we are therefore investing in innovation in particular, as my right hon. Friend the Secretary of State announced earlier this month, and in cyber-defence to protect our capability edge and our supply chain.

Carol Monaghan (Glasgow North West) (SNP): Since the Nimrod aircraft were decommissioned in 2011, the north coast of Scotland has effectively been left wide

open to potential threats. Will the Minister explain what plans there are to reinstate fixed-wing maritime patrol aircraft to ensure that the north coast is adequately defended?

Mr Dunne: I am not totally surprised to hear our friends in Scotland refer to the issue, as it seems to be the only one that they can talk about in the Chamber in relation to adding defence capability. It is a capability gap which, we acknowledge, was taken as a result of SDSR 2010, and it is one of the major capability challenges that are being assessed through this SDSR. I am afraid that the hon. Lady will have to wait another few months before we know the outcome of those considerations.

Toby Perkins (Chesterfield) (Lab): I could not agree more with the Minister about needing to equip the country for the future and to fight the battles of the future, not the past. He will be aware that in August the Secretary of State signed off a document entitled “Defence in Numbers”, described as providing the key information on UK defence capability, including equipment such as Jet Provost trainers from 1955, obsolete and grounded helicopters from the 1960s, and battle tanks retired from service in 1991. Does he agree that revelations that museum pieces are considered defence assets risk making the Department a laughing stock, and suggest that the Government have attempted to mislead the country about the capabilities that our armed forces have at their disposal?

Mr Dunne: I start by welcoming the hon. Gentleman to the Front Bench. I think that this may be his third Department, so he is one of the most experienced members of the new Front-Bench team. It is a pleasure to serve opposite him.

In relation to the report in the newspapers about the “Defence in Numbers” snapshot, which was recently published by the Ministry of Defence, and which I have with me, there is absolutely no intention to mislead anyone. The equipment referred to in the document covers a number of capabilities, which are still in use for training purposes, if not necessarily in use on the front line.

Type 26 Frigates

9. **Chris Stephens (Glasgow South West) (SNP):** What progress his Department has made on procuring Type 26 frigates; and if he will make a statement. [901600]

The Minister for Defence Procurement (Mr Philip Dunne): As the hon. Gentleman knows, in February this year we awarded a contract for the demonstration phase of the Type 26 programme, which was valued at £859 million and brings into force some of the long-lead items for the programme, including Rolls-Royce engines, the first of which will be delivered in the next month or so. Progress continues on commencing the manufacturing phase next year. I was pleased that the hon. Gentleman could witness our commitment to shipbuilding on the Clyde when I cut steel for the third offshore patrol vessel in Govan earlier this month.

Chris Stephens: The Minister noted my constituency interest and that of my hon. Friend the Member for Glasgow North West (Carol Monaghan) in the Clyde

shipyard. Does he accept the concerns of shipyard workers and the trade union representatives on the Clyde who seek a speedier and stronger commitment from the Government? Will he meet me, my hon. Friend, and trade union representatives to ensure that there are no gaps in the order book and that jobs are maintained in this iconic industry?

Mr Dunne: I was pleased to meet local conveners when I was in the yard in Govan earlier this month, and I would be happy to meet them again if the hon. Gentleman chose to bring them to Parliament any time soon.

Mr Kevan Jones (North Durham) (Lab): The Government have brought us aircraft carriers without aircraft, but even for them, warships without sailors would be going a bit too far. Can the Minister outline how the personnel requirements for the new Type 26 will be met? Will there be a reliance, as we have recently seen in the press, on overseas recruits to fill those capability gaps?

Mr Dunne: As the hon. Gentleman knows, the Type 26 global combat ship programme is designed to replace the existing frigate fleet—the Type 23. We generally find when updating naval capability that ships with more power and capability can be manned with fewer men, so we do not see any particular challenge with this programme, apart from the natural challenge of recruiting to the armed forces during periods of economic growth.

Procurement Spending (SMEs)

10. **Mr Robin Walker (Worcester) (Con):** What steps he is taking to increase the proportion of his Department’s procurement spending that goes to SMEs. [901601]

The Minister for Defence Procurement (Mr Philip Dunne): That is me again. Small businesses provide a vital source of innovation and flexibility in meeting defence and security requirements. As I have already said, there was an announcement of a new target earlier this month to increase the proportion of MOD procurement to be spent with small and medium-sized enterprises to 25% by 2020.

Mr Walker: Worcestershire hosts many small businesses in the defence, aerospace and cybersecurity sectors. How can these smaller businesses, such as Aeromet in my constituency, access the £70 million investment in innovation announced by the Secretary of State last week?

Mr Dunne: We see small businesses and academia as playing a vital part in developing technical innovation, so it is important that they can access this and other funding to maintain the operational advantage of our armed forces. We are doing this in a number of ways. Last month at Defence and Security Equipment International I announced the winners of one of the £10 million defence growth partnership innovation challenges. There were over 100 applications and 23 winners were announced, many of which were small businesses.

Tom Purslove (Corby) (Con): The UK steel industry needs support through Government procurement, and where we can we should always buy British. A functioning

steel industry is crucial for our national security, so can the Minister assure me that that approach will feature heavily in our procurement policy in future?

Mr Dunne: I can reassure my hon. Friend that the steel for the Queen Elizabeth-class carrier, a contract which was placed some time ago, came from British steel foundries. It is something that we consider, but we have to look after value for money when we place orders through our contractors, and steel supplies need to be available at a competitive cost, at a competitive time and at a competitive quality.

GDP/GNI Targets

13. **Patrick Grady** (Glasgow North) (SNP): Which elements of his Department's expenditure will contribute both to the target of 2% of GDP for defence and to the target of 0.7% of GNI for overseas development assistance. [901604]

The Secretary of State for Defence (Michael Fallon): The Ministry of Defence directly funds overseas development assistance eligible activity up to £5 million a year, including disaster relief training and international capacity building. This counts towards the NATO 2% guideline. The costs of conflict, stability and security fund programme activities led by the Ministry of Defence, and security and humanitarian operations, which are partly refunded from the Department for International Development budget, will also contribute to the ODA target.

Patrick Grady: The ministerial team will notice that that is not a question about defence of the north coast. When Back Benchers cheered the two commitments on aid and military spending, I wonder if they were fully aware that that is, in effect, double counting of expenditure. Does the Minister accept that although this may be technically permitted, morally it is a contradiction in terms? Will he do all he can to minimise such double counting in the future?

Michael Fallon: Rules for what is counted and what is not counted are set for NATO expenditure by NATO and for overseas development expenditure by the OECD, so these are international rules. However, I do not agree with the hon. Gentleman. There is expenditure—defence and overseas aid—that counts towards security. Stabilising countries, preventing conflicts, peacekeeping—all that contributes to the security of our country, as well as that of some of the more fragile regions of the world.

Sir Gerald Howarth (Aldershot) (Con): My right hon. Friend knows that I am so enthusiastic about the Government's commitment to spending 2% of GDP on defence that I have my private Member's Bill to enable the Government to join me in enshrining support for that commitment in law. In advance of that, can my right hon. Friend confirm the figures given to me by the Library that in reporting to NATO to meet our 2% commitment in 2015-16, we have added items of expenditure not previously included under defence? They were provision for war pensions, £820 million; assessed contributions to UN peacekeeping missions, £400 million; pensions for retired civilian MOD personnel, around £200 million; and much of MOD's £1.4 billion of income, which makes more than £2.5 billion.

Michael Fallon: I look forward to my hon. Friend making his case on Friday. Let me be clear that expenditure from the defence budget is, of course, defence spending. It is not spent by any other Department. But it is in any case up to NATO to rule on what is eligible and what is not eligible.

Syria (Military Intervention)

14. **Callum McCaig** (Aberdeen South) (SNP): What lessons his Department has learned from military action in Libya, Afghanistan and Iraq which will inform a decision on possible UK military intervention in Syria. [901605]

17. **Martyn Day** (Linlithgow and East Falkirk) (SNP): What lessons his Department has learned from military action in Libya, Afghanistan and Iraq which will inform a decision on possible UK military intervention in Syria. [901608]

The Secretary of State for Defence (Michael Fallon): The Department has conducted a number of lessons-learned exercises during and after military operations in Libya, Afghanistan and Iraq, in particular that military action needs to be set in the wider political context. In Syria, for example, the long-term solution to the current conflict, and to the presence of ISIL, has to be an acceptable political transition, and we continue to work to support this.

Callum McCaig: I welcome the commitment that any military action in Syria will be combined with efforts to rebuild the country. The Secretary of State said in an earlier answer that efforts are ongoing to build a consensus about taking military action in Syria. Can he give us some idea of the progress in building a consensus about rebuilding the country?

Michael Fallon: Yes. My right hon. Friend the Prime Minister and other leaders were recently in New York at the United Nations General Assembly pressing all their colleagues to search for a political solution that would enable the formation of a more comprehensive Government who would appeal to and attract from all parts of Syrian society, whether Kurdish, Shi'a, Sunni, Christian, Druze, or whatever. We have such a comprehensive Government in Iraq; it is time now to find one for Syria too.

Martyn Day: What consideration has the Defence Secretary given to the financial and human cost of air strikes in Syria?

Michael Fallon: There is certainly a cost to military operations, but there is a greater cost in our not dealing with the growth and spread of ISIL across the middle east. We are doing this in response to a request from the democratic, legitimate Government of Iraq to come to their aid. We are also doing it for the greater stability of the region and, ultimately, to keep our own streets safe.

Richard Benyon (Newbury) (Con): It is not a view I hold, but it is at least an entirely rational view, to say that Britain should never get involved in any military operations in the middle east. It is also rational to say that Britain should get involved in military operations

across the whole area that our enemy occupies. Surely what is irrational is to do that just for part of it, and to recognise a border that ISIL, in this case, simply does not recognise.

Michael Fallon: I agree with my hon. Friend. Not taking action when one has the ability to do so also has consequences. I respect the position of various Members of this House in the previous vote two years ago, but a large number of people have died in Syria at the hands of Assad since this House was asked before to take action to stop him slaughtering his own citizens.

Low-flying Exercises (Rural Areas)

16. **Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): What steps his Department has taken to mitigate the effects of low flying exercises on rural areas. [901607]

The Parliamentary Under-Secretary of State for Defence (Mark Lancaster): The Ministry of Defence takes its responsibilities to the general public very seriously indeed, and measures are taken to provide a balance between essential military training and the need to avoid excessive disturbance on the ground. Low-flying activity is spread as widely as possible across the UK to minimise the impact on particular communities.

Liz Saville Roberts: People living in Meirionnydd have spoken to me of their concerns following what has been described as the worst single near miss in Britain. This happened on 27 August last year near Dolgellau and involved three Hawk jets and two Typhoons with a combined value of £300 million. What steps are being taken by Air Command to improve safety following the UK Airprox Board's recommendation to review flying practices in the Machynnleth loop?

Mark Lancaster: Of course, such near misses are very rare indeed. All low-flying activities are meticulously planned. I am sure that lessons will be learned. The Mach loop is, in effect, a one-way circuit that runs round an area just north of her constituency to try to minimise such events. We do take these things very seriously, and a review is under way.

Topical Questions

T1. [901617] **Andrew Gwynne** (Denton and Reddish) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Defence (Michael Fallon): My immediate priorities are our operations against ISIL and the strategic defence and security review. July's announcement that the defence budget will increase every year and that we will continue to meet the NATO 2% target means that we are now able to decide what further capabilities and equipment we need to keep this country safe.

Andrew Gwynne: Does the Secretary of State understand that any intervention in Syria has to be part of a wider series of actions, including creating safe areas for the civilian population to try to stem the refugee crisis,

increasing humanitarian aid, bringing those responsible for war crimes to account, and trying to build a plan for peace in the region?

Michael Fallon: I agree with that. We have to look at this across the board, and not simply focus on military action. That is why we are also pursuing the political track of looking for a wider political settlement in Syria. The hon. Gentleman is right about encouraging other countries to match the commitment we have made financially to helping refugees, on behalf of this country, in Syria. Safe havens would of course require quite significant military force to police.

T3. [901619] **Johnny Mercer** (Plymouth, Moor View) (Con): I am proud to be a member of a party that takes mental health seriously. One of its first acts in 2010 was to commission the Murrison report on mental health in the armed forces. How far have we got with that? Has an audit been conducted? If not, would now be a good time to do so?

The Parliamentary Under-Secretary of State for Defence (Mark Lancaster): The recommendations of the "Fighting Fit" report have been delivered by the Government, working in partnership with the NHS and service charity partners such as Combat Stress. I am sure my hon. Friend will be pleased to know that the NHS in England is currently reviewing the services put in place following the report, with a view to ensuring that veterans with mental health problems are provided with the best possible support.

Maria Eagle (Garston and Halewood) (Lab): The national security strategy of 2010 identified cyber-attack, including by other states, as one of the four highest priority national security risks facing the UK. Does the Secretary of State agree that that is still the case?

Michael Fallon: Yes, I certainly do. The cyber threat—not simply from other states, but from non-state actors—remains very real. We are investing heavily in this area and the responsibility for the cyber programme is being transferred from the Cabinet Office to my Ministry, to make sure it is properly co-ordinated.

Maria Eagle: That is an interesting answer. *The Times* has reported:

"A well-placed defence source said that senior military officers were very concerned by the prospect of China building a nuclear power station in Britain."

The *Financial Times* reports that our closest allies in other western capitals regard the policy as

"bizarre at best and craven and dangerous at worst",

and says that China specialists at the Foreign Office are "in despair." The Ministry of Defence's own policy adviser, Paul Dorfman, asserts:

"America wouldn't dream of letting China have such a part in its critical national infrastructure. The idea the UK is prepared to do so is, frankly, astounding."

Will the Secretary of State therefore explain to the Chancellor and the Prime Minister, while there is still time, that they are putting our national security at risk in doing this deal?

Michael Fallon: I hope the hon. Lady will join me in welcoming the President of China on his visit to this country this week. On Chinese participation in the Hinkley Point power station, let me be very clear that it is a financial investment. It is a French-designed reactor and a French-built power station, and it will be supported by Chinese finance. In any case, we have independent regulation of our nuclear sites, and that regulation includes all aspects of security as well as of safety.

T5. [901621] **Antoinette Sandbach** (Eddisbury) (Con): With other Departments facing budget reductions, will my right hon. Friend assure me that he will continue to make efficiency savings that can go back into the frontline?

Michael Fallon: Absolutely. Although my Department's budget is rising again, there will be no let-up in getting more value for money. We have a strong record of delivering efficiency savings, including some £5 billion in the last Parliament. For the first time, as a result of the July Budget, every pound we save can now be reinvested in the frontline rather than handed back to the Treasury, so we can spend more not simply on ships and planes, but on cyber, as we have discussed, and on unmanned aircraft and the latest technologies.

T2. [901618] **Julie Elliott** (Sunderland Central) (Lab): What steps is the Department taking to ensure that the UK defence industry, as well as the multibillion pound domestic supply chain, benefits fully from the procurement decisions that will be taken and outlined as part of the forthcoming strategic defence and security review?

The Minister for Defence Procurement (Mr Philip Dunne): This Government have placed a considerable emphasis on maintaining a vibrant and healthy defence industrial supply chain in this country. That is why we set up the defence growth partnership and support British defence companies in major defence export exercises around the world. This Government are not embarrassed to do that and will continue to do so.

T6. [901622] **Bob Blackman** (Harrow East) (Con): In the 19th century, the Royal Navy disrupted and eventually halted the evil slave trade from Africa to other parts of the world. What action can my right hon. Friend take to ensure that the Royal Navy now disrupts and prevents evil people from trafficking people from Africa on unseaworthy boats, so that they do not lose their lives in the Mediterranean?

Michael Fallon: The United Kingdom was instrumental in securing the recent Security Council resolution 2240, which authorises all navies to take action against smugglers and human traffickers on the high seas in the Mediterranean. This will support the efforts of HMS Enterprise and HMS Richmond, which is taking up its station off the Libyan coast this week, in contributing to the naval operations in the Mediterranean and tackling this evil trade as it occurs.

T8. [901624] **Martyn Day** (Linlithgow and East Falkirk) (SNP): Will the Defence Secretary confirm what support our armed forces are giving to the people of the Philippines in this difficult time?

The Minister for the Armed Forces (Penny Mordaunt): Our armed forces, in particular our Royal Navy, lend support to, on average, about one humanitarian crisis a year. We are doing a raft of things, and we obviously do them at the request of that country. I would be very happy to write to the hon. Gentleman with further details.

T7. [901623] **Mr Alan Mak** (Havant) (Con): Defence contractors and supply chain partners in my Havant constituency are proud to be part of the Government's equipment upgrade programme. Will the Minister update the House on what progress is being made in introducing equipment, on time and on budget, into our armed forces?

Mr Dunne: The Ministry of Defence continues to make excellent progress in delivering equipment on time and to budget. That was recognised in the last National Audit Office major projects report, which reflected our best cost performance in 10 years and the best time performance in almost 15 years. I would like to pay tribute to the defence contractor in my hon. Friend's constituency, Lockheed Martin, which has supported the Merlin helicopters outstandingly in recent years.

T10. [901626] **Steven Paterson** (Stirling) (SNP): What steps have been taken to change section 104 of the Scotland Act 1998 to allow Scotland to legislate for fatal accident inquiries involving service personnel?

The Parliamentary Under-Secretary of State for Defence (Mr Julian Brazier) *rose—*

Penny Mordaunt: Such issues are the responsibility of the Government of the United Kingdom, and I would expect to lead on those service inquiries. I will, however, ask the Under-Secretary of State for Defence, my hon. Friend the Member for Canterbury (Mr Brazier), who has responsibility for that matter, to write with further details to the hon. Gentleman.

Mr Speaker: I think it is a case of one is enough. We had a most capable Minister at the Dispatch Box, so I am sure Mr Brazier is perfectly satisfied. It was a case of friendly fire.

T9. [901625] **Mary Robinson** (Cheadle) (Con): I am pleased that people across the UK are already benefiting from the Government's home-buying initiatives, and I am sure the Secretary of State shares my view that it is important that the same opportunities are available to members of our armed forces. What steps is he taking to increase the number of servicemen and women who own their own home?

Mark Lancaster: We are making sure that the unsung heroes, our service families, can enjoy the stability and security of owning their home. Our forces Help to Buy scheme has enabled 5,000 personnel to buy their home. We want to double that to 10,000 homes for heroes over the next 12 months.

Ian Austin (Dudley North) (Lab): Sensible people out there will think the world has gone mad if the Government allow companies controlled by the Chinese Government, and which helped to develop their nuclear weapons, to

take a large stake in Britain's nuclear power industry. The shadow Secretary of State was completely right to raise this matter. Will the Secretary of State tell us what assessment his Department has made of the risks and national security considerations of giving a communist dictatorship such a huge role in such a critical part of Britain's national infrastructure?

Michael Fallon: Unlike the hon. Gentleman, we welcome the fact that there is Chinese investment in this country, just as there is British investment in China. As I have already made clear to the House, this is financial investment in a French-led project to build a new power station at Hinkley Point. Our independent nuclear regulator is well able to ensure that all security and safety aspects are considered.

Sir Gerald Howarth (Aldershot) (Con): My right hon. Friends know that I have repeatedly raised on the Floor of the House my concerns about the way in which the Chinese Government are building runways and port facilities on uninhabited and disputed atolls in the South China sea. Although my right hon. Friend the Secretary of State—and, no doubt, the Prime Minister, who I am pleased to see in his place—will welcome the Chinese President, do the Government have plans to raise with China the way in which they are seriously escalating tension in the South China sea to the detriment of many of our allies in the region, to which we have a responsibility under the five power defence arrangements?

Michael Fallon: I hope that my hon. Friend, too, will welcome the President of China on his state visit to our country this week, just as we welcomed ships of the Chinese navy on their visit to Portsmouth earlier this year. We welcome the growing military relationship between the armed forces of our two countries. All countries that trade internationally have an interest, as he said, in the peaceful navigation of the South China sea.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): Syria is not Iraq or Afghanistan, but this country made some poor decisions in those countries, particularly in Afghanistan, in operational and intelligence matters that we must learn from. Most of all, surely we need to learn from the lack of clarity in our strategic objectives that so badly affected the war in Afghanistan. Listening to the Secretary of State today, I think that such a lack of clarity is still evident when he talks about Syria.

Michael Fallon: As far as Afghanistan is concerned, we are of course learning the necessary tactical lessons from that campaign, as we do with any campaign. I made the point much earlier that ISIL has to be defeated in both Iraq and Syria. It is somewhat illogical, when ISIL presents such a grave threat to the Government of Iraq, the stability of the region and our own streets, that our aircraft have to turn back at the Iraqi border.

Michael Fabricant (Lichfield) (Con): I was recently appointed president of the 1206 Mercian air cadet squadron. Will my hon. Friend let me and, more to the point, the air cadets know what further opportunities there might be for them to obtain flying experience with the Royal Air Force?

Mr Brazier: I congratulate my hon. Friend on his position. We are extremely keen to improve opportunities for flying. We currently have a recovery programme, following the temporary suspension of the gliding programme. I share his enthusiasm, as I too have an air cadet force in my constituency.

Douglas Chapman (Dunfermline and West Fife) (SNP): An article in the *Washington Post* said that the F-35s are not yet ready for “real-world operational deployments”. Is the Minister supremely confident that the F-35s will be ready to be fully deployed on the first carrier that leaves Rosyth?

Mr Dunne: As the hon. Gentleman may be aware, the United States marine corps declared the operational capability of its fleet of F-35Bs—the same aircraft that we will be flying—in August. Our aircraft are engaged in testing, evaluation and training in the United States.

Mark Field (Cities of London and Westminster) (Con): Does the Secretary of State agree that some of the concerns about Chinese investment in critical infrastructure in this country, which have understandably been raised, can be placated by reference to the work that has been done between our security services and Huawei in relation to investment in telecommunications? Will he look on that as a useful template that can be utilised as and when there is investment in the nuclear industry by Chinese investors?

Michael Fallon: I will certainly look at that example. However, as I said earlier, when there are security concerns about any of our power stations or other parts of the nuclear grid, it is up to the office of the independent regulator to ensure that they are fully protected.

European Council

3.33 pm

The Prime Minister (Mr David Cameron): With permission, Mr Speaker, I will make a statement on last week's European Council. The main focus of the Council was on migration, but there were also important discussions on Syria and the UK's renegotiation. Let me take each in turn.

The European Union is under massive pressure over the migration issue. The numbers arriving remain immense. Some countries have attempted to maintain and police external borders; others have waved migrants through. Some 8,000 people are arriving in Germany every day. The response of the Schengen zone is to establish hotspots in the countries where most migrants are arriving so that they can be properly processed, and then to have a mechanism for distributing them across the EU. That is what most of the Council's discussions and debates were about.

Of course, the UK does not take part in Schengen. We have maintained our borders while others have taken theirs down. We are not participating in the quota system for migrants who have arrived in Europe. Instead, we are taking 20,000 Syrian refugees straight from the camps. We think that that is the right approach.

I will turn to some of the specifics of how the EU is planning to ease the crisis. First, on aid to the affected area, Britain was praised for its contribution to the World Food Programme. We have provided \$220 million of the \$275 million that was needed to close the funding gap for the rest of the year. The Commission President made a particular point that the rest of the Council members should do more and follow Britain's lead on that. It is still the case that the United Kingdom has spent more on aid for Syrian refugees than any other EU country—indeed, more than any other country in the world save the United States of America.

Secondly, the EU agreed in outline a new joint action plan with Turkey. That includes potential additional financial support to help with the huge volume of refugees—there are more than 2 million in Turkey—and assistance with strengthening its ability to prevent illegal migration to the EU. Although the terms of the EU's assistance remain to be finalised, any visa liberalisation agreed under the action plan will not, of course, apply to the UK, and we will continue to make our own decisions on visas for Turkish nationals.

Thirdly, we agreed more action to stop criminal gangs putting people's lives at risk in the Mediterranean. The EU's naval operation is now moving to a new phase, in which we can board ships and arrest people smugglers. Britain played a leading role in securing the United Nations Security Council resolution that was required to make that possible, and Royal Navy ships HMS Richmond and HMS Enterprise will help to deliver that operation.

Fourthly, obviously the most important thing is to deal with the causes of the crisis, and in particular the war in Syria. The Council condemned the ongoing brutality of ISIL, and when it comes to Assad its conclusions were equally clear:

“there cannot be a lasting peace in Syria under the present leadership.”

I presented to the Council the facts about Russia's intervention, with eight out of 10 Russian air strikes hitting non-ISIL targets. The Council expressed deep concern over Russia's actions, and especially attacks on the moderate opposition, including the Free Syrian Army. Our view remains the same: we want a Syria without ISIL or Assad.

Ahead of the Council I convened a meeting with Chancellor Merkel and President Hollande, and we agreed the importance of a renewed diplomatic effort to revive the political process and reach a lasting settlement in Syria. We agreed that, together with our US allies, we must seek to persuade Russia to target ISIL, not the moderate opposition. The three of us also discussed the situation in Ukraine. We welcomed recent progress, and agreed the need to maintain the pressure of sanctions on Russia until the Minsk agreement has been fully implemented.

On the UK's renegotiation, I set out the four things that we need to achieve. The first is sovereignty and subsidiarity, where Britain must not be part of an “ever closer union” and where we want a greater role for national Parliaments. Secondly, we must ensure that the EU adds to our competitiveness, rather than detracts from it, by signing new trade deals, cutting regulation and completing the single market. We have already made considerable progress. There has been an 80% reduction in new legislative proposals under the new European Commission, and we have reached important agreements on a capital markets union, on liberalising services, and on completing the digital single market. Last week the Commission published a new trade strategy that reflects the agenda that Britain has been championing for years, including vital trade deals with America, China and Japan. But more needs to be done in that area.

Thirdly, we need to ensure that the EU works for those outside the single currency and protects the integrity of the single market, and that we face neither discrimination nor additional costs from the integration of the eurozone. Fourthly, on social security, free movement and immigration, we need to tackle abuses of the right to free movement, and deliver changes that ensure that our welfare system is not an artificial draw for people to come to Britain.

As I have said before, those are the four key areas where Britain needs fundamental changes, and there is a clear process to secure them. The European Union (Referendum) Bill has now passed through this House and is making its way through the other place. I have met the other 27 leaders, the Commission President, the President of the European Parliament, and the President of the European Council, and will continue to do so. Technical talks have been taking place in Brussels since July to inform our analysis of the legal options for reform. There will now be a process of negotiation with all 28 member states leading up to the December European Council. As I said last week, I will be writing to the President of the European Council in early November to set out the changes that we want to see.

Throughout all this, what matters to me most is Britain's national security and Britain's economic security. I am interested in promoting our prosperity and our influence, and we have already made some important achievements. We have cut the EU budget for the first time ever, we took Britain out of the eurozone bail-out mechanisms—the first ever return of powers from Brussels to Westminster—and we vetoed a new treaty that would

[The Prime Minister]

have damaged Britain's interests. Through our opt-out from justice and home affairs matters, we have achieved the largest repatriation of powers to Britain since we joined the EU. We have pursued a bold, pro-business agenda, cutting red tape, promoting free trade and extending the single market to new sectors.

I want Britain to have the best of both worlds. Already, we have ensured that British people can travel freely around Europe, but have at the same time maintained our own border controls. We have kept our own currency while having complete access to the single market. I believe we can succeed in this renegotiation, and achieve the reform that Britain and Europe needs. When we have done so, we will put the decision to the British people in the referendum that only we promised and that only this Conservative majority Government can deliver. I commend the statement to the House.

3.40 pm

Jeremy Corbyn (Islington North) (Lab): I thank the Prime Minister for his statement.

I note that the issue of the UK's in/out referendum was deferred, yet again, to the December European Council meeting. I think that all of us across the House and people across the country would echo the words of Chancellor Angela Merkel when she asked the UK to "clarify the substance of what it is envisaging".

There have been indications from Government advisers that the Prime Minister is trying to diminish the rights of UK workers through opt-out or dilution of the social chapter and the working time directive. However, other sources say the Prime Minister has retreated on those proposals. Working people in Britain are losing trust in a Government who attack their trade union rights and cut their tax credits, while giving tax breaks to millionaires. Will the Prime Minister today finally confirm to the House whether there will be an attempt to opt out of, or dilute, the social chapter and the working time directive?

Following reports in the weekend press, which seems to have been extremely well briefed, will the Prime Minister confirm that Britain will remain signed up to the European convention on human rights and will not repeal the Human Rights Act 1998? The lack of clarity and openness from the Prime Minister means we do not know on what basis he is negotiating. Too often, we have been guided by anonymous press briefings from his inner court. Let me say this to the Prime Minister: we will be on his side to support the proposed "red card" mechanism to give national Parliaments greater powers of influence over European legislation. In fact, it is such a good thing that it was in Labour's manifesto at the general election. Does he agree with Angela Merkel, as we on the Labour Benches do, that

"there are achievements of European integration that cannot be haggled over, for example the principle of free movement and the principle of non-discrimination"?

Again, clarity from the Prime Minister on that would be welcomed not just, I suspect, by his own Back Benches but by millions of people across the country.

We believe we need stronger transnational co-operation on environmental and climate change issues, on workers' rights, on corporate regulation and on tax avoidance.

We will continue the European reform agenda. Labour is for staying in a Europe that works for the people of the UK and for all the people of Europe. We will not achieve that if all we are doing is shouting from the sidelines. On the referendum, will the Prime Minister confirm that the Government will now accept votes at 16 for the referendum, as per the amendment in the House of Lords?

I turn now to the refugee crisis. We are concerned that some within Europe would like to outsource the refugee crisis to Turkey to solve it. There is a responsibility for all European nations to act in a co-ordinated way, first to help the refugees, and secondly to try to resolve the conflict that is driving so many Syrians to flee. I have said it before and I will repeat it in the House today: I praise the Government for the level of aid they have provided for the camps in Lebanon and elsewhere in the region. That is welcome and it is supported on the Labour Benches. However, we must do more to aid those who have come to Europe. Turkey, I understand, has made a request for £2.2 billion in aid to support it in dealing with the 2.5 million refugees in its country. Will the Prime Minister give the House a little more detail on these negotiations and inform the House what negotiations there were at the Council for all the countries of Europe to welcome their fair share of Syrian refugees, including, of course, this country?

My right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), who is heading up Labour's taskforce on refugees, has said:

"There is chaos at borders across Europe, people are dying and children are walking miles, sleeping in the open despite the falling temperatures. It is unbelievable we are seeing scenes like this in a continent which includes four out of the top ten richest countries in the world."

European Council conclusion 2(d) states that we should be

"providing lasting prospects and adequate procedures for refugees and their families, including through access to education and jobs, until return to their country of origin is possible".

Will the Prime Minister consider any necessary amendments to the Immigration Bill to ensure this is the case?

The Under-Secretary of State for Refugees, the hon. Member for Watford (Richard Harrington), was unable to provide figures to the Home Affairs Select Committee last week. Will the Prime Minister now inform the House how many Syrians have been accepted under the Government's vulnerable person's relocation scheme, and will he give a substantive reply to the letter from 84 bishops calling on him to accept 50,000 refugees? If Britain played a more positive role on this front, it might create the good will in Europe to make headway in his other forthcoming negotiations. In addition, is it not right that we should take firm action against the evil trade of people smuggling? I note what the Prime Minister said about the naval operation and the role played by the Royal Navy, but will he give us more details to clarify the command structure and rules of engagement for this operation, given that innocent refugees will be in close proximity to them?

Does the Prime Minister agree that the refugee crisis will not be solved and that therefore there should be a duty on all European nations to fulfil the UN target of spending 0.7% of GDP on international development, as is happening, with cross-party support, in the UK?

Will he work with us to put pressure on fellow EU nations to increase their aid to that level? Currently, only Sweden, Luxembourg, Denmark and we achieve that figure.

The situation in Syria is complex, and I welcome the words from the European Council that the

“EU is fully engaged in finding a political solution to the conflict in close cooperation with the UN and the countries of the region”

and its recognition of the

“risk of further military escalation”.

The humanitarian crisis has seen half the population of Syria flee their homes—including, let us not forget, millions to neighbouring countries, which have borne the greatest burden—as well as hundreds of thousands of innocent Syrian civilians killed, the vast majority of them at the hands of Assad’s forces. The people of Syria need a political solution, and the world needs an answer to ISIL’s abhorrent brutality, which indeed threatens us here too.

We need concerted action to cut off the supply of money, arms and fighters to ISIL, and a co-ordinated plan to drive it back from Iraq and Syria. I once again urge the Prime Minister to consider working with our allies to establish safe zones in Syria so that some of the millions of displaced people can return to their homes, humanitarian aid can get in and we can stop the killing. Does he agree we should urgently be seeking a new UN Security Council resolution on a comprehensive approach to the Syrian crisis, including action against ISIL? What action is he taking in that regard?

Briefly on Libya, the European Council conclusions state:

“The EU reiterates its offer of substantial political and financial support to the Government of National Accord as soon as it takes office.”

Will the Prime Minister indicate when this will take place?

Finally—[HON. MEMBERS: “Hooray!”]—I turn to a subject that will be of great interest to all Government Members, and that is Redcar and the other steelworks. Will the Prime Minister tell the House whether he took the opportunity to speak to his Italian counterpart about the role the Government could play in protecting vital infrastructure, such as the steelworks in Redcar, while keeping within EU state aid rules? Will he learn from other European Governments so that a similar fate does not befall Tata steelworks in Scunthorpe or sites in Scotland? Was the dumping of Chinese steel raised at the European Council, and will he be raising the dumping of subsidised Chinese steel on European markets with the Chinese President when he meets him this week, especially given today’s announcement that Caparo steel, which employs 2,000 people in Britain, is about to go into administration?

We need a full debate in Government time and ahead of the December meeting on the negotiating points the Prime Minister has raised in response to the European Council. I hope he will give us some positive news on at least that point.

The Prime Minister: I thank the Leader of the Opposition for his detailed questions, to which I shall try to respond in detail.

Taking his last point first, of course we are doing everything we can in Europe to help our steel industry, which is why we voted in favour of dumping tariffs

against the Chinese and will do everything we can to help our steel industry, including by looking at how we help with high-energy usage and the necessary clearances there.

As to whether we will raise the matter with the Chinese, we will of course raise all these issues. That is what our relationship with China is all about. It is at such a high level that no subject is off the table, and all these issues, including the steel industry, will of course be discussed.

Let me go through in order all the questions that the hon. Gentleman asked. First, he claimed that the discussion of our referendum had somehow been deferred once again, but that is simply not the case. This process was launched in June, as I always said it would be, although people doubted it would happen. There was always going to be an update in October, and then a full discussion in December—and that is exactly what is happening.

The hon. Gentleman asked what we were delivering for working people in Europe. I would point out that we are delivering 2 million jobs here in Britain for working people, with tax cuts for 29 million working people. I have set out in this statement again the reforms that we are pressing for in Europe.

The hon. Gentleman referred to a briefing in the weekend newspapers that he said seemed to be surprisingly well sourced about our plans. I am amazed that he feels it necessary to read or believe everything in the newspapers; I would have thought that that would be a route to deep unhappiness, so I advise that he desists at once. Let me tell him that our plans for a British Bill of Rights are unchanged. We want to get rid of the Human Rights Act and replace it with a British Bill of Rights.

We do need to reform free movement; it should not be free movement for criminals or for people who are benefit shopping, for example, and we are already taking steps to ensure that that is not the case.

The hon. Gentleman specifically asked whether votes at 16 would apply to referendum. We voted in this House of Commons on votes at 16, and we voted against them, so I think we should stick to that position. I welcome the fact that everyone on the Labour Benches now seems to welcome having a referendum, even though they all campaigned against it at the last election.

On Turkey, refugees and Syria, I thank the hon. Gentleman for what he said about the British aid programme. It is right that we are making such a major contribution to the refugee camps. The precise deal with Turkey has not been finalised—some items are still being discussed—but I think it right to offer some financial support to Turkey when it is housing more than 2 million refugees and some 88% of them have stayed within the country. We obviously want Turkey to do even more to make sure that people do not get on dangerous dinghies and launch themselves into the Mediterranean, which is what the recent discussions have been about.

The hon. Gentleman asked what share of migrants arriving in Europe we would take, and I have explained that that is not the approach we are taking. We are not members of Schengen and we are not compelled to do that. We are taking people out of the refugee camps, which does not encourage people to make this journey.

[The Prime Minister]

I have to say that in the discussions we have in Europe, there is a lot of respect for the British position. Indeed, the EU Commissioner on refugees said:

“I commend the UK for offering to take 20,000 refugees, it shows the UK is doing something beyond normal. The UK has a great reputation on migration”.

That is the view of the EU Commissioner.

On numbers, we have said that we want to see 1,000 refugees brought to Britain by Christmas, and we will report on that after Christmas to tell people how we have done.

As for the bishops, no one has more respect for them than me—[*Interruption.*] Yes, but on this occasion I think they are wrong, and I shall say so very frankly. I think the right thing to do is to take 20,000 refugees from the camps. If we become part of the mechanism of distributing people around the European Union, we are encouraging people to make the dangerous journey. I would like the bishops make a very clear statement, as the hon. Gentleman just did, that Britain has fulfilled our moral obligations by making a promise to the poorest countries and the poorest people in the world to spend 0.7% of our gross national income on aid. How many other big countries that made that promise have kept it? Let us hear an in-depth intervention from the bishops on that issue.

Finally, on Syria, the hon. Gentleman is right to say we need a political solution and that we should cut off the money and supply of weapons and fighters to ISIL. However, I do not believe that is enough; I believe we also need to be taking military action against ISIL, as we are in Iraq.

On the issue of the United Nations Security Council resolution, I am all for setting these things out in UN Security Council resolutions, but we have to deal with the plain fact that there is every chance that the Russians will veto such a resolution. I do not think we should stand back from taking our responsibility and safeguarding our country simply because we cannot have a UN Security Council resolution. I thank the hon. Gentleman for all his questions and hope that those were satisfactory answers.

Mr Kenneth Clarke (Rushcliffe) (Con): The Prime Minister will recall that for over 20 years successive British Governments have quite eagerly supported Turkey’s aim of eventually becoming a full member of the European Union, because of its strategic importance as an ally in its part of the world. Will he confirm that that remains the policy of the present Government, so long as Turkey adheres to the liberal, democratic political values that are key to the EU? Will he also confirm that, apart from in connection with visa arrangements, we are playing a full part in negotiations with Turkey, and are prepared to discuss the sharing of financial and other burdens? The migrant crisis that is affecting Turkey is the same migrant crisis that is affecting this and every other EU country, and we must all participate in the solution.

The Prime Minister: I can confirm that the British Government’s policy has not changed, and what my right hon. and learned Friend has said about the importance of helping Turkey is absolutely right. More than 2 million refugees, almost nine out of 10, have stayed in Turkey, and everything that we can do to help the Turks to keep

those refugees—perhaps allowing more of them to work and to play an economic part in Turkey—will obviously help in this crisis. I think it fair to say that, although the Turks have done extraordinary work in looking after refugees—their refugee camps are some of the best anywhere in the world—we all need to help them to do more to stop people taking off from western Turkey into the waters of the Mediterranean, because that is a journey on which so many have died.

Angus Robertson (Moray) (SNP): It is appropriate, in the context of a European statement, to acknowledge the sadness across Europe about the last of the European nations exiting the rugby world cup. Our thoughts on these Benches are with Vern Cotter, Greig Laidlaw and the whole Scotland team—they did us proud.

Five of the six pages of the European Council conclusions rightly deal with the humanitarian crisis. Our EU neighbours are doing a great deal to help the refugees who have made it to Europe. As the Prime Minister knows, we support and acknowledge the role of the United Kingdom in helping refugees in Syria and the countries surrounding it, but will he confirm that he is prepared to reconsider his position and do more to help refugees who have made it into Europe?

In those six pages of European Council conclusions, there is not a single mention of whether the steel crisis was raised in the discussions. Did the Prime Minister raise the subject and, if he did, why is there no mention of it whatsoever in the conclusions?

The six pages of conclusions contain only two lines relating to the EU renegotiations that are being pursued by the UK. Meanwhile, we hear that European Commission President Jean-Claude Juncker has said:

“I cannot say huge progress has been achieved”,

and that the Belgian Prime Minister, Charles Michel, has said:

“To have a negotiation, we need to know.”

Why is there such a gap between the experience of European Union Heads of Government and Heads of State, and the rhetoric that the Prime Minister has deployed today?

The Prime Minister: Let me begin by joining the right hon. Gentleman in commiserating with Greig Laidlaw and the Scottish team. They played magnificently. It was absolutely heartbreaking to watch that match, particularly the last 10 or 15 minutes, when it went from triumph to tragedy so quickly. They really played like lions. I do not think I have seen a braver, more bold performance; it was remarkable to see.

Chris Bryant (Rhondda) (Lab): Apart from Wales.

The Prime Minister: Apart, of course, from that of Wales the day before—that must have been the Cameron in me coming out. However, the match was heartbreaking to watch.

The right hon. Member for Moray (Angus Robertson) raised the issue of helping refugees and other European Union countries. Although we are not in Schengen and although we are not taking part in the quota, we are helping Frontex, the border organisation, of which we are not formally part. Moreover, Britain has made one of the biggest contributions in sending staff to the hotspots

that are being established to help with the fingerprinting and processing of migrants so that they can be properly registered and looked after.

As for the steel crisis, it is not mentioned in the conclusions because this was a European Council meeting to talk almost purely about migration. The discussion went on for hours because of the disagreements about hotspots and how this way of moving migrants around Europe should work. However, the British Government are absolutely clear that we will do everything that we can to support and help our steel industry, and that includes the vital discussions that we have held with the European Commission about state aid.

On renegotiation, I know the right hon. Gentleman is disappointed that more is not set out in the conclusions, but they set out what is necessary. The process was launched in June, there was an update in October, talks are progressing very well and we will have further discussions in December. I am confident that we will reach a good deal and, when we do, I look forward to his support.

Sir William Cash (Stone) (Con): On renegotiation, will my right hon. Friend recognise that even if the words “ever-closer union” were removed from treaties in the future, it would not change any of our existing EU obligations and laws, nor fundamentally change our relationship with the EU under the existing treaties? Will he please comment on that?

The Prime Minister: The issue of ever-closer union is important both symbolically and legally. It is important symbolically because the British people always felt that we were told we were joining a common market, and were never really told enough about this political union, which we have never been happy with. I want to make it explicit that for us it is principally a common market and not an ever-closer union, but this concept does have legal force because ever-closer union has been used by the courts to enforce centralising judgments and I want that to change.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Prime Minister will know that there are thousands arriving on Greek islands every day, many of whom are refugees from Syria. The humanitarian response they get when they arrive on Europe’s shores is still hopelessly inadequate. He has said that we should not help directly because we are not in Schengen, but he knows that it is not Schengen that has caused the crisis; this is a humanitarian crisis and we should all respond. May I urge him to rethink this? The programme he has announced for Syrian refugees direct from the camps is welcome, but it is still very slow—4,000 a year is not enough. In the short term, people are going to be coming whether or not Britain acts, so please will he be the Prime Minister who rethinks, show some leadership in Europe, not just outside Europe, and let us do our bit to help those who are arriving directly on Greece’s shores?

The Prime Minister: Let me repeat something I said earlier: taking action when people arrive in Greece and other European countries is something we can do, and that is why we are giving staff and expertise, including technical expertise, to help to make sure these people are properly processed. However, we have taken a decision—I think it is the right decision—to say that in

terms of the refugees we take, we should be taking them from the camps, rather than from among those who have already arrived in Europe. That means that we can target the most vulnerable people. One of the reasons why it is taking time to identify and then get the right people is that we are often dealing with the most vulnerable people—those who have had the most difficult time in those camps—but I am confident that we are doing the right thing. That means we are also helping other European countries with people as they arrive.

Crispin Blunt (Reigate) (Con): Does the Prime Minister expect to conclude the renegotiation at the December summit? Whenever it is concluded, in what form does he expect its results to be presented?

The Prime Minister: I cannot put an exact timetable on when the negotiations will be concluded. Obviously the House of Commons knows that we must have the referendum come what may by the end of 2017, but I do not want to put a timetable on how long it is going to take to complete this negotiation. I am confident that we will make good progress and I will update the House regularly.

Tim Farron (Westmorland and Lonsdale) (LD): The decision by some Governments in Europe to close borders has severely impacted their neighbours, thus exacerbating the humanitarian crisis, so will the Prime Minister call on Viktor Orban of Hungary and others to reopen borders and engage in meaningful discussion to tackle this growing crisis, or is there no point because the Prime Minister’s refusal to take a single one of the 600,000 refugees in Europe has destroyed his credibility among Europe’s leaders?

The Prime Minister: First of all, what actually happens at these European Councils is not Britain coming under pressure for the approach we have taken. People respect the fact that we are not part of Schengen and that we have made a decision about taking refugees from out of the camps, and above all people respect the fact that we spend on some occasions 10 times more than other European countries of our size on the refugee aid programme to Syria—for the Syrian refugee camps and the neighbouring countries. That is the right thing to do.

As for Europe’s external borders, they are not my responsibility. I will leave Viktor Orban to defend himself, but the point that the Hungarian Prime Minister and others make is that Europe has an external border and needs to prove that it has an external border to ensure that people do not believe it is a risk-free, easy journey to go to the EU. However, that is a matter for them. We have an external border; it is at Calais and that is the border that we will properly police.

John Redwood (Wokingham) (Con): I fully support the Prime Minister’s policy towards economic migrants and refugees. It is more realistic and caring than the Schengen group’s muddled, dangerous policy, which has given false hope and encouraged too many dangerous journeys. Does not this show that what this country needs from the renegotiation is the right to make our own decisions on the things that matter, as we are able to do outside Schengen and outside the euro, from where Britain can often come to a wiser judgment?

The Prime Minister: As I said in my statement, we need to achieve the best of both worlds in which we recognise the advantages of being in a reformed European Union while ensuring that this is a membership and a type of European Union that suit us. If we look at what has been achieved in the past, through maintaining our own currency and having a single market, we can see that that is the sort of approach we need for the future.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): It is now almost 12 years since I chaired a group examining the role of national Parliaments, which came up with the idea of a red card system. It is good to see some ideas being recycled. We also concluded that unless there was a mechanism whereby national Parliaments were co-ordinated—a kind of COSAC but without MEPs—any such system would be utterly meaningless. Will the Prime Minister tell us what negotiations he has had on the development of such networks?

The Prime Minister: The right hon. Lady is absolutely right; it has taken far too long to get this sort of change in place. This is, however, exactly the sort of change that the British process of renegotiation and a referendum is putting squarely on the table. I shall look carefully at her suggestion as we go into the detailed phase of the negotiations to ensure that we get the right sort of deal.

Mr Andrew Tyrie (Chichester) (Con): Further to the question that has just been put, the EU institutions were specifically designed as a ratchet to deliver ever-closer union year by year. Whatever protections the Prime Minister secures in these negotiations are therefore at risk of being clawed back over time. In the light of that, does he agree that if renegotiation is to succeed in the longer term, we shall need major reform of how the EU takes its decisions in order to give a much stronger voice to member states and Parliaments, and to enable what has hitherto been a one-way street towards ever-closer union to be decisively challenged?

The Prime Minister: My right hon. Friend makes an important point. I would argue that specifically getting Britain out of ever-closer union is not just symbolic; it would also have a legal effect. We can boil down into a single sentence what is required to make a success of the organisation: it is has to be just as possible to be a successful member of the European Union outside the eurozone as it is inside it. That is where things really need to change. The European Union needs to recognise that the same set of processes and decision making is not going to be right for both types of membership. If we can achieve that change, we will have achieved something very important for the UK.

Mr Dennis Skinner (Bolsover) (Lab): If the Prime Minister did not get the chance, as he said, to raise the question of the Chinese dumping steel and steel goods in Britain, will he take the opportunity of taking it up with the Chinese this week? Otherwise, the devastation that he and the Chinese have created in Redcar will be repeated in countless other places around the British Isles.

The Prime Minister: As I said earlier, nothing will be off the agenda in those talks. Steel is an important part of our economy, and we will of course be discussing those issues with the Chinese when they arrive this week.

Sir Edward Leigh (Gainsborough) (Con): Has the Prime Minister seen today's statement by the two Syrian Catholic archbishops in which they beg Europe not to encourage further migration of the Christian community from the middle east as it could result in that ancient community vanishing from the region completely? Some of us have been raising this matter in the Council of Europe in recent years, and we have managed to persuade that body to turn the spotlight on it in order to try to keep those people in the middle east, and to give them safe havens and help there. Does my right hon. Friend think that that is the right approach?

The Prime Minister: I have not seen that specific statement, but I will look at it because my hon. Friend makes an important point. Everything we can do, not just to help Syrian refugees stay in Lebanon, Jordan or Turkey, but to help Syrians stay in Syria, where they can, is clearly worthwhile, and my right hon. Friend the aid Secretary has done some extraordinarily good work on that.

Mary Creagh (Wakefield) (Lab): May I tell the Prime Minister that there is dismay among civil society and church groups about his decision not to participate in the EU-Syria refugee resettlement programme? That decision stands in sharp contrast to the actions of Denmark and Ireland, which have chosen to participate in that programme despite not being parties to Schengen. I wish to press the Prime Minister: how many Syrian refugees have been resettled from the camps since he made his announcement last month?

The Prime Minister: Obviously the hon. Lady and I are not going to agree about this. I think we have taken the right approach—taking people from the refugee camps and not taking people under the EU relocation programme. We have been clear about that right from the start, which I think is why other European countries have not taken exception to what Britain is doing. We have said that we aim to resettle 1,000 people by Christmas and we will report back on how we have done after Christmas. I think that that is the right way to do it. I make the point that we have already resettled some 5,000 Syrians through other processes.

Damian Green (Ashford) (Con): The Prime Minister started his statement by talking about migration. Does he agree that having Britain's border controls in France not only is a good example of European co-operation, but serves to make our border controls much more effective? Does he therefore agree that anything putting those arrangements at risk would be a very foolish step for this country to take?

The Prime Minister: My right hon. Friend is absolutely right about that. Obviously, the situation we face at Calais is difficult and there are still several thousand people who would like to, as I put it, break into Britain, but we see that that is a very small share of the overall scale of migration when we look at the bigger picture. We are very fortunate to have this excellent agreement with the French. It works well for both countries and clearly we should not do anything to put that at risk.

Keith Vaz (Leicester East) (Lab): I welcome the target of 1,000 Syrian refugees by Christmas and the extra support for Turkey, which is long overdue. The Prime

Minister needs to accept, however, that the scenes of migrants being shunted from EU country to EU country—from countries such as Hungary that believe in the values of the European Union—are desperately sad. Will he tell the House what additional support is going to be given to Europol, because criminal gangs are still preying on innocent migrants who are trying to get to the European Union and we have to act together if we are to stop these gangs?

The Prime Minister: The right hon. Gentleman is absolutely right to say that the scenes of what is happening are deeply depressing, concerning and worrying, which is why we want to discourage people from making this journey. On the help that we can give, as I have said, we have given resources and personnel to Frontex, even though we are not a member of that organisation, and we have given resources—more than most other European countries—to the European Asylum Support Office, which is providing a lot of the technical support. I will certainly look at what Europol needs and its requirements, but it can always make a business case to us for more support.

Andrew Rosindell (Romford) (Con): On the pressing issue of the EU renegotiation, does the Prime Minister agree with small businesses in my constituency that want social and employment law to be brought back as a sovereign issue decided by the UK Parliament, not the European Union? Will he make that one of his red lines in his renegotiation?

The Prime Minister: I have set out the four areas on which I think we need to see progress in the negotiation. A lot has changed since the social chapter, which of course John Major kept us out of in the Maastricht treaty, but which has now, in effect, been put into the body of EU legislation. However, those four areas are the ones we are pursuing.

Hywel Williams (Arfon) (PC): On the action plan with Turkey, what discussions did the Prime Minister have on the contribution that an internal peace settlement in Turkey, as proposed by the Kurdish HDP party, would provide on the refugee issue?

The Prime Minister: Clearly we want to see a peaceful, stable and secure Turkey, but I do not think it would be right to link the arrangements that the EU is coming to with Turkey about migration, which are about financial support and Schengen countries' visa arrangements, and the extra help that Turkey can provide on holding migrants in Turkey, with the issue that the hon. Gentleman raises.

Mr Keith Simpson (Broadland) (Con): On Syria, the Prime Minister said that EU members were going to try to persuade the Russians to attack ISIL. It seems to most of us that the Russians are attacking everybody but ISIL. How do we persuade them not to do that?

The Prime Minister: My hon. Friend will be aware from my figures that 85% of the targets that Russia has attacked have not been ISIL targets. It is quite easy to tell that by looking at the parts of the country where the Russians have been attacking—ISIL are not in those parts of the country, but the Free Syrian Army and others are. It is true to say that some six days of Russian air strikes went by before a single ISIL target was attacked. The case that we have to make is that Russia,

like us, is at risk of Islamist extremist violence. Indeed, in many ways, it is more at risk. Russia has a large Muslim population, principally a Sunni Muslim population. The fact that they are if anything helping ISIL by bombing the moderate opposition to Assad demonstrates that, at the moment, they are both on the side of the butcher Assad and also helping ISIL potentially to take territory as Syrian opposition groups that are not ISIL are attacked by the Russians. It is the wrong approach and we need to do everything we can to persuade them of that.

Gavin Robinson (Belfast East) (DUP): The Prime Minister is well aware that this House has continued to consider the humanitarian crisis and the refugees from Syria. I do not think that anyone in this House has suggested that the right hon. Gentleman has either been excessive or premature in his response, but will he indicate whether, during the summer, he offered any regrets, or received any regrets from his European counterparts during their considerations?

The Prime Minister: If the hon. Gentleman is asking whether anybody at the European Council criticised the British approach, the answer is no, there was no criticism of our approach. It is understood that we are taking 20,000 refugees. We have always been clear about exercising our opt-out on the quota, and there is a lot of respect for us for the money that we have put into the refugee camps. One way that we can demonstrate that we want to help our European partners at this time of need for them—these are very difficult debates about having hotspots in countries where people are arriving, how we distribute people around the European Union, and the massive pressure that is currently on Germany, Austria and Sweden—is to offer our technical expertise at the border, and that is where we are giving support and where we can contribute more if necessary.

Mr Jacob Rees-Mogg (North East Somerset) (Con): My right hon. Friend said that we have maintained our own border controls. I wonder how effective he thinks that is when we admitted 183,000 economic migrants from the European Union last year and how effective it will continue to be if he and the German Chancellor have their wish and Turkey becomes a full member.

The Prime Minister: On the issue of Turkey, one point I have made about our renegotiation is that we should treat accession countries in a totally different way in terms of unfettered rights to come to Britain. We made that very clear from the start of our renegotiation. We think that these transitional periods have been too short and that it was wrong when they were not properly used. It is important to note that we have borders and border controls in the way that Schengen countries do not. One question that we will have to ask ourselves as a country as we get towards the end of this renegotiation process is, can we guarantee that we will be able to have the excellent juxtaposed border controls in France that we have today if we do not have an adequate relationship with the European Union? That will be an important point.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): All negotiations involve a degree of give and take on both sides. Does the Prime Minister not think that his chances of securing support from the member states for his proposals—whatever the details of those

[*Ms Tasmina Ahmed-Sheikh*]

may be—would be enhanced by him playing his full, proper and proportionate part in the Syrian refugee crisis, which certainly does not mean fewer than two refugees per constituency by Christmas?

The Prime Minister: I do not agree with the hon. Lady's point. People look at Britain's contribution, particularly our financial contribution to the Syrian refugee crisis, and they see that we are playing a very full role. Although we are not in Schengen and do not have to opt in to these procedures, we are also helping in the ways that I have indicated.

Mr Peter Bone (Wellingborough) (Con): I wonder whether I could help the Prime Minister. I think everyone in this House would agree that he is a very hard-working Prime Minister who has lots of things to deal with. He and I are very close on the issue of the European Union, and he is going to write to Europe next month. Would it be a help to the Prime Minister—and perhaps a birthday present to me—if he allowed me to draft that letter?

The Prime Minister: There is only one thing that would be better than that, and that would be if Mrs Bone were holding the pen. I think it is safe to say that I will keep hold of the pen myself.

Mr Pat McFadden (Wolverhampton South East) (Lab): Further to that question, may I ask the Prime Minister a bit more about this letter? Up until now, he has not wanted to write down his negotiating agenda precisely because he knows that he cannot satisfy many of those sitting behind him. Has not this enforced change of tactics been dragged out of him by European allies who are increasingly frustrated by the vagueness of his demands and increasingly irritated by the narrowness of his focus while they are trying to cope with the day-to-day reality of the eurozone crisis and the urgency of the refugee crisis?

The Prime Minister: I do not recognise that picture at all. I want to set out our approach in a letter to the European Council, and Council President Donald Tusk is particularly keen to receive that letter because the Council wants to know that we are looking for change in the four areas we have raised and that that is the breadth of the negotiation. I think the right hon. Gentlemen, like some others, has been reading too many newspapers and reports that want to hype all this up into a great row with people being angry or dissatisfied. If there was a meeting like that, it was not the one I attended.

Mr Steve Baker (Wycombe) (Con): As the Secretary of State for Defence said yesterday, we are all Eurosceptics now, so does my right hon. Friend agree that the EU institutions ought not to campaign on either side or assist either campaign in the referendum, whether financially or otherwise? Will he accept the amendments in the House of Lords to that effect?

The Prime Minister: The European Commission has said that it will not campaign in the referendum and those of us who want Britain to stay in a reformed European

Union probably breathed a sigh of relief when we had that news. There will clearly be an in campaign and an out campaign, and there will be plenty of material on which everyone can make up their mind.

Barry Gardiner (Brent North) (Lab): With your customary perspicacity and eye for detail, Mr Speaker, you, too, will have noted that the section of the Prime Minister's statement that is entitled "UK renegotiation" is punctuated with 14 separate "dot, dot, dot" gaps. Did the Prime Minister fill those gaps at the European Commission and did he lay down red lines to the commissioners? If so, will he state that to the House now?

The Prime Minister: I can put the hon. Gentleman out of his misery. I put the "dot, dot, dots" into my statement because sometimes I have a bit of trouble reading what I have written down. It is purely stylistic and has nothing to do with the content, but I think he knows that.

Mr David Nuttall (Bury North) (Con): Which outcome does the Prime Minister think would be most helpful after he writes to the President of the European Council setting out his list of demands next month? He will either get everything on the list, in which case he will be accused of not asking for enough, or not get everything on the list, in which case he will be accused of having failed in the renegotiations. I should add that as I believe that the United Kingdom would be better off leaving the European Union, I will be equally satisfied whatever the outcome.

The Prime Minister: I will make my hon. Friend happy whatever I do. I often read the fairy story of Goldilocks and the three bears and, obviously, we want the porridge to be at just the right temperature.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Prime Minister share my view and that of my constituents that in this turbulent world, with the migration crisis, the threat from Russia, the threat to our great steel industry and so many other things, we need European leadership? We need it to confront Russia, the Chinese exports of cheap steel and so many other things. Does he understand that people like me who are cautiously positive about Europe and want reform and an early referendum are worried to hear him say today that he wants to reduce Europe to just a trade association?

The Prime Minister: I very much agree with the hon. Gentleman. Like the British people, I want to know that our membership is principally about that common market that we wanted to join. However, as I put it in my party conference speech—I am sure he has read it—we should not just think about the things that we have got out of, such as the single currency or the Schengen agreement, but talk about the things that we have got Europe into, such as putting sanctions on Iran to get it to the negotiating table. We are on the brink of signing with America the biggest trade deal in our history, and we should be proud of that. It is something that was started by the British at the G8 summit in Northern Ireland. Let us talk about the positive things that Europe can achieve and which enhance our national prosperity and our national security.

Jeremy Lefroy (Stafford) (Con): I welcome the \$222 million additional contribution to the World Food Programme. I also welcome the approach of our hon. Friend the Member for Watford (Richard Harrington), who is getting a real grip on the issue of refugees. May I ask that he be given whatever support he needs to hasten the movement of refugees who are indeed vulnerable from the camps around Syria?

The Prime Minister: I can certainly give my hon. Friend that assurance. Let me make a serious point to the bishops. To those organisations that want to help us to house, clothe, feed, school and look after these 20,000 people I say please help us to provide the very best welcome we can. I am sure the Church can play an important role in that.

Kelvin Hopkins (Luton North) (Lab): On 29 June, the Prime Minister set out 24 pledges for his renegotiation of UK membership of the EU. It seems that 14 of those pledges have been dropped, and most of the other 10 are unlikely to be accepted at the EU, with some requiring treaty change. The promised November letter is already looking a bit thin, so can I offer to help him put a bit more substance in it?

The Prime Minister: I pay tribute to the hon. Gentleman, who has never wavered in his view that everything to do with the European Union is wrong and we need to get out of it—he has been pretty clear about that. I have been very consistent. He can read in our manifesto what we want to change in Europe, and that is exactly what our four points are all about.

Mr Bernard Jenkin (Harwich and North Essex) (Con): Will my right hon. Friend join me in commending one of our foremost business leaders, who has said that the idea that investment will flee the United Kingdom if we leave the EU is “scaremongering”, saying that the EU “is an overinflated bureaucracy. There are too many unelected people...who are trying to get even more power”?

He also said:

“It’s not going to be a step change or somebody’s going to turn the lights out”,

and

“if you vote to come out in the referendum, you’re not going to suddenly find on the Monday morning I can’t do this, this and this.”

Does my right hon. Friend agree with Lord Rose, who is chairman of the Britain Stronger in Europe campaign?

The Prime Minister: I certainly think that Lord Rose has said many sensible things about this issue, and he does not take a wildly hysterical view on either side. The truth is this: some people said that even having a referendum would lead to such uncertainty that people would not invest in Britain. We know that that is not the case. We are a massive recipient of inward investment. The only point I would make is that as we get closer to the debate on whether Britain can stay in a reformed European Union, those of us who want that outcome will be able to point clearly to what business gets from Britain being in the single market with a vote and a say, and those, like my hon. Friend, who might want to leave, will have to answer the question of what guarantees they can get on single market access and single market

negotiation ability. I think that the business argument will increasingly concentrate on that very important point.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): The Prime Minister referred to 8,000 refugees a day entering Germany which, for comparison, is double what we will receive in one year. Given that, will he expand on an earlier response and explain why he thinks that the 84 Church of England bishops who think that the Government’s response to the refugee crisis is inadequate are wrong and he is right?

The Prime Minister: I think they are wrong and I am right for the following reason: as we are outside the Schengen agreement and do not have to opt in to the European quota, the best thing we can do is to help Europe with its border arrangements and processing systems, which we are doing, and then take refugees directly from the camps so that we can take the most vulnerable people and, as we do that, not encourage people to make this dangerous journey to Europe. That is why I think it is the right approach, but where I would like to work with the bishops is in making sure we offer the warmest possible welcome to people when they come.

Richard Graham (Gloucester) (Con): The Prime Minister called for an ISIL and Assad-free Syria, although encouraging the Russians to target ISIL risks relatively strengthening Assad. While the Syrians continue to suffer in this increasingly complicated civil war, how does my right hon. Friend think we can persuade Assad’s army to stop barrel-bombing his own people?

The Prime Minister: We should seek to persuade President Assad not to use barrel bombs against his own people, not least because they are illegal under international law because in many cases he is using chemical weapons. We have to be frank that in many ways the reason why the Russians became more involved in the conflict is that they feared that Assad was on the brink of falling. What we need to do now is get to a situation where it is clear that there is a stalemate and the only way forward for Syria is to have a new Government, who can of course have a relationship with Russia and Iran, but who are also capable of governing on behalf of all the people of Syria, not just the Alawites, but the Sunnis, the Christians and the Kurds.

Stephen Gethins (North East Fife) (SNP): Research made available to me from the House of Commons Library showed that we spent 13 times more bombing Libya than we did on reconstruction efforts afterwards. Does the Prime Minister think he got that right? What lessons can be drawn from the Libyan campaigns in terms of long-term strategic planning for Syria?

The Prime Minister: In the Libyan campaign we acted in response to a potential humanitarian catastrophe when Gaddafi was about to murder his own people. After that conflict we stood ready to help the new Libyan Government in any way they wanted help. I brought them to the G8 summit in Northern Ireland. We tried to help them train some of their security forces. We were ready to help in any way we could. It has to be remembered that Libya is not a poor country.

[*The Prime Minister*]

It is a middle-income country with huge oil resources which, if spent in the right direction, could help the welfare of its people, but it did not take that path. That is the tragedy for the people of Libya.

Neil Carmichael (Stroud) (Con): Does the Prime Minister agree that the aviation sector, both airline operations and aircraft manufacture, demonstrates the success and value of Britain being a member of the single market, and also that the ever-reforming European Union will pack a bigger punch in getting more free trade agreements, which will benefit that sector and all other sectors?

The Prime Minister: If people who are wondering about Britain's relationship with Europe want to see some tangible consumer benefits rather than the arcane things that we can talk about in this House, the open skies policy, the cut in air fares and the availability of cheap air travel in Europe have probably been among the biggest changes we have seen in the past 20 years. I hope that the agreement we have recently come to on getting rid of roaming charges will make it much cheaper for holidaymakers and Britons to use their mobile phones abroad. We need to focus on some of these things.

Britain has a very strong aviation sector and I am sure it will make its voice heard during the debate.

Patrick Grady (Glasgow North) (SNP): Why is a double majority procedure appropriate for English votes for English laws in this House, but not in the European referendum, risking Scotland being taken out of the EU against its will?

The Prime Minister: The point about the referendum on the European Union is that this is a decision for the whole of the United Kingdom to take. When we look across the United Kingdom and ask what people in this family of nations think about the idea of having a referendum, from the opinion polls I have seen it is equally popular in Wales, England, Scotland and Northern Ireland. Everybody in our country wants a say on this issue, and quite right too.

Jason McCartney (Colne Valley) (Con): I am very proud that the United Kingdom is the second largest bilateral international aid donor to Syria. Will the Prime Minister confirm that this aid is making a real difference to the lives of Syrian refugees in the region?

The Prime Minister: I can certainly confirm that. I have seen that with my own eyes, because we give major funding donations to the formal refugee camps, many of which are in Jordan and some of which are in Turkey. We also give a lot of bilateral aid to the neighbouring countries—Lebanon and Jordan. My right hon. Friend the Secretary of State for International Development is no longer here, but we have a number of aid programmes that try to support Syrians who are staying in their homes. The figures are still these: 12 million Syrian people have been made homeless and so far only about 4% of them have made the journey to Europe.

Mr Mark Hendrick (Preston) (Lab/Co-op): When is the Prime Minister going to stop playing cat and mouse with Members of this House, the British public and our

European partners with regard to his negotiating position? He mentioned four key areas, three of which are “motherhood and apple pie” issues that we could all agree to, but on ever-closer union, does he seriously think that our European partners are going to back down on that?

The Prime Minister: I believe that I will get the outcome that we need. The hon. Gentleman should look at the four areas. They are all important and they are all significant. They all go very directly to the things that the British people have been concerned about in Europe: that it can be a brake on competitiveness, and that needs to change; that it can have ambitions to be a superstate rather than a common market, and that needs to change; that we need more control over our welfare, and that needs to change; and that we need proper fairness whether you are in the euro or out of the euro. That is a serious negotiating package, and that is what I will be taking forward in the coming weeks.

David Rutley (Macclesfield) (Con): The recent progress made by Turkey in achieving more of its aims in its relationship with the EU shows that the EU can change when it focuses its mind and when there is a greater sense of urgency. Does my right hon. Friend agree that EU member states, and the EU's institutions, should now be giving greater focus to his reform agenda, because the majority in this House and across the country believe that that is a clear priority and that the situation is increasingly urgent?

The Prime Minister: I agree with my hon. Friend. We have approached this in a very calm and sober way, winning a majority at a British general election, setting out the plans for renegotiation with a mandate behind us, going to see each of the 27 Presidents and Prime Ministers, getting it on to the European Council agenda, and setting a deadline of 2017 but giving ourselves plenty of time to conduct the negotiation. Yes, it is urgent, and yes, it is important, but we should take the time to get it right.

Christian Matheson (City of Chester) (Lab): Does the Prime Minister agree that in the past the European Union has played a useful political role—for example, in helping to integrate former communist bloc nations into the sphere of democratic politics after 1989-90? When he sends his letter to the President of the Council, will he come back to this House to discuss its contents?

The Prime Minister: I agree with the hon. Gentleman about the former communist countries of eastern Europe. It has been a real success for the European Union that these countries are now committed to democracy and to economic freedoms. That was very much the British agenda, and the British agenda has come through. In terms of the letter, obviously I will keep the House regularly updated.

Dame Angela Watkinson (Hornchurch and Upminster) (Con): Does my right hon. Friend agree that the excellent job being done by our Royal Navy in the Mediterranean in combating the criminal gangs of people-traffickers underlines the importance of keeping to our commitment to spend 2% of GDP on defence?

The Prime Minister: Yes, my hon. Friend is absolutely right. Of course, the aid commitment has been hugely helpful in making sure that we can respond very rapidly to the humanitarian needs, but some hard military power is required, not least in stopping these people-traffickers, boarding their boats and arresting them. That requires military power, and you cannot have that without proper spending plans.

Emma Reynolds (Wolverhampton North East) (Lab): If the UK was outside the EU, which many of the Prime Minister's right hon. and hon. Friends seem to want more than anything else, what position would he have been in last week to influence European discussions on the refugee crisis, on Syria, and on the middle east? If we were not members of the European Union, would not the border most probably move back from Calais to Dover?

The Prime Minister: The direct answer to the hon. Lady's question is obviously that if we were not in the EU we would not be in those discussions. I am trying to secure for Britain what I would call the best of both worlds, which is that we are involved in those discussions, but where we have a discrete national interest in not joining the euro, maintaining our border controls and not being in an ever-closer union, we have that specifically set out properly in the treaty. As for her second question—I cannot remember what it was on—

Emma Reynolds: Borders.

The Prime Minister: Oh, borders. Well, I think that is unknowable. There is a very good agreement between Britain and France that is in the interests of both our countries. We know that it can be maintained with the current arrangements, but it will be for those who are arguing to leave the European Union to discuss and explain those points.

Rehman Chishti (Gillingham and Rainham) (Con): The Prime Minister said that the conclusions set out what is necessary. Let me, if I may, take him to paragraph 4, line 4 of the conclusions, which says:

“The European Council agreed on the need to focus on the fight against DAESH”.

The document makes no reference at all to “ISIL”. Given that the United Kingdom has agreed to this document, will we now officially use the word “Daesh”, which will help us to defeat this evil organisation's propaganda campaign?

The Prime Minister: My hon. Friend is very persistent and quite convincing. I have just written him a letter to say that, in all our communications with Arab states and partners that use the terminology “Daesh”, we also now use the terminology “Daesh”. Clearly, that now involves the European Union as well. I am comfortable that we should never say “Islamic State” or “IS”, because I think that confers some legitimacy on them, but I think that if we use “so-called” or, indeed, the term “ISIL”, it is clear what we are referring to.

Peter Dowd (Bootle) (Lab): On the Prime Minister's elliptical statement on renegotiation, what particular regulations and red tape does he envisage need be cut to ensure enhanced competitiveness, as he is in danger of sounding a bit vague and of outlining more of a wish list than a to-do list?

The Prime Minister: It is both a wish list—it is things we want—and a to-do list, because we are going to do them.

Philip Davies (Shipley) (Con): Given that hundreds of thousands of migrants are trying to get into the EU from Libya and Syria, is there anything to stop other EU countries giving those people citizenship and therefore allowing them to travel right across the EU, including to the UK, under the principle of free movement of people for EU citizens? Does the Prime Minister accept that the EU will never give up on that principle, and does he therefore agree that anybody who wants proper control of our borders will have to vote to leave the EU in the forthcoming referendum?

The Prime Minister: My hon. Friend makes an important point that will be debated and discussed a lot in the forthcoming referendum. Obviously, in many cases, people who go to other European states will not get EU citizenship, or citizenship of those states, for many years, so they will not be able to travel freely around the European Union. That is important and we should not mislead people about it. One of the things we want to tighten up in the current rules is the ability of foreign nationals living in other European countries to marry EU nationals and then have access to the UK. We would like that particular judgment to be overturned.

Stewart Malcolm McDonald (Glasgow South) (SNP): What exactly is this benefits shopping that the Prime Minister speaks of? It is probably the greatest canard in British politics right now, because I do not know what it is and it seems that his European counterparts do not know either. Rather than being driven by the suspicion of Johnny Foreigner that plagues his Back Benchers and, indeed, his Home Secretary, will the Prime Minister stand up for the freedom of movement, which has enriched this country so greatly over the years?

The Prime Minister: Let me try to help the hon. Gentleman. Of course, there is an issue—a relatively small issue—of people coming to different European countries and claiming benefits to which they are not entitled. That should be, and is being, stopped: it is now not possible to come here and immediately claim unemployment benefit. The bigger problem, which my renegotiation is examining, is that someone who comes from another European country to Britain is able, in the first year, to access in-work benefits of perhaps as much as €10,000 or €12,000. This is about being able to control our own welfare system to reduce the pressures of migration. European leaders and the British people understand that, even if it has not got through to the SNP yet.

Andrew Stephenson (Pendle) (Con): I welcome what the Prime Minister has said about the migrant crisis. He will know, of course, that some of the transit countries are bearing the brunt of it. The United Nations High Commissioner for Refugees has today said that more than 10,000 migrants are currently stranded in Serbia because of limits imposed further west in Europe, and he has complained about aid shortages. Could the Prime Minister say more about what he and other EU leaders are doing to help Syria deal with this crisis?

The Prime Minister: We certainly stand ready to help any country. One point that needs to be made is that all of the countries that migrants are crossing are, of course,

[*The Prime Minister*]

safe countries for the purpose of claiming asylum. I think that one of the longer-term answers to the crisis is to make sure that we have a system whereby people claim asylum in the first safe country they reach.

Stephen Kinnock (Aberavon) (Lab): The Prime Minister is aware of the fact that the British steel industry faces a crisis and that massive dumping of Chinese steel is a major contributory factor. Does he agree that all of the other steel-producing nations in the EU are much smarter at applying anti-dumping measures, and that it is time for the UK to smarten up how it uses such measures and to act unilaterally where necessary?

The Prime Minister: I would say to the hon. Gentleman, first, that we voted with others to put in place the anti-dumping fines—that is important—and we are also working very hard with the steel industry to address excessive energy costs and to get that through the European permission regime. We are also setting out, in our infrastructure plan, our steel needs in the years ahead.

One of the key things we need to do is to look at exactly what other European countries do in making sure, where possible, that we source steel for our own infrastructure needs from our own country. If other countries can do it within the rules, we should do exactly as they do.

Wendy Morton (Aldridge-Brownhills) (Con): We all want to see an end to the Syrian migration crisis. Does my right hon. Friend agree that that will be achieved only if we have a considered and comprehensive approach to tackling the crisis, using British aid to help people in the region to tackle the evil gangs and working to bring to an end the civil war in Syria?

The Prime Minister: My hon. Friend is absolutely right. This is only going to work if we have such a comprehensive approach. Easily the most difficult part of it is ending the conflict in Syria, but that will be absolutely key to bringing the crisis to an end.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): Did the Prime Minister not raise the steel crisis because he is embarrassed by the fact that his own carbon floor tax makes us less competitive than our EU allies, that he has personally failed to act on Chinese dumping—unlike our EU and US allies—and that he personally rejected calls to request European globalisation adjustment funds for more than 5,000 directly affected steel workers?

The Prime Minister: I understand that the hon. Gentleman wants, rightly, to stand up for his constituents and the area he represents, but I do not see any point in trying to play politics over this issue. The British Government are doing everything that we can, and every issue that we can take up, we will. What I would say to him and other hon. Members who represent such constituencies is: work with us, and we will do everything we can to help these industries.

Tom Pursglove (Corby) (Con): Did my right hon. Friend have the opportunity to raise at the meetings the rules already in place through the World Trade Organisation

to address the dumping of steel on our market? We need action on this, and will he please go away and, on behalf of Members from across the House, make the strongest possible case to the Chinese President that this is unacceptable?

The Prime Minister: As I have said, we will take every step that we can—there is looking at the UK demand for steel, there is looking at energy costs, there is looking at any other issues that affect such companies unfairly and there is making sure that we act in Europe in a way that others do, if it is legal, to source steel from our own country. But, there is a problem, which is that the steel price has fallen by more than a half, and that is affecting steel producers the world over. Acting within those constraints, we will do everything we possibly can.

Tom Brake (Carshalton and Wallington) (LD): To assist the Prime Minister in gaining support among the lawyers and bishops who have been so scathing about his refugee policy, may I suggest that he reconsiders the EU relocation scheme—albeit an EU relocation scheme, which he would be justified in seeking changes to—to ensure it recognises the financial contribution the UK makes to the camps near Syria, the 0.7% of gross national income contribution the UK makes, the projected growth in our population and our population density?

The Prime Minister: I think it is better for us to decide, democratically in this House, the approach we should take. By saying we will take people from the camps and make that our contribution, together with our financial contribution, I think Britain is fulfilling its moral responsibilities in the world, and using its head as well as its heart. I will defend that with any bishop or any lawyer who wants to have the discussion with me.

Nic Dakin (Scunthorpe) (Lab): A major reason why the steel price has dropped internationally and jobs are being lost—5,000 jobs in the last month alone in the UK—is down to the Chinese dumping of steel. The Chinese dumping of steel is both grabbing market share and taking value out, which is why we want to work, cross-party, with the Government to tackle this issue urgently and to match the standard of the US and some of our European neighbours in tackling this issue. Will the Prime Minister work with us on that?

The Prime Minister: I absolutely will. I know how hard the hon. Gentleman works on this issue. We will look at all the matters that he raises. As I say, we will look very carefully at what other European countries and other European steel producers do. They are suffering, too. This fall in world prices is not caused simply by the action taken by China; it is an economic impact of the changing pattern in world demand, as he well knows. But inside those constraints, we should do everything we can.

Andrew Gwynne (Denton and Reddish) (Lab): As the Prime Minister has toured Europe's capitals to talk to his counterparts about subsidiarity, what discussions has he had about the deepening of the common security and defence policy? What does he envisage Britain's role in that to be, particularly in the European operational headquarters?

The Prime Minister: Until the last sentence, I was in almost full agreement with the hon. Gentleman. I am a great believer in British influence, prosperity and national security. Those things often mean acting in concert with others. That is why we are a member of the European Union and NATO. That is why we have British frigates operating in the Mediterranean and why we helped to pass a UN Security Council resolution so that we can take action against the pirates. That is all good. It is about political will, action and having a military that we can deploy—love all of that. Is another European headquarters really what this world needs, when there is already a NATO one? I would say that it is duplication, it is wasteful and it is exactly the sort of thing we should not be doing.

School Expansion

4.51 pm

The Secretary of State for Education (Nicky Morgan): With permission, Mr Speaker, I will make a statement on school expansion.

On Thursday, I wrote to the head teacher at Weald of Kent grammar school to confirm that I had approved the school's proposal to expand to a new site in Sevenoaks in Kent.

The Government are committed to ensuring that every child and young person has access to a high-quality school place, regardless of their background or where they live. As part of our ambition to deliver educational excellence everywhere, it is our policy that all good and outstanding schools should be able to expand to meet the demands of parents in the local area. That was made clear in the Conservative party manifesto that we were elected to implement, which specifically included good grammar schools.

We have a relentless focus on academic standards, with 120,000 more six-year-olds on track to become confident readers thanks to our focus on phonics, a tough new national curriculum and an end to qualification and grade inflation. We have also given head teachers and classroom teachers the freedom to run their schools to achieve the best for their pupils, with 1,000 failing schools having been transformed under the leadership of strong sponsors and more than 300 free schools having been set up so far across the country. That has helped more than 1 million more pupils attend good or outstanding schools today compared with 2010. In this Parliament, I am committed to focusing on the next 1 million.

I am particularly pleased to have seen those improvements in areas of the country that serve some of our most disadvantaged young people. We are committed to closing the gap in attainment, and the investment of £2.5 billion in the pupil premium has helped schools to raise the achievement levels of disadvantaged pupils, including the most academically able.

I took my decision on the proposal from Weald of Kent in line with the legislative framework, which includes a prohibition on the creation of new selective schools that is set out in section 99 of the School Standards and Framework Act 1998, section 39 of the Education and Inspections Act 2006 and sections 1A and 6 of the Academies Act 2010. I assessed the proposal in line with our guidelines on making significant changes to an existing academy, which were published in January 2014. I concluded that the proposal represents a genuine expansion.

Weald of Kent grammar school is an outstanding school that is currently based in Tonbridge, Kent. It is a girls-only school with 1,200 students on roll from the ages of 11 to 18. The school serves a wide catchment area that includes pupils from Tonbridge and the Sevenoaks district. It is consistently one of the top performing schools in the country. In 2014, 99% of its students achieved five A* to C grades in GCSE exams. In the same year, 98% of its sixth-form students achieved at least three A-levels at grades A* to E.

Weald of Kent submitted a proposal for expansion in 2013 that was considered by the then Secretary of State for Education, my right hon. Friend the Member for

[Nicky Morgan]

Surrey Heath (Michael Gove). That proposal could not be approved as an expansion because, among other reasons, the new building in Sevenoaks would have been a fully co-educational annexe, whereas the existing school is for girls only.

The school submitted a revised proposal in September 2015. The expanded school will be girls only on both sites from 2017, with a co-ed sixth form also on both sites from September 2018. It therefore fully reflects the existing school. It will share leadership, governance, administration arrangements and admissions policies across the school. The school intends to bring all year sevens together for at least half a day a week, and that will extend to all five-year groups as the extended site fills up.

There will be a range of cross-site curricular activities, including in personal, social, health and economic education, languages and music, reflecting the integrated split-site school. In addition, the school will continue to operate a house system that will apply to students regardless of their site location, and this will further secure regular, cross-site learning. New staff contracts will make it clear that staff are expected to work on both sites.

All policies and procedures, including uniform, behaviour and safeguarding, will apply across the newly expanded school. Furthermore, the expansion will meet the needs of the community within the school's existing catchment area, with 41.6% of current pupils travelling from the Sevenoaks area, as my right hon. Friend the Member for Sevenoaks (Michael Fallon) has tirelessly reminded me.

Given the need for more good and outstanding school places, it would have been perverse to reject that application for expansion purely on the basis that the school in question is a grammar school. The decision to approve the proposed expansion of this school was taken on the facts in this case, and it is my firm belief that we should not stand in the way of good schools being able to expand.

I realise that there has been significant interest in the outcome of this case, including from Members of the House, and I confirm that the Government have no plans to change their policy on grammar schools. We fully support the existing 163 grammar schools, and are committed to protecting them. Indeed, we want to support grammar schools that seek to extend their reach and capacity by forming multi-academy trusts and sponsoring other schools, thereby disseminating the best, most effective educational practice found in our top performing schools. Any further applications for selective schools to expand would be considered on their individual circumstances and merits, and as with the Weald of Kent, the school would need to demonstrate genuine expansion.

I hope that the shadow Education Secretary and the whole House will join me in wishing the Weald of Kent the best of luck with this expansion project that will create more places, offering more children a world-class education. I commend this statement to the House.

4.56 pm

Lucy Powell (Manchester Central) (Lab/Co-op): I thank the Secretary of State for an advance copy of her statement, and I would never be so unkind as some of her colleagues and suggest that she get back in her fish tank.

I want an excellent education for all our children, and over the past 20 years we have seen many advances towards that. However, there are currently real challenges in our schools: a chronic shortage of teachers, especially in science, technology, engineering and maths; huge pressure on places; and a widening attainment gap between the disadvantaged and their peers. Since the election we have heard little from the Secretary of State on those important issues. Instead, it is now clear that she has spent a disproportionate amount of time focused on this thorny and vexed issue. It is a shame that she did not come to the House last week to make a statement, rather than being forced to do so today.

Before I go into detail on this decision and its implications, it is worth putting on record why successive Secretaries of State for Education have not only resisted calls for new grammar schools but—as in the case of the late Margaret Thatcher—overseen their demise. Far from being the bastions of social mobility that some romanticise about, selective grammar schools have entrenched social advantage. As the Sutton Trust recently found, fewer than 3% of those attending grammar schools qualify for free school meals, compared with 18% in the communities that those schools serve. The Weald of Kent intake includes just 1.3% of pupils on free school meals, and further research shows that poorer children do far worse in selective areas. Today's grammar schools cannot deny that their selection criteria favour the privately tutored and those with the means to acquire that tuition.

The decision to allow a so-called annexe 10 miles from an existing school in a different town is what everybody knows it to be: a new school. As such it will be the first new grammar school to open in more than 50 years. It is also the first test of the School Standards and Framework Act 1998, and as such it warrants proper parliamentary scrutiny. That legislation is clear: no new state-funded grammar school can be opened. The Secretary of State has tried her very best—rather unconvincingly—to say that the decision is about the expansion of a good school, but it is already possible for existing grammar schools to expand. Changes to the school admissions code in 2012 made it easier for schools, including grammar schools, to expand. Indeed, the number of places at grammar schools has risen by 34,000 since the 1998 legislation—expanding not only in real terms but as a proportion of all school places. This is, therefore, not about expansion. It is why the Secretary of State's predecessor withstood pressure and why the Department has been locked in a legal wrangle for the past 18 months.

I wrote to the Secretary of State on Thursday, calling for her to publish the advice she has been given. I reiterate my call for her to do so today. It is vital that we understand the terms under which she feels this is permissible, given that it was previously rejected and that it sets a precedent that could allow for many, many more similar proposals. Those proposing the expansion of an existing school on an additional site

“need to ensure that the new provision is genuinely a change to an existing school and not a new school”.

Her Department has provided a list of factors to be taken into account. Will the Secretary of State set out how this proposal meets the list of factors in each and every case? She has outlined how she feels full integration

is achieved, but does she really accept that half a day a week is full integration? What is more, will she clarify that full integration includes all admissions?

The Secretary of State's decision last week will open the floodgates, and there are reports that 10 selective areas are already preparing so-called expansion plans on different sites.

The Minister for Skills (Nick Boles): Ten is a flood?

Lucy Powell: Ten areas.

Will the Secretary of State confirm that further applications are pending? Will she tell the House today what the maximum distance is for a so-called satellite site? Will she outline the advice she was given about the legal precedent and the implications this would have? What steps is she taking to ensure that all grammars are open to many more disadvantaged kids?

During the Conservative party conference, we heard the Prime Minister talk laudably about increasing social mobility, but yet again we see actions and policies going in the opposite direction. I really hope the Secretary of State will rethink this decision.

Nicky Morgan: I thank the hon. Lady for her response, because I think it is customary to do so, but talk about being greeted by the usual Labour party doom and gloom about our education system, the achievements of our pupils and the hard work of professional teachers up and down the country! It was the usual paucity of ideas from the hon. Lady and her colleagues.

The hon. Lady talks about the priority given to this matter since the application was made by the school. My job involves dealing with a lot of different issues all at the same time. *[Interruption.]* She should stop scaremongering about teacher recruitment. We are ahead on a number of key areas in relation to teacher recruitment, including primary education, but today's statement is not about that. I am sure we will deal with that, but she should not be talking down a profession that she says she aspires to represent.

The hon. Lady is absolutely wrong to say the advantage gap has increased. It has narrowed since 2010. She talks about social mobility and grammar schools. The greatest tool for social mobility we can give to any young person is a great education, and this is exactly what this expansion is all about. The admissions code, which was changed by this Government, specifically allows grammar schools to give priority to children who are eligible for the pupil premium in their admission arrangements. Half of the grammar school sector has introduced, or intends to consult on adopting, that admissions priority, and I would like more of them to go further.

This is about expanding a new school. There have been no legal wrangles. The hon. Lady will know that we do not publish legal advice given to Ministers. She ought to ask her predecessors in her own party about the publication of legal advice, if she feels so strongly about it.

We are clear about the benefits of integration. I looked in detail at the application made by the Weald of Kent to ensure that the legal criteria have been absolutely satisfied. I am satisfied that they have been.

The hon. Lady talked about floodgates. I think the Minister for Skills, my hon. Friend the Member for Grantham and Stamford (Nick Boles), got it right.

I can assure the hon. Lady that there are no applications sitting on my desk at the moment, but if she thinks that 10 is a flood she needs to go away and re-examine this issue.

Finally, "deciding on each case" means exactly that. I am not going to set down criteria; it will mean looking at individual cases that cross my desk.

Recent weeks have taught us that the Opposition are finding it difficult to outline firm policy stances on anything. The Leader of the Opposition has said:

"I would want all grammars to become comprehensives and to end the 11-plus where it still exists."

May I give the shadow Education Secretary the chance to confirm whether there will be another flip-flop, or is this in fact Labour party policy? Should grammar schools be added to academies and free schools on the list of schools at risk from the Labour party?

At the end of the day, this matter is simple. The Conservative party trusts front-line professionals to run schools and lead our education system and wants parents to have real choice over their children's school, but the Opposition do not; they do not want to see more good school places and do not believe in parental choice or high academic standards for all. We will leave them to fight the old battles, while we get on with the task of making sure that every pupil in this country has the excellent education they deserve.

Several hon. Members rose—

Mr Speaker: Order. I look forward to lively and illuminating exchanges on this important matter. *[Interruption.]* Order. The hon. Member for Ealing North (Stephen Pound) and silence are at best nodding acquaintances in leap years only. However, there has already been far too much chuntering from a sedentary position on both sides, beginning with Mr Nicholas Edward Coleridge Boles, and then followed by Opposition Front-Bench Members. I very gently and in a good spirit say to the Secretary of State that it is always a pleasure to welcome her to the House and to hear from her.

The Lord Chancellor and Secretary of State for Justice (Michael Gove): Hear, hear!

Mr Speaker: The right hon. Lady does not need chirruping from a sedentary position from the Secretary of State for Justice, but if he feels he just cannot resist, well, we will bear it stoically and with fortitude.

What the Education Secretary should not do, however, is talk about Opposition policy. I remind the House and those listening that this statement is taking place in the Chamber only because I granted an urgent question. The Prime Minister, very properly and understandably, wanting to go first, asked for permission to convert it into a statement so that she would follow him. However, it is happening only because I granted an urgent question, and I granted it to hear about Government policy, not general wittering about Opposition policy from anybody.

Mr Graham Brady (Altrincham and Sale West) (Con): My right hon. Friend knows that many of us would like her to go much further and make selective education more widely available in parts of the country where it is not already available. I am a little sad that she is not announcing that change of policy, but will she accept

[Mr Graham Brady]

that many people in parts of the country that have selective education will welcome this small but positive step to extend choice and opportunity to more children?

Nicky Morgan: I thank my hon. Friend. I always hesitate to disappoint the chairman of the 1922 committee—it is not a good place for a Secretary of State to be—but I hear what he says about the importance and popularity of selective education. I have been surprised by how many emails and messages I have received in the past few days from those who have been through the grammar school system or would like their children to do so. However, today's announcement is an important step. The basic principle is that we want every good school in this country to be able to expand, and that must include grammar schools.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I do not want to get into the tribal politics we always get into as soon as grammar schools are mentioned. [Interruption.] No, I am not going to get into it. I have a new declaration of interest to make, because I am now chair of the advisory committee of the Sutton Trust, and I will take that responsibility very seriously. I must say, however, that our education policy is a rag, tag and bobtail mess, because different Governments under different parties have made it a fragmented mess. Is it not time we got back to the spirit of the Education Act 1944 and asked, cross-party, "What are the great challenges in our country?" The great challenge is not the brightest kids but the poorest kids, who, especially in Kent, do not have a fair crack at using their talents to the full and getting good qualifications and a good job.

Mr Speaker: The hon. Gentleman should apply for an Adjournment debate, but then, on reflection, I think he has already had it.

Nicky Morgan: I congratulate the hon. Gentleman on his appointment to the Sutton Trust, which is a very important organisation doing great work, but I disagree with his remarks. The education system in this country is actually doing very well for pupils of all abilities. My task over the next few years is to extend the excellent education that many of our pupils are getting. We have seen 1 million more pupils in good and outstanding schools since 2010, but I now need to focus on the next 1 million across the country and to root out those parts of the country—I will not say which local authorities—where the education is not yet good enough, and make it so.

Tom Tugendhat (Tonbridge and Malling) (Con): The parents of Tonbridge and Sevenoaks are very grateful to my right hon. Friend for her statement, and I know that I speak not only for myself but for my right hon. Friend the Member for Sevenoaks (Michael Fallon) when I say "thank you" for expanding the number of places in an excellent school. Maureen Johnson is a fantastic headteacher who will make this work on two sites; I have great confidence in her ability and that of her team. I urge the Secretary of State to remember not only the grammar school, which does such great work, but schools such as Hillview, an academy trust in my Kent constituency in which I declare an interest as a governor, which does fantastic stuff in the arts and for

kids of all abilities. The wonderful thing about Tonbridge—and, indeed, Sevenoaks, as I know my right hon. Friend will agree—is the range of education available to parents and kids. That is exactly what the Secretary of State has allowed to happen today, for which I thank her.

Nicky Morgan: I thank my hon. Friend very much indeed. He is absolutely right to say that one of the great things in our education system now is the range of schools available, which leads to real parental choice. Parents are able to choose the right school for their children. It is right that my hon. Friend mentions Hillview, as we have some fantastic academies in Kent and elsewhere, but there is also the free school, situated alongside the expansion and satellite site.

Barry Gardiner (Brent North) (Lab): The Secretary of State said that her policy is that all "good and outstanding schools" should be able to expand to meet "the needs of parents" in their local areas. Byron Court primary school in my constituency is being forced to expand against the needs and wishes of parents in the local area. I shall not go into the details now, but will the Secretary of State meet me, parents and local residents who are desperately concerned about the state of this school's expansion programme?

Nicky Morgan: I thank the hon. Gentleman. If he can share details, I shall certainly arrange a meeting, either with me or the Schools Minister, to hear about them.

Kelly Tolhurst (Rochester and Strood) (Con): I welcome the Secretary of State's comments today. Although I am not a grammar school girl, I have some fantastic grammar schools in my constituency that are delivering for young people. Will she join me in welcoming the contribution that grammar schools have made to the improvement of underperforming schools in my constituency and across Medway?

Nicky Morgan: I thank my hon. Friend, and I remember the school visits we did together when she was first attempting to become a Member of this House—and I am delighted that she has now done so. She is absolutely right to talk about the good schools in her own constituency and the impact that high-achieving schools such as a grammar school can have on neighbouring schools. In my statement, I mentioned the role of grammar schools in multi-academy trusts, and we see examples up and down the country of how such collaboration can really drive up standards to benefit all students in a local area.

Mike Kane (Wythenshawe and Sale East) (Lab): I was a teacher at a primary school deemed outstanding and inspirational by Ofsted for 10 years. I taught in a selective borough and I spent an inordinate time consoling and counselling parents whose children did not get through to the grammar school. What provision is the Secretary of State putting in place for the majority of parents whose children will not make it to the local grammar school that she is expanding today?

Nicky Morgan: I thank the hon. Gentleman. Although I am delighted that he is a Member of this House, I suspect that the school that he left in order to come here is missing him greatly. The point is that there must be excellent schools—grammar schools, academies, free schools, maintained schools, all types of school—

everywhere in a local area, so that parents have a choice about which school to send their children. I do not want to fight the old battles; my task for the next four years is to make sure that every child has access to an excellent education everywhere across the country.

Several hon. Members *rose*—

Mr Speaker: We must hear from the Chairman of the Select Committee, Mr Neil Carmichael.

Neil Carmichael (Stroud) (Con): Thank you very much, Mr Speaker.

I welcome the statement, but does my right hon. Friend agree that the real challenge is ensuring that all children can go to a decent school, and that the real way of doing that is ensuring that good schools co-operate with less good schools to make all schools great?

Nicky Morgan: It will not surprise my hon. Friend to know that I completely agree with him. As I have said, one of the things that we are seeing in our education system now is collaboration between schools that are working to support each other, perhaps as part of formal arrangements such as multi-academy trusts or federations. Individual leaders in education—headteachers and leaders in governance—are supporting other schools and helping the whole system to get better. The last Ofsted report showed that 82% of schools in this country are good or outstanding.

Gavin Robinson (Belfast East) (DUP): It is always dangerous to admit to being a product of a grammar school in case it surprises colleagues in the Chamber. I have listened carefully to the Secretary of State, and I understand that she does not wish to see a change of policy on grammar schools. May I encourage her not to be embarrassed by a grammar school education or by the pursuit of excellence? I believe that such a change would be much more attractive than this wheeze of expansion by distance.

Nicky Morgan: It does not surprise me at all that the hon. Gentleman is a product of a grammar school education, and it is a delight to have him here. I hear what he says, but I repeat that I want to focus particularly on making sure that all our schools are excellent, offering what he described as the pursuit of excellence to all pupils and all schools in the country, rather than always focusing on some of the older battles.

Damian Green (Ashford) (Con): I assure my right hon. Friend that her decision will be welcomed not just in Sevenoaks and Tonbridge, but throughout Kent, where thousands of children and parents benefit from our excellent grammar schools. May I ask her once again to refute the false point made by the hon. Member for Huddersfield (Mr Sheerman), who seemed to cast a slur on the many excellent high schools in Kent? If she wants some evidence for that purpose, I should welcome her, and indeed him, visiting some of the excellent and improving academy high schools in my constituency, where children can receive an excellent education.

Nicky Morgan: My right hon. Friend is right. Alongside Sevenoaks is Knole Academy, which also offers an excellent education. It is a novel idea that the hon.

Member for Huddersfield (Mr Sheerman) and I might make a joint visit to Kent, but I am always up for novel ideas, so perhaps I will pursue it further.

Jess Phillips (Birmingham, Yardley) (Lab): Will the Secretary of State explain to me exactly what special educational needs provision there will be at the new annexe, and exactly how it will cater for children living in the area who have such needs? Will she perhaps take a piece of advice from my son, who has Asperger's and who is currently experiencing the transition to secondary school? We live right next to a grammar school—the one that I went to, incidentally. [*Interruption.*] It is not my fault, is it? My parents made many mistakes, and I was definitely one of them. [*Laughter.*]

I should like the Secretary of State to listen to the words of my son. When I asked him which school he wanted to go to, I also asked him if he wished to take the 11-plus. Because he has Asperger's and takes things very literally, he said to me, "Mummy, a child should pick a school, rather than a school picking a child."

Nicky Morgan: This is turning into a rather confessional hour, which I had not quite expected.

Our SEN reforms are very much about working with families, the social care system, the health system and schools to ensure that pupils go to the schools that are right for them. I understand from the answers to my questions that the school will operate the same SEN provision on both sites, but I am happy to look into that further. [*Interruption.*] I do not think that the shadow Education Secretary should cast aspersions and slurs, and suggest that because this is a grammar school, it will not care about less advantaged pupils. That would be wrong of her, and would cut across the very good question put by the hon. Member for Birmingham, Yardley (Jess Phillips).

Gareth Johnson (Dartford) (Con): As an unashamed product of a grammar school education, I think I can say that Dartford will also welcome this announcement. It has four heavily oversubscribed grammar schools next to Sevenoaks, which we hope will receive some relief from the pressures that are placed on admissions. Does the Secretary of State agree that at the heart of her proposal is the fact that it is absolutely right for good schools to be able to expand? Grammar schools make a fantastic contribution to our education system, and it is right that they, and other good schools, are able to flourish.

Nicky Morgan: I thank my hon. Friend and he is absolutely right: at the heart of our reforms is the creation of more good school places. That runs right the way through all our reforms, including the creation of free schools. Conservative Members do not believe that parents and families should just accept what they are offered regardless of whether they are happy with it. We believe they should have the ability to say no, they want to set up a new free school, perhaps, or to have a school expand, offering more good places. I am delighted to hear that the creation of these places will help ease the pressures in my hon. Friend's constituency.

Andrew Gwynne (Denton and Reddish) (Lab): In reply to my hon. Friend the Member for Wythenshawe and Sale East (Mike Kane), the Secretary of State said she wanted to see a good choice of good and excellent

[Andrew Gwynne]

schools in every area and that that list included grammar schools. She then said she did not want to fight the battles of the past. May I politely put it to her that she cannot have it both ways? If she believes grammar schools should be part of that choice for parents, does she foresee a day when she will change the rules to allow for new grammar schools?

Nicky Morgan: I think the hon. Gentleman has heard from Members on both sides of the House that there is a desire for new grammar schools, but let me be clear: this does not change policy. We do not anticipate changing the law. This is a particular case decided on in particular circumstances.

Rehman Chishti (Gillingham and Rainham) (Con): Will the Secretary of State join me in paying tribute to the outstanding Rainham Mark grammar school, which took seven forms of entry, for the third year running, to ensure local parents get the choice they need? It gives priority to the pupil premium and it is sponsoring a school in special measures, which clearly shows that it is doing its bit for social mobility. By way of a declaration, I should say I went to that grammar school, having previously been to a failing high school.

Nicky Morgan: I thank my hon. Friend. I certainly do offer my congratulations to Rainham Mark grammar school, and I particularly thank all those working in the school. I was pleased to attend the grammar school heads reception here in the Palace of Westminster last week, and say thank you to everybody working in the schools. I particularly note that that school is sponsoring a school in special measures, and I pay tribute to the work it is doing there.

Christian Matheson (City of Chester) (Lab): There is a fundamental contradiction in the Secretary of State's statement. We can either have parental choice or we can have school selection: we cannot have both. Either the school chooses or the parents choose; we cannot have both. Does this new position suggest the Secretary of State is backing away from parental choice?

Nicky Morgan: I really do not know where the hon. Gentleman is coming from. The whole point of this is that it is about parental choice. [Interruption.] Families can absolutely choose; there is no compulsion to attend a grammar school. As I have already said, Trinity free school and the Knole academy will be nearby. There will be other schools as well. There is no contradiction. We are very clear: we believe in parental choice and we believe in excellent education for all.

Sir Edward Leigh (Gainsborough) (Con): This is an important statement because a legal precedent has been set; it will be very difficult to stop any good school setting up an annexe if it can prove it can carry on the same ethos, and I would welcome that. I want to ask the Secretary of State about the funding point, however, which is much more important than one extra annexe. Because of the equalisation of funding of successful schools with large sixth forms—not just grammar schools—the funding of grammar schools has declined precipitously in relation to other schools. The best

performing grammar school in Lincolnshire gets only £3,000 per head per year whereas the worst performing comprehensive, which nobody wants to go to, gets £7,000 per head per year. This is simply not fair. I have asked the Secretary of State in Adjournment debates and in meetings to address this: will she do so?

Nicky Morgan: I thank my hon. Friend very much indeed. He will know our party gave a clear commitment in our manifesto to fairer funding, and he will also know that we are working on it. I cannot comment on anything ahead of the spending review, but we are all aware of the need to look at this and make the funding fairer, which is why we invested £390 million in this financial year and the last financial year to try to get towards a fairer funding system, but there is further work to do.

Ian Austin (Dudley North) (Lab): I do not share the Secretary of State's complacency about the quality of education being provided for most children in Britain today. What we are seeing is actually a picture of decades of entrenched mediocrity. The result of that is that we are falling down the international league table; we are now behind not only South Korea and Shanghai but Estonia, the Czech Republic and Slovakia. The top jobs in too many professions are now the preserve of the tiny number of people who have been to the best private schools and Oxbridge. We are the only country in the world in which educational outcome is determined largely by parental occupation, and the people entering the workforce are now less well qualified than those who are retiring from it. The Secretary of State should be much more ambitious for Britain's pupils and for our country. If she really wants to tackle the social mobility crisis in this country, she should look at the excellent work of the Sutton Trust and consider introducing the open access scheme to enable children from poor backgrounds in constituencies such as mine to get into 120 private schools in this country.

Nicky Morgan: I am sure that the hon. Gentleman will have an opportunity to explore some of those themes in the Select Committee. I would just point out to him that his party was in power for 13 years, during which time there was rampant grade inflation and the assisted places scheme was abolished. In addition, his party failed to introduce the pupil premium. I am delighted to hear that, from the sound of it, he is supporting our education reforms, which will raise standards. We have had five years in government so far, and we are—

Ian Austin indicated dissent.

Nicky Morgan: We are seeing standards rising, with 82% of schools now being rated good or outstanding and 1 million more children in places that are good or outstanding, but of course there is further to go. I look forward to having his support on this.

Philip Davies (Shipley) (Con): I welcome the Secretary of State's announcement, but will she explain the logic of the Government's position of defending grammar schools in leafy Tory areas and allowing them to expand while denying children in the Bradford district a similar opportunity to benefit from grammar schools?

Nicky Morgan: My position is very clear. The existing grammar schools are popular with parents, and when an application such as this is made I will consider it just as I would consider an application for any other school expansion. I am meeting one of the Bradford Members of Parliament later this week to discuss this. My task, rather than fighting other battles, is to ensure that all schools in a local area are excellent. There are some excellent schools in Bradford, but there is more to come.

Richard Fuller (Bedford) (Con): I commend my right hon. Friend for ignoring ideology and making a straightforward judgment on how she can improve the number of good school places. Does she recognise, however, that the test for this Government will be whether we provide more good schools, and good school places, in areas that have had educational underachievement and economic deprivation for a long time? Does she also recognise that, in carrying out that task, her responsibility will be to be the champion and nurturer of people who want to set up free schools? Will she rise to that challenge as strongly in the next five years as we have done over the past five years?

Nicky Morgan: I absolutely will be that champion. The latest application round for free schools has just closed, and the appetite to set up new ones remains undimmed. I have already made it clear that we now have 1 million more children in good or outstanding schools than in 2010. My task is to focus on the next million, and on those who follow them, to ensure that every child in the country has access to an excellent place. Free schools are very much a part of the answer.

John Howell (Henley) (Con): Given the confessional mood in the Chamber this afternoon, let me confess that I, too, went to a grammar school. Is not this expansion about fulfilling unmet need, and will it not therefore appeal to those parents and children who really want to get on?

Nicky Morgan: I am delighted to hear that my hon. Friend was also a grammar school boy. He is absolutely right to suggest that the request for this expansion reflects the need for more good school places in that particular area. It is also about parental choice. Those are two important criteria. I mentioned in my statement that just under 42% of the school's current intake comes from the Sevenoaks area, which is why my right hon. Friend the Member for Sevenoaks (Michael Fallon) has also welcomed this decision.

Mark Pawsey (Rugby) (Con): I very much welcome the expansion in Kent. In Rugby, we have an outstanding and heavily subscribed bilateral school, Ashlawn school, which has selective and non-selective places. It has been seeking to provide additional grammar places for some time, and I wonder whether the parents in my constituency who are seeking the best opportunities for their children might be able to take some comfort from the Secretary of State's decision.

Nicky Morgan: They can take comfort from the fact that we want to create more good school places across the country. We firmly believe in having a variety of schools and real parental choice. If my hon. Friend wants to contact me or the Schools Minister with further details, we will of course always be delighted to look at them.

Christopher Pincher (Tamworth) (Con): In welcoming my right hon. Friend's excellent statement, may I ask her to encourage good academy chains, such as the Mercia Primary Academy Trust, to expand their remit into secondary education so that we can better vertically integrate our primary and secondary schools?

Nicky Morgan: I thank my hon. Friend very much for that. I welcome the work the Mercia Primary Academy Trust does. One of the most exciting things we are seeing now is the growth of good multi-academy trusts across the country. Like him, I believe in the power of all-through schools. I visit schools where the primary and secondary are working together, and it is inspirational to watch the older pupils supporting the younger ones and for the younger ones to have the aspirational role models that the older pupils provide.

Nigel Huddleston (Mid Worcestershire) (Con): Does the Secretary of State agree that creating an environment in which our children can achieve their full potential is a core responsibility of government, and that therefore the expansion of an outstanding school must surely be welcomed by anybody sensible and signals good government?

Nicky Morgan: I thank my hon. Friend for that—he put it so beautifully. This expansion should be welcomed by anyone sensible, which presumably is why the Labour party is having difficulty with it. He is absolutely right to say that our core duty is about ensuring that every child can fulfil their potential. I am extremely conscious of that, and that is what we are all striving to ensure in the Department for Education.

Stephen Hammond (Wimbledon) (Con): This expansion will also be welcomed by anyone who is not concerned with dogma. I particularly welcome the Secretary of State's response to the question from my hon. Friend the Member for Bedford (Richard Fuller). Is it not true that if one were really concerned about raising educational standards rather than about dogma, one would see that more than half the free schools have been in areas of real disadvantage, improving the educational opportunities for children there?

Nicky Morgan: I thank my hon. Friend for that. He rightly says that more than half of the free schools set up have been in the 30% most deprived areas of our country and that I am pragmatic, not dogmatic. We should all be focused on outcomes; this is all about making sure that every child fulfils their potential and gets the great education they need, as my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) said.

Mr David Nuttall (Bury North) (Con): Can the Secretary of State explain why parents and pupils in my constituency should be denied the choice available to parents and pupils in places such as Trafford, Kent and Lincolnshire?

Nicky Morgan: The reason is historical, in the sense that, as we know, there was a change and a number of grammar schools either closed or converted. I have made it very clear that this is not about setting up new grammar schools. I visited an excellent school in my hon. Friend's constituency with him—I cannot recall its

[Nicky Morgan]

name off the top of my head, but he will remember it—and I want all pupils to have that same access to an excellent school that they have in the one he showed me.

Robert Jenrick (Newark) (Con): I represent a small market town that 800 young people leave every day to go school, many across the border in Lincolnshire, so I warmly welcome my right hon. Friend's announcement. I understand and appreciate the consequences for other schools of so many talented young people leaving the area, but who are we to challenge the views of parents when the demand is so clear, as it is in my town of Newark? May I reiterate the comment made by my hon. Friend the Member for Gainsborough (Sir Edward Leigh) that one of the barriers to "more orthodox" expansion of grammar schools is the relatively poor funding they receive? As he said, schools in Gainsborough receive as little as £4,000 per pupil whereas schools elsewhere in the country may receive £7,000, £8,000 or £9,000 per pupil. That is a major barrier to the expansion of successful grammar schools.

Nicky Morgan: I thank my hon. Friend for that, and let me agree with him on the two points he is making. First, parental choice is essential; we want all parents to have a real choice about the education that is right for their children and to have confidence in the good places that are available. Secondly, I hear what he is saying about fairer funding and I know that many other colleagues from all parts of the House make similar points.

Andrew Stephenson (Pendle) (Con): I strongly endorse my right hon. Friend's view that all good and outstanding schools should be able to expand. I was particularly delighted that in her party conference speech she praised teachers at Whitefield infant and nursery school, which is one of the four schools in Pendle to benefit from a brand new building in the past three years. Does she agree that this is about the provision of more excellent school places, not about a change in Government policy?

Nicky Morgan: I thank my hon. Friend very much for that. He is absolutely right to say that this is about the provision of more good school places, such as those on offer at Whitefield infant and nursery school. I still remember that as being one of the most enjoyable visits I have made since taking up this job, and I thank him very much for the invitation.

Wilson Doctrine

Emergency debate (Standing Order No. 24)

5.35 pm

Chris Bryant (Rhondda) (Lab): I beg to move,

That this House has considered the operation of the Wilson Doctrine.

Let me start by paying tribute to all those who have kept up sustained questioning on this topic: my hon. Friend the Member for West Bromwich East (Mr Watson), the right hon. Member for Haltemprice and Howden (Mr Davis), my hon. Friend the Member for Walsall North (Mr Winnick), the hon. Member for Wellingborough (Mr Bone) and, most importantly, the hon. Member for Brighton, Pavilion (Caroline Lucas), whose court case has brought so much new information to light. They have done the whole House and the country an invaluable service.

Until last Wednesday, it was thought that the Wilson doctrine was still in force. MPs and Members of the Lords—[*Interruption.*] I hear the Home Secretary saying that the doctrine is still in force. Well, we look forward to hearing her argument on that later on.

MPs and Members of the Lords, as well as those who communicated with them as whistleblowers, constituents and members of the wider public, thought that parliamentarians' communications were not, would not and could not be tampered with or intercepted, and that they could rely on a guarantee from the Government that that was so. That is because the doctrine was originally laid out in unambiguous terms on 17 November 1966 when Harold Wilson, the then Prime Minister, told the House that there was to be

"no tapping of the telephones of hon. Members."—[*Official Report*, 17 November 1966; Vol. 736, c. 634.]

That was our decision and that was our policy. Five days later, the Lord Privy Seal, Lord Longford, announced that the policy also applied to their lordships' House.

Despite changes of Government and advances in technology, the policy has enjoyed remarkably consistent declarations of support from Harold Wilson's successors. It was reasserted by Mrs Thatcher, who said in a written answer on 6 February 1980 that

"the policy remains as stated by the right hon. Gentleman."—[*Official Report*, 6 February 1980; Vol. 978, c. 245W.]

The right hon. Gentleman to whom she referred was Harold Wilson.

The policy was reasserted by Tony Blair in the same terms on 30 October 1997. On 4 December that year, he said that the policy

"applies in relation to telephone interception and to the use of electronic surveillance by any of the three security and intelligence agencies."—[*Official Report*, 4 December 1997; Vol. 302, c. 321.]

On 21 January 2002, he clarified:

"The policy extends to all forms of warranted interception of communications."—[*Official Report*, 21 January 2002; Vol. 378, c. 589W.]

Like Wilson, Blair made it clear that he was acting on consideration. When Sir Swinton Thomas, the then interception of communications commissioner, advised him against maintaining the Wilson doctrine in 2006, Mr Blair told the House in a written ministerial statement, after consultation in Cabinet:

"I have considered Sir Swinton's advice very seriously... I have decided that the Wilson Doctrine should be maintained."—[*Official Report*, 30 March 2006; Vol. 444, c. 96WS.]

The doctrine was also reasserted by Gordon Brown on 12 September 2007. As late as 15 July 2014, the Home Secretary stated that

“obviously the Wilson doctrine applies to parliamentarians”,
as if nothing had changed—exactly as she has done just now.

I give this history merely to point to the absolute nature of the Wilson doctrine, the categorical nature in which it has been stated to this House, and the consistency with which it has been supported, at least in public, by successive Governments, despite changing security threats and changing technology. Even after the introduction of the Regulation of Investigatory Powers Act 2000, Governments repeatedly made it clear that the Wilson doctrine remained in place—until last Wednesday, when the Investigatory Powers Tribunal revealed that a completely different regime is now in operation under this Home Secretary. From the evidence given to the tribunal, it is clear that the Wilson doctrine has been altered beyond recognition without Parliament being told and that the Wilson doctrine is, to all intents and purposes, defunct.

Harold Wilson joked that his postbag suggested that “a very high proportion of the electorate generally are under the delusion that their telephones are being tapped. This delusion spreads to hon. Members and I should say that I used to suffer from it myself at one time.”—[*Official Report*, 17 November 1966; Vol. 736, c. 636.]

He, of course, was joking, but as one who knows for certain that his phone was tapped by *The News of the World*, I say to the Government, “Do not take us for fools. We in this House are not naive. Be open and honest with the House and with the public.”

Last year, the former police officer Peter Francis said that he had seen old security files on Jack Straw, Peter Hain, Joan Ruddock, Ken Livingstone and my hon. Friends the Members for Bolsover (Mr Skinner) and for Islington North (Jeremy Corbyn), my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman) and my hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott). The Government tried to silence Peter Francis then, but it now seems that his revelations were probably just the tip of the iceberg.

Most worryingly, last week’s IPT ruling included the partial disclosure of the Government’s official guidance to the three security agencies, which includes a lengthy piece on the Wilson doctrine. The official guidance states categorically: first, that

“it is not, and has never been, Government policy that Parliamentarians’ communications may not be the subject of interception”;

secondly, that the Wilson doctrine does not apply to requests for communications data relating to parliamentarians, nor to the communications of a Member of the European Parliament or of a devolved Administration; thirdly, that parliamentarians are not exempt from bulk interceptions of communications under section 8(4) of RIPA and that any such material that relates to parliamentarians can be interrogated within MI5 and can be disclosed to an outside body; fourthly, that the Wilson doctrine protects only

“the communications of Parliamentarians in the performance of their Parliamentary and constituency duties without fear that their communications are being targeted other than exceptionally where there is a compelling reason for doing so”;

and, fifthly, that the Home Secretary can, having consulted the agencies and the Prime Minister, via the Cabinet Secretary, issue a warrant for the deliberate targeting and interception of parliamentarians’ communications.

That blatantly flies in the face of successive Prime Ministers’ statements to this House. Why would the Government need a separate warrant process for the interception of MPs’ communications if they were still abiding by the Wilson doctrine that MPs’ communications should not, could not and would not be intercepted? How can it be right that the process depends on three highly subjective judgments: first, about what constitute parliamentary and constituency duties, which is a notoriously difficult matter in determining parliamentary privilege; secondly, about what constitutes a sufficiently significant exception; and, thirdly, about what would count as a sufficiently compelling reason? How can it be right that under the Home Secretary’s new dispensation all those judgments are made solely by the Home Secretary, with one politician deciding on the targeting of another politician?

One other element of the Wilson doctrine was that the Prime Minister, “on his own initiative”—those were the then Prime Minister’s words—would notify Parliament of any change to the doctrine. No such statement has been volunteered by this Prime Minister, yet the tribunal makes it very clear that the doctrine has been changed. It states that

“changes in the Doctrine...have resulted in its operation as now described by Mrs May”.

Those words are “changes in the doctrine”. It adds:

“It is clear to us that the Wilson Doctrine as now constituted is as explained by Mrs May”

and goes on to point out that the Wilson doctrine is not in operation.

Mr Peter Bone (Wellingborough) (Con): I am grateful to the shadow Leader of the House for his explanation. We hear about changes, but could those changes have been made a very long time ago and not just by this Government?

Chris Bryant: Of course, the hon. Gentleman is absolutely right. It is perfectly possible that changes have been made previously, but we cannot judge that. All we can judge is the decision of the IPT, which has been able to review substantially more evidence than this House would ever be able to review and concluded that “changes in the Doctrine” have resulted in its operation as it is now. I suspect that it would be impossible for us ever to know whether changes were made prior to this Government taking office, but we certainly know that the doctrine as previously espoused by every Prime Minister since Wilson is not that which is in operation under the present Home Secretary. In other words, the Wilson doctrine has no legal effect. It is no longer in force. It is no more than a self-denying ordinance that could easily be rescinded and has already been ignored, all without notifying Parliament.

It is clear that the situation is unsatisfactory and I believe that it is time that the Government were straight with the House, so let me ask the Home Secretary some simple questions. What did she mean when she said that the Wilson doctrine “obviously” applies to parliamentarians? Will she now finally admit that the Wilson doctrine is no longer? Will she tell us when she resolved to change the Wilson doctrine? Was there any

[Chris Bryant]

discussion of these changes at Cabinet, as notified in the IPT judgment? Will she tell us how often warrants have been issued for the targeted interception of parliamentarians' communications? Has she issued such warrants herself, and did she have any direct correspondence with the Prime Minister about this?

Let me be clear that I am not calling for individual warrants or interceptions to be identified. It is a long-standing policy of both parties of government that we will not comment on individual applications for interception. Indeed, it is an offence under RIPA to reveal that information. Neither do we want the operational security of ongoing investigations to be undermined, but we need to know the truth about whether parliamentarians have been spied on, and on what authority that happened.

Let me end by laying out the parameters for a possible new Wilson doctrine. First, there may be situations when it is necessary for a parliamentarian's communications to be intercepted in the interests of securing the nation and preventing serious criminality. MPs cannot ever be above the law, but our democracy cannot function properly without the freedom of MPs to communicate with their constituents, whistleblowers, or the wider public without fear of interception. Just as, in the interests of a free press and a sound justice system, journalists and lawyers are granted enhanced protection from warranted surveillance, the legal presumption should be that parliamentarians are not to be targeted, nor their metadata interrogated, without good cause. That means that, as the Anderson report of the investigatory powers review, "A Question of Trust", concluded, a judge, not a politician, should make the decision on a warrant. It means that the bar for granting a warrant should be high. Agencies should be required to show due cause and specific suspicion of serious criminality.

Mr Dominic Grieve (Beaconsfield) (Con) *rose—*

Chris Bryant: Of course I give way to the former Attorney-General.

Mr Grieve: Perhaps I might intervene briefly in my position as chairman of the Intelligence and Security Committee. The hon. Gentleman will be aware that the Committee takes a close interest in privacy and security, and published a report in March. We will continue to take a close interest in these matters, particularly when the Home Office publishes the draft investigatory powers Bill. I would like to assure him that when we do so, we will look at the terms of heightened protection for certain categories of profession, such as lawyers, journalists and doctors. I expect that the Committee will consider whether additional protection should be afforded to MPs' communications in the light of what is in the draft Bill and this debate.

Chris Bryant: That was a helpful intervention. In the official guidance, due consideration is given to lawyers in regard to privileged material. Due regard, as provided for in the European convention on human rights, is given to journalists and the protection of their sources. The guidance includes doctors, but it also refers to ministers of religion, and I have some anxiety about the direction we may be taking. There is a perfectly legitimate debate to be had about what separate categories there might be. I am glad that the Committee will look at

precisely how MPs—and, I presume, other parliamentarians—will be treated in the draft Bill, which we will need plenty of time to consider. Last year, we had one day in the House to consider some of the most important matters of personal freedom and liberty, which was wholly inappropriate. The clock is ticking on the High Court ruling, which the right hon. Member for Haltemprice and Howden won earlier this year, so I hope that the Government will move speedily with their draft Bill.

Mr David Davis (Haltemprice and Howden) (Con): The shadow Leader of the House is telegraphing that the Opposition will support an amendment to the upcoming legislation to provide that protection of privilege. He should be aware that the revelations on the Wilson doctrine were preceded by serious breaches of the legal privilege protection, and—this has changed in the past decade, because I spoke to the previous Home Secretary about the matter—that intercepted communications between the legal representative and the suspect, as it were, are now recorded and given to lawyers who may prosecute that suspect. That is a serious breach of what is known as equality of arms in natural justice.

Chris Bryant: The right hon. Gentleman is correct. He does not need to intercept this communication; I am not only telegraphing, but semaphoring and using every other means of communicating to the House, that there should be a proper debate about the several categories of people that might benefit, in the interests of national security and a wider democratic interest, from a specific provision in law.

There is a separate debate to be had about whether all warrants, as Anderson suggests, should go through a judicial process anyway. In particular, the right hon. Gentleman is right that the European convention on human rights makes specific provision for legal privilege so that lawyers are able to guarantee a fair and proper hearing for a defendant, but that has been breached in the past. Moreover, if we want to guarantee a free press, there must be provisions for journalists.

We cannot have a proper debate, however, unless draft legislation is produced in sufficient time for the House to be able to consider all the issues in the round before the process of tabling amendments begins. I very much hope that the Home Secretary will come forward early and not leave things to the very last minute, as she did last year.

Secondly, it is time that we abandoned our reliance on the doctrine in favour of statute law. Apparent ambiguities in the Wilson doctrine need to be clarified. A sensible course needs to be drawn that guarantees the independence of Parliament, but ensures our national security. We argue that this can be done only through legislation and we stand ready to work with the Home Secretary on this. As I said, she has to come back by the end of March with a new Bill to replace the Data Retention and Investigatory Powers Act 2014, given the High Court ruling, but I earnestly hope that she will introduce new draft legislation in the forthcoming weeks.

Thirdly, it is our contention that the new legislation should apply to all parliamentarians: Members of the House of Commons; Members of the House of Lords, although not necessarily all peers; Members of the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly; and UK Members of the European Parliament, although obviously not all Members of the European Parliament.

Lady Hermon (North Down) (Ind): Will the shadow Leader of the House clarify whether he includes in that list Members of the House who do not take their seats—the absentee Sinn Féin MPs from Northern Ireland? Does he expect the new legislative exemption to apply to them?

Chris Bryant: There is a legitimate debate to be had about how that should operate. I am not arguing that any MP should be above the law or that there should be a blanket ban on any interception ever of the communications of Members of Parliament. I am arguing that in a new era we need a rational approach that involves judicial oversight, rather than political oversight, of warrants to make sure that the country is defended, but with the rights of constituents who approach a Member of Parliament protected, too. It is perfectly easy to draw that distinction. If a Member of Parliament is engaged in criminality, they should face the full force of the law—they should not be able to evade it. I hope that that clarifies the matter for the hon. Lady.

I believe that parliamentarians had a legitimate expectation that the doctrine provided an absolute guarantee. It has been stated and restated, and iterated and reiterated in this House without qualification. I note that the Government's lawyer argued at the tribunal that the original statement of the doctrine was ambiguous because it was

“a political statement in a political context”.

I do not suppose that all of us think a political statement is of necessity ambiguous, but I am not sure how much less ambiguous a statement Harold Wilson could have made. He expressly stated that he had considered the issue; he admitted that there were opposing views; he referred to a previous report from Privy Counsellors that had recommended a different course of action; and he said that he had changed the policy and that if he were to change it again, he would tell the House. He left himself remarkably little wriggle room, and each succeeding Prime Minister relied on exactly the same formulation.

There will be those who think that the Government should be able to intercept MPs' communications at will, saying that if we have nothing to hide, we have nothing to fear. However, I urge Conservative Members who think like that to consider two different courses of action that this country has taken in the past. In the first world war, the rule was that MPs' correspondence could not be intercepted, even from the front. Thanks to that rule, the uncensored letters of Major Harold Cawley MP from Gallipoli to his father, who was a Member of the House of Lords, led to the Dardanelles commission that enabled the world to know the truth, which in turn led to many thousands of lives being saved. Without that provision, there would have been no means of our knowing the truth of what happened in Gallipoli.

By contrast, in the late 1930s, the Chamberlain Government tapped the phones of many of the Conservative MPs who were campaigning for an end to Chamberlain's policy of appeasement, including Churchill and Eden's friends and allies. Three of them died in the second world war and have their shields up on the wall. Fortunately, they were brave souls and refused to be intimidated by such practices in the 1930s.

The truth is that the security of this country has always been better served when the power of the Executive, especially the secret power of the Executive, is curbed

and kept under check by Parliament. That requires openness and transparency from the Government. I am therefore asking the Home Secretary to do two simple things: first, to come back to the House with a proposal for putting a new doctrine with independent judicial approval into law; and secondly, to reveal whether, when and how often parliamentarians' communications have been targeted and intercepted under warrant.

5.56 pm

The Secretary of State for the Home Department (Mrs Theresa May): I recognise that there has been much lively interest from Members of this House on the matter of the Wilson doctrine, and I welcome the debate and congratulate the hon. Member for Rhondda (Chris Bryant) on securing it.

It is right that the House should be debating this important issue, touching as it does on the ability of hon. Members to do their duty as Members of Parliament, the need to protect civil liberties and, just as important, the need to protect national security and to keep our constituents safe from harm. As the hon. Gentleman set out, and as the House is aware, the doctrine refers to the general policy outlined on 17 November 1966 in this House by the then Prime Minister, Harold Wilson. The policy has become known as the Wilson doctrine.

It is important to quote exactly what Lord Wilson of Rievaulx, as he was to become, stated. In the opening section of his speech, the hon. Member for Rhondda (Chris Bryant) quoted only the beginning of the statement. Harold Wilson said

“that I should give this instruction that there was to be no tapping of the telephones of Members of Parliament. That was our decision and that is our policy. But if there was any development of a kind which required a change in the general policy, I would, at such moment as seemed compatible with the security of the country, on my own initiative make a statement in the House about it.”—[*Official Report*, 17 November 1966; Vol. 736, c. 639.]

Since that time successive Prime Ministers have been asked questions in this House in relation to the Wilson doctrine, and successive Prime Ministers have confirmed that the doctrine continues to apply. That position remains unchanged, as the Prime Minister himself has confirmed in this House on a number of occasions.

Although it is clear that the Wilson doctrine continues to apply, I understand the significant interest of the House following the judgment given last week by the Investigatory Powers Tribunal in the case brought by the hon. Member for Brighton, Pavilion (Caroline Lucas), her noble Friend, Baroness Jones of Moulsecoomb, and a former Member of this House, George Galloway. I hope it will be helpful if I set out for the benefit of the House the Government's position in relation to that judgment. Indeed, I believe there have been a number of misconceptions about the judgment that the Investigatory Powers Tribunal has made and I welcome the opportunity to set the record straight.

Let me begin by saying that it is important to note that the Investigatory Powers Tribunal found against the claimants in all respects. It agreed with the Government's interpretation of the Wilson doctrine. The position therefore remains unchanged and—I stress this—the protection for MPs' communications which the doctrine offers remains unchanged. However, it seems that there has been an element of confusion about what the Wilson doctrine actually means. On that, let me say first that it

[Mrs Theresa May]

cannot be the case that MPs can never be the subject of interception. Members of this House are not above the law or beyond the scope of investigatory powers. I hope that the whole House will understand this important point. From the nods from a sedentary position, I understand that hon. Members accept that.

Chris Bryant: I said that.

Mrs May: I am grateful to the hon. Gentleman for reminding us of that, but he also interpreted the Wilson doctrine as meaning that there would never be any interception of Members of Parliaments' communications. That was not what the Wilson doctrine said, and it has not been the position. Indeed, last week's judgment from the IPT quoted a statement that I made last year in response to an intervention from the current deputy Leader of the Opposition, the hon. Member for West Bromwich East (Mr Watson). It might be helpful if, for the benefit of the House, I repeat what I said:

"Obviously, the Wilson doctrine applies to parliamentarians. It does not absolutely exclude the use of these powers against parliamentarians, but it sets certain requirements for those powers to be used in relation to a parliamentarian. It is not the case that parliamentarians are excluded and nobody else in the country is, but there is a certain set of rules and protocols that have to be met if there is a requirement to use any of these powers against a parliamentarian".—[*Official Report*, 15 July 2014; Vol. 584, c. 713.]

Mr Kenneth Clarke (Rushcliffe) (Con): I have gained the impression so far that we are all agreed that parliamentarians are not above the law, and if there is reasonable suspicion of serious criminality or a threat to national security then they should have their communications intercepted. I think we are also all agreed that powers should not be used to intercept parliamentarians' communications to find the source of whistleblowing leaks or to see what their tactics are going to be when criticising Government errors or whatever it happens to be. Will the Home Secretary get rid of the whole problem by agreeing that she will eventually bring forward a form of the Wilson doctrine in the Bill that she is about to produce? Then the status of the doctrine can be debated properly and clarified, and I think she will find that there is not a very wide range of views about what it should and should not apply to.

Mrs May: I am grateful to my right hon. and learned Friend. He sets out exactly why it is important that there is a high threshold for decisions in relation to Members of Parliament, as in relation to certain other categories of individual. As he said, we will be bringing forward the investigatory powers Bill. In response to the hon. Member for Rhondda, it will not simply be introduced and then immediately debated in this House because it will be subject to consideration by a Joint Scrutiny Committee of both Houses of Parliament before it comes to this Chamber and the other Chamber for consideration in the normal way. We will look at the issue of safeguards in relation to the Bill; I can give my right hon. and learned Friend that guarantee.

Andrew Gwynne (Denton and Reddish) (Lab): Following on from the comments of the right hon. and learned Member for Rushcliffe (Mr Clarke), does the Home Secretary view it as desirable to have judicial oversight of any decision to intercept Members of Parliaments' correspondence and communications?

Mrs May: As the hon. Gentleman knows full well, all three reviews of investigatory powers that have taken place came out with a different solution on the oversight and decisions authorisation process for warrants. This is still under consideration, but when the draft Bill is published he will be able to see what the Government have decided.

Chris Bryant: At the beginning of her speech, the Home Secretary chastised me for not reading out the whole of Harold Wilson's comments and read out the lines where he continued that

"if there was any development of a kind which required a change in the general policy, I would, at such moment as seemed compatible with the security of the country, on my own initiative make a statement in the House about it."—[*Official Report*, 17 November 1966; Vol. 736, c. 639.]

She seemed to be suggesting that there has been a change but she does not want to tell us about it because it is not compatible with national security. Is that really what she is saying?

Mrs May: The point I am making is about the interpretation of the Wilson doctrine that the hon. Gentleman set out at the beginning of his speech—that is, that there absolutely would not be, and never could be, any interception of communications of Members of Parliament. That is not the correct interpretation of the Wilson doctrine, as the statement from Lord Wilson of Rievaulx makes very clear.

Tom Pursglove (Corby) (Con): As part of the consideration of the Bill, might it be worth thinking about introducing a triple lock that would involve the Home Secretary, a judge and the Speaker of the House of Commons having to sign a warrant in order to try to give greater comfort to Members?

Mrs May: My hon. Friend makes an interesting suggestion; he might see the interest that is being shown by Members. One of the three reviews that took place—the Royal United Services Institute review—suggested a hybrid solution with not just Secretary of State authorisation or judicial authorisation but a mixture of the two. As I said, when the draft Bill comes out Members will be able to see what the Government have decided to do in relation to that.

Mr Bone: I follow the line that the shadow Leader of the House took. When I heard what the Home Secretary said, my conclusion was that over the years a number of Prime Ministers have authorised the interception of Members' telephone calls and decided that it was not in the national interest to reveal that, which would keep it completely within the Wilson doctrine. Am I right in thinking that?

Mrs May: We never speak about whether a particular interception has taken place; indeed, there is a RIPA requirement in relation to that. Lord Wilson said that if there was a change and it was not compatible with national security to bring that change to the House, then it would not be brought to the House, but if it was compatible with national security to bring it to the House, then it would be.

The Wilson doctrine set out by Lord Wilson of Rievaulx has remained in place, and the Investigatory Powers Tribunal identified it as remaining in place.

The tribunal confirmed that it continued to apply in respect of targeted interceptions of parliamentarians' communications. It said that the agencies must comply with the relevant RIPA codes of practice and its own guidance. That guidance makes it clear that if it were proposed to obtain a warrant to target a parliamentarian's communications, the Prime Minister must be consulted, exactly as the Wilson doctrine originally set out, and accordingly prime ministerial oversight remains in place.

The judgment also considered interception under section 8(4) of RIPA, which relates to external interception, also called bulk interception. The tribunal found that at the point of collection of such material the Wilson doctrine could not sensibly apply because the material is not in any way examined at that point. However, the judgment confirmed that for the examination of any material that has been collected, the spirit of the Wilson doctrine continues to apply.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I am intrigued by the use of the term "the spirit of the Wilson doctrine", because we have a very different constitutional architecture now than we had at the point when the doctrine was first promulgated. Will the Home Secretary clarify the position with regard to parliamentarians not in this House or the other place but in the other Parliaments and legislative Assemblies that are now part of the United Kingdom?

Mrs May: Yes, I am happy to do that. The position was set out in in this House in 2008 by a former Home Secretary, Jacqui Smith, who said that the doctrine did not apply outside Parliament. The draft interception of communications code of practice says:

"Particular consideration"

must

"be given in cases where the subject...might reasonably assume a high degree of privacy, or where confidential information is involved."

It refers to Members of Parliament and includes Members of Parliament from the European Parliament and the devolved Administrations. We will be giving further consideration to this matter.

Mr Carmichael: Surely if the spirit of the Wilson doctrine is to be observed then it should apply to parliamentarians whether here or in one of the devolved Administrations.

Mrs May: As I said, we are giving further consideration to the matter.

Lady Hermon *rose—*

Mrs May: If the hon. Lady will forgive me, I need to make some progress, because this is a time-limited debate and I am sure that a number of Back Benchers wish to speak. She may catch my eye further on in my speech.

I want to turn to the question of legality. Some concern has been expressed about the legal effect of the doctrine, and it is right that these matters should be debated. As I am sure the House is aware, the tribunal found that the Wilson doctrine was a political statement and, as such, has no legal effect. Perhaps that is not surprising because it has not been put into any Act passed by this House. The tribunal was also clear that the security and intelligence agencies must comply with—

and, indeed, are bound by—the draft interception code of practice published in February 2015, which I have just referred to, and their own internal policies on the doctrine, which I have just described.

In addition, Members should be clear that there is no absolute exemption when a serious criminal or terrorist is the target of an interception warrant and communicates with his or her Member of Parliament. I am sure the House will appreciate that it cannot be the case that those communicating with parliamentarians should be above the law simply as a result of the act of speaking to a Member of Parliament. If a terrorist or a serious criminal contacts an MP, it cannot be the case that they are considered beyond the scope of investigatory powers; but, of course, in such circumstances additional safeguards will apply. The draft interception code of practice is clear that particular consideration should be given where communications between a Member of Parliament and another person may be involved.

That consideration also applies in other cases where the subject of the interception might reasonably assume a high degree of privacy or where confidential information is involved. That includes where the communication relates to legally privileged material; where confidential journalistic material may be involved; and where interception might involve communications between a medical professional or a minister of religion and an individual relating to the latter's health or spiritual welfare. The code sets out the additional safeguards that apply in those circumstances, just as it does for MPs' communication with their constituents.

As I have already indicated, the judgment of the tribunal bears close reading. The Government are, of course, considering it very carefully. As I said in response to my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), the Government propose publishing a draft Bill on investigatory powers very shortly and we will be looking at further safeguards in the Bill.

Lady Hermon: I am genuinely grateful to the Home Secretary for giving way. Could she clarify a small but interesting point relating to her comment about the devolved institutions? A number of Members from many parties also sat in the Northern Ireland Assembly—it was not popular with the public, but they held a dual mandate—so if the Wilson doctrine did not apply to Members of the Assembly, was that just set aside because they were also MPs? Which prevailed—their membership of the Northern Ireland Assembly or their membership of this House?

Mrs May: The hon. Lady has identified a conundrum, which perhaps makes it all the more significant that we look at the issue in due course.

I reiterate that the protection offered by the doctrine remains in force and nothing in the Investigatory Powers Tribunal ruling changes that position. These are serious matters that touch on the wider debate about the right balance between privacy and national security.

Chris Bryant: I am terribly sorry to be so irritating to the Home Secretary, but she said that the protection still applies to parliamentarians. Precisely what is the protection afforded to parliamentarians by the Wilson doctrine?

Mrs May: The hon. Gentleman himself made reference to the Wilson doctrine and I have read out what Lord Wilson said. I am perfectly happy to do so again. He said that

“I should give this instruction that there was to be no tapping of the telephones of Members of Parliament. That was our decision and that is our policy. But if there was any development of a kind which required a change in the general policy, I would, at such moment as seemed compatible with the security of the country, on my own initiative make a statement in the House about it.”—[*Official Report*, 17 November 1966; Vol. 736, c. 639.]

I have also alluded to other safeguards as a result of the change—

Chris Bryant: The change?

Mrs May: Yes, I am going to use the word “change”. The legislative framework in which these matters are dealt with has changed over the years—more than once, I suspect, but most recently in 2000, with the introduction of RIPA, which contained a number of safeguards in relation to these matters. As I have indicated, and as the IPT repeated, the draft code, which was published in February 2015, makes very clear that particular care has to be taken if it is proposed that certain communications of certain categories of people should be intercepted.

These matters touch on the wider debate about the balance between privacy and national security, and the first duty of a Government is to protect their citizens. I have repeatedly stated my determination to ensure that the police and security agencies have the powers, support and capabilities they need to keep us safe.

In recent years, however, we have seen many wild and inaccurate allegations about the extent of surveillance carried out by the agencies, the legality of the intelligence agencies’ actions and the effectiveness of the oversight of their actions. Recently, three independent reviews have considered the investigatory powers used by the police and security agencies.

In March, the Intelligence and Security Committee published its “Privacy and Security” report, which set out a comprehensive review of the intelligence agencies’ capabilities and the legal and privacy frameworks that govern their use. In June, David Anderson published his report on the operation and regulation of law enforcement and agency investigatory powers, with specific reference to the interception of communications and the separate issue of communications data. This summer, a panel co-ordinated by the Royal United Services Institute and established by the former Deputy Prime Minister, the right hon. Member for Sheffield, Hallam (Mr Clegg), reported on the legality, effectiveness and privacy implications of the UK’s surveillance programmes and assessed how law enforcement and intelligence capability can be maintained in the face of technological change.

Mr David Winnick (Walsall North) (Lab): What the Home Secretary quoted from Harold Wilson’s response to a question from Tom Driberg was, of course, correct, but he also said, in the same answer:

“I am aware of all the considerations which I had to take into account and I felt that it was right to lay down the policy of no tapping of the telephones of Members of Parliament.”—[*Official Report*, 17 November 1966; Vol. 736, c. 639.]

Surely the point is that neither he nor successive Prime Ministers—nor, indeed, Ministers in any other Department—have made a statement changing what was said by Lord Wilson.

Mrs May: The hon. Gentleman refers to Lord Wilson’s statement, from which I correctly quoted with regard to changes.

The three reviews represent a substantial independent review of the frameworks and oversight governing the use of investigatory powers. As the three reports make clear, the use of investigatory powers by the police and the security and intelligence agencies is absolutely vital for national security, in the fight against crime, and if we are to protect the people of this country from harm.

In addition to those reports, I today welcome the fact that the Investigatory Powers Tribunal found no suggestion of improper activity by our security and intelligence agencies. I am pleased to say, once again, that an independent tribunal has declared their activity lawful, and I am grateful for this opportunity to put on record our gratitude to the men and women who, necessarily out of the limelight, do so much to keep the people of this country safe.

The Wilson doctrine recognises the special nature of parliamentary communications and affords parliamentarians important protections. However, as I have said, it can never be the case that MPs can consider themselves above the law. That is a position I hope the whole House can well understand. It is right and proper that we are discussing these issues today, and I look forward to hearing the remaining contributions to this debate.

6.18 pm

Joanna Cherry (Edinburgh South West) (SNP): May I begin by echoing the tribute paid to those Members who have harried the Government on this issue in recent years? It is important to remind ourselves of why we are having this debate. It is because four recent events have called into question the nature and scope of the Wilson doctrine and, indeed, whether it is in any way meaningful.

First, the submissions made on behalf of the Government to the Investigatory Powers Tribunal in the case brought by the hon. Member for Brighton, Pavilion (Caroline Lucas) appeared to attempt to undermine the Wilson doctrine and to suggest that it was impossible to have it in the modern age, given the existence of the mass trawling of data.

Secondly, the content of last week’s IPT ruling seemed to be to the effect that the Wilson doctrine has no legal force and is just an ambiguous political statement. We are looking for clarification of that ambiguity.

Thirdly—this is very important from the perspective of Scottish MPs and, indeed, MPs from other areas with devolved Administrations—during the IPT hearing, official and hitherto undisclosed guidance that entered the public domain appeared to show that a change of policy regarding the scope of the Wilson doctrine had occurred around about 2014.

Fourthly, we are having this debate because of the Home Secretary’s comments last July, during a debate on the Data Retention and Investigatory Powers Bill, in response to a question from the hon. Member for West

Bromwich East (Mr Watson), who is now the deputy leader of the Labour party. It seems to me that many of us agree that that was the first time the Wilson doctrine had been described on the Floor of the House in caveated terms. The right hon. and learned Member for Rushcliffe (Mr Clarke) has rightly drawn to our attention the fact that while we may not all disagree about what the Wilson doctrine should actually say, we need to know what the Government think it says.

In July 2014, the Home Secretary talked about certain rules and protocols that would enable interference with parliamentarians' communications, but she did not say what they were. Instead of explicitly notifying Parliament that the Wilson doctrine was being in any way redefined, the Home Secretary simply presented her comments as a restatement of the original doctrine. However, as other Members have said, previous Prime Ministers, from Harold Wilson in 1966 to Gordon Brown in 2007, had not stated the doctrine with any such caveats. It is interesting and important to remember that, in paragraph 11 of the judgment, the IPT said it was satisfied that what the Home Secretary was referring to in Parliament in July 2014 was the contents of the official guidance to the security services, which we know had changed.

We are having this debate because it is not acceptable for the Executive unilaterally to abandon or modify such a doctrine without explicitly saying that that is what they are doing and informing Parliament. The removal of the protection given by the doctrine or its modification should not occur without any consultation or democratic scrutiny. The Chamber requires from the Government straight answers on their view of the nature and scope of the Wilson doctrine. There needs to be no more prevaricating. There is considerable discontent across the House. The Government should be in no doubt that there will be growing support for the early-day motion tabled by a cross-party contingent over the coming weeks. They need to take this issue very seriously.

If we look at statements by previous Prime Ministers, we can see that they were unambiguous about the doctrine's existence, nature and extent, despite the fact that there was sometimes pressure from those who argued against the absolute nature of the doctrine. I believe that such pressure was brought to bear on Tony Blair when he was Prime Minister, and he resisted it. The right hon. Member for Haltemprice and Howden (Mr Davis) has repeatedly reminded us that, in 2011, the present Prime Minister confirmed to the House that the Wilson doctrine was still in force. However, since the Home Secretary's comments last July, hon. Members, including the right hon. Gentleman, have repeatedly sought clarification from the Prime Minister and the Home Secretary without success.

As the first Scottish MP to speak in this debate, I must address an important matter that emerged from the IPT hearing. It emerged that the most recent versions of the operational notes to the security services seem to exclude Members of the Scottish Parliament, the other devolved Assemblies and the European Parliament from any protection by the Wilson doctrine. That appears to be in contrast to versions of the same operational notes that appeared before 2014. SNP Members cannot imagine what event in 2014 could have provoked such a renewed interest in the activities of Members of the Scottish Parliament.

I hear the Home Secretary's point about the discrepancy between what Jacqui Smith said when she was Home Secretary and the code of practice. However, we need to know why the code of practice and the official guidance seems, at least during some period before 2014, to have encompassed parliamentarians in the Scottish Parliament, the other devolved Assemblies and the European Parliament, but were subsequently changed. We need the Government to tell us what is going on. When the Wilson doctrine was first enunciated, there was no Scottish Parliament, other devolved Assemblies or European Parliament—[*Interruption.*] As my hon. Friend the Member for West Dunbartonshire (Martin John Docherty) says, some people might like to return to that position, but that is highly unlikely.

We need to know why there has been a change in practice in relation to other parliamentarians in this country. The First Minister of Scotland wrote to the Prime Minister on 24 July seeking urgent clarification about this apparent change of policy, but two and a half months later she has still not received a reply. Liberty's legal director James Welch has commented that removing the protection from the Scottish Parliament shows

“an arrogant lack of respect for democratic institutions”.

It might be said that such an arrogant lack of respect for the Scottish Parliament is often felt by SNP Members and Scottish parliamentarians.

I understand the Prime Minister to have said that there is supposed to be a respect agenda in relation to the Scottish Parliament. We need to know why the intelligence services and this Government think the Scottish Parliament is less of a Parliament or less deserving of such protection. Do they think Scots deserve less protection of their privacy when communicating with their MSPs than with their Westminster counterparts? As the hon. Member for Rhondda (Chris Bryant) asked, why should unelected peers of the realm enjoy greater protection than elected Members of the Scottish Parliament? Unlike Members of the House of Lords, Members of the Scottish Parliament and of the other devolved Assemblies have constituents' interests to serve and protect. If there is a matter of principle about protecting communications between constituents and those who represent them, it should apply to all parliamentarians.

I want to stress that insisting on proper protection for the communications of parliamentarians with others is special pleading not on behalf of parliamentarians, but on behalf of the constituents, whistleblowers and campaigners who communicate with them. When people contact parliamentarians they are often in a vulnerable position—for example, somebody in a big Government body or a big corporate entity who wishes to blow the whistle on some official scandal. Yes, hon. Members of the House, the Scottish Parliament, the other devolved Assemblies and the European Parliament also have to be protected from intimidation or oversight by the Government so that they can help such sometimes vulnerable people and do their jobs without fear or favour.

What is to be done? The draft investigatory powers Bill to be brought forward in the autumn is an opportunity to refine the law to protect civil liberties and set minimum protections and safeguards across the board and, I suggest, for communications between parliamentarians and constituents. I very much welcome the Home Secretary's statement that she will give further consideration to the

[*Joanna Cherry*]

position of parliamentarians in the Scottish Parliament and the other devolved Assemblies. I echo the call made by other hon. Members that there must be sufficient time to consider the Bill, but I am reasonably hopeful that we will be given sufficient time, because the Home Secretary has said that a draft Bill will be brought before the House.

Chris Bryant: I urge the hon. and learned Lady not to be too confident. Last time we had to pass such legislation, we had to pass the whole lot in a single day. We had to suspend all the normal processes in the House to take through the Bill in a single day.

Joanna Cherry: I was not in the House at that time, but I watched it on the television. I am aware of that, but I am giving the Home Secretary the benefit of the doubt, because she has indicated that it will be a draft investigatory powers Bill.

Mrs May: I am grateful to the hon. and learned Lady for giving me an opportunity to restate what I actually said earlier in response to a comment by the hon. Member for Rhondda (Chris Bryant). We are committed to and will shortly bring forward a draft investigatory powers Bill, which will be available for scrutiny by a Joint Committee of both Houses of Parliament. The expectation is that it will report sometime in the new year, with a view to our introducing the Bill for its passage through Parliament. The aim is to make it a carry-over Bill, with a deadline of December 2016.

Joanna Cherry: I am very grateful to the Home Secretary for confirming that. I fully understand the concerns of those who were Members of the previous Parliament. If things were to be done in such a manner again, there would clearly be an enormous public outcry.

Lady Hermon: The Home Secretary has given a very interesting response to the hon. and learned Lady. Indeed, all the responses have been very interesting. Speaking as a Member from Northern Ireland, it is a growing concern that representatives from the devolved regions, particularly from Northern Ireland, have not been welcomed on to Standing Committees. I urge the hon. and learned Lady to insist that the Joint Committee that considers the draft Bill includes representatives of the devolved regions from this House.

Joanna Cherry: As a novice parliamentarian, I am not sure of the propriety of such a proposal. If the House would find it acceptable, I would endorse the hon. Lady's suggestion enthusiastically. If the draft investigatory powers Bill encompasses a clause that impacts on any sort of privilege for the Scottish Parliament or the devolved Assemblies, it is crucial that there is consultation with those Administrations.

Lady Hermon: Last week, we looked at the Immigration Bill, which rightly extends to the whole of Northern Ireland. Unfortunately, it appears that no Member from Northern Ireland will be on the Standing Committee. Given that the matter we are discussing today is of such importance, it would be very helpful to have an MP from Northern Ireland on the Joint Committee. I am not saying which party they should be from, but there should be a representative from the region.

Joanna Cherry: I feel the hon. Lady's pain. At present, it appears that the Standing Committee that will consider the repeal of the Human Rights Act will not contain a representative from Scotland. My party has taken up that matter. I very much endorse the spirit of the hon. Lady's comments. There must be full and proper consultation with the Scottish Parliament and the other devolved Assemblies in relation to any legislative proposal about privilege for parliamentarians' communications.

I am coming to the end of my comments and am conscious of the time. In my respectful submission—I stress the word “respectful”—there should be a strong legislative presumption in the forthcoming Bill against interception and other forms of surveillance in respect of parliamentarians. That presumption may be rebutted, but only on the basis of a clear and specific suspicion that a particular parliamentarian's communications contain evidence of serious criminality or in truly exceptional circumstances, such as where national security is involved. The protection should extend to all parliamentarians, as I have said. The legislation should require independent judicial approval for any surveillance of a parliamentarian or interception of their communications.

Given the constraints of time, I will leave it to others to deal with whether the Wilson doctrine applies to metadata, such as numbers, email addresses, times and locations, as opposed to the contents of communications. However, I will say that metadata may often be all that is needed to understand the nature of a communication, for example that it is from a whistleblower. At present, the interception of metadata does not require a warrant. In my respectful submission, it should do in the circumstances that we are discussing.

Finally, the suspicionless surveillance of parliamentarians and the wider public is contrary to a democracy governed by the rule of law. Intrusive surveillance must always be targeted and proportional.

6.33 pm

Mr David Davis (Haltemprice and Howden) (Con): Before I start on the substantive argument, which is fairly simple, I will say one thing to the House. Those who are interested in this matter should look not just at the judgment that was handed down by the Investigatory Powers Tribunal, but at the transcript of the hearing.

I attended part of the public session. It was an illuminating process and did not necessarily give one much confidence. As the House will know, I have been involved in this subject for many years and am loth to criticise courts, but I was not impressed by the IPT's understanding of the technology that is available to the agencies to enable them to sift and limit the damage that is done by their intrusion of privacy. To me, that seemed rather important.

Secondly, it is apparent that the ruling means something very specific. It means that the inquiry that was brought by Baroness Jones, George Galloway and the hon. Member for Brighton, Pavilion (Caroline Lucas) is very unlikely to receive an answer because if something is not illegal, they will not be told about it. That is the rule. The hon. Lady will not be told whether something has happened. She will be told only if something illegal has been done. One of the outcomes of this situation is that it will prevent her or any of the complainants getting an answer.

James Eadie, the very skilful lawyer who argued on behalf of the Government, made the point that the Wilson doctrine has no legal basis whatever, is not practical—that is why the tribunal’s lack of understanding was very important—and, therefore, is not binding on the agencies. That is a really serious finding. He spent the best part of two days in incredibly convoluted argument. The only inference that I can draw from the incredible effort he put into getting this outcome is that they had something to hide and that what was happening in secret was a statement that the hon. Member for Brighton, Pavilion or one of the other two complainants had been intercepted.

In the course of the exchanges with the judges, James Eadie was very illuminating on the attitude to this matter. He said, in effect, that if the Prime Minister had come to the House and explained the truth of the matter, post-RIPA, he would have been committing an “act of political hara-kiri, or something quite close to it.” That was the attitude of the tribunal to the Wilson doctrine.

Mark Field (Cities of London and Westminster) (Con): I accept what my right hon. Friend has said, but is not one concern that the Wilson doctrine is 50 years old? It was written in a very different world, before the internet. He has drawn various conclusions from what was said, such as that the Government had something to hide. It might simply have been that the Government recognised that the legislative process, which we are updating, was not fit for the purpose of a modern-day Wilson doctrine.

Mr Davis: I take my right hon. Friend’s point, but that is why I urged Members to read the transcript. What I said is very apparent from the transcript. He is, of course, right that there has been a huge transformation. Metadata, which I will come back to later, simply did not exist in their current form in Wilson’s day. Many of the things that are now available, including email, did not exist in his day. A whole series of things that we all assumed had been swept up in the Wilson doctrine have not been swept up in the Wilson doctrine. That is why the Home Secretary’s case that it is the same as what was enunciated by Harold Wilson all those years ago is simply not tenable. I will come back to that point, too.

Members will notice that the Press Gallery is nearly empty. Over the past week or so, the newspapers have been very derogatory about this case and the argument that we are putting. They say, “Why should MPs be treated any differently from anybody else?” Those, by the way, are the very same newspapers that were in an uproar of anger about the fact that somebody had checked out the metadata of one of their journalist’s telephones. Perhaps they were right in that, but it is an odd dichotomy.

Dr Andrew Murrison (South West Wiltshire) (Con): What does my right hon. Friend think the deputy leader of the Labour party will think about the stance that has been taken by the shadow Leader of the House, given that the deputy leader of the Labour party is making a career out of exposing the alleged wrongdoings of Members of this House and the other place? Presumably that would be made much more difficult were we exempted from the investigatory instruments that are available to the agencies.

Mr Davis: My hon. Friend tempts me, but the inwardness of the Labour party is far above my pay grade. I will stick to the substance of the issue before us.

Chris Bryant: I can confirm that the deputy leader of the Labour party is perfectly content with the policy that we are arguing for. Indeed, he is the person who got the Home Secretary to confirm for the first time that she had changed the Wilson doctrine.

Mr Davis: I will return to the subject of the debate.

The simple answer to those journalists, commentators and editors who think that this is about the House getting above itself, or that in some sense it is not important, is simple: we should not tolerate the Government intercepting or interfering in any way with any of our communications—there is one tiny exception that I shall return to—because MPs are the people who are charged with holding the Government to account. We forget this line from time to time in the sort of schoolboy antics that pass for the reporting of Parliament in this day and age, but we are the ones who hold the Government to account. In doing so, we deal with campaigners, journalists, whistleblowers, other MPs and, of course, our constituents. The text of the judgment states that the only protected component is our constituents, and although they are incredibly important, in some ways they are the least salient of the components that we deal with.

The Home Secretary, quite properly, reminds the House of the demands of national security. She is right to do that because 58 people have died owing to terrorism within the United Kingdom since 2000, and the figure is about 90 if we include those in Tunisia and elsewhere. Security is a serious issue, but so are matters that are brought to our attention by whistleblowers. Mid Staffs occurred because whistleblowers were suppressed or ignored—the same effect that we get by diluting the Wilson doctrine. How many people died unnecessarily at Mid Staffs? It was 1,200. We must not forget that whistleblowers are incredibly important and they would, or will, be suppressed by what is seen as the demise of the Wilson doctrine.

Let us consider the possible cases. A police officer calls an MP about corruption, but he might be intercepted by other police officers. A prisoner calls his MP about ill treatment in prison, but he might be intercepted and recorded by other prison officers. A tax official calls the Chair of the Public Accounts Committee about sweetheart deals on tax with big companies and Parliament being lied to—hon. Members might begin to realise that these are real cases—but that person might have his life destroyed because of activities under RIPA. Imagine an official from the Ministry of Defence telling an MP about the mistreatment of a prisoner by the British Army, or an immigration officer telling a shadow Home Secretary about Government deceiving Parliament—that case led to the arrest of one of our colleagues, my right hon. Friend the Member for Ashford (Damian Green), some time ago. The absence, failure or demise of the Wilson doctrine would undermine or deter all those cases.

The Home Secretary has a difficult task, because technology is changing under our feet and has been doing so for decades. The difficulty today is that the Wilson doctrine that most people believed was in place is not. The idea that all our communications are protected is untrue for a number of reasons. I cannot find the first reference—I think it was Gordon Brown, but it might have been earlier—but one Prime Minister limited such

[*Mr David Davis*]

protection to cases with a warrant from a Secretary of State. Before then it was not limited in such terms. Let us understand what a limitation that is. The report on surveillance by David Anderson, the Independent Reviewer of Terrorism Legislation, points out that there are more than 65 different statutory mechanisms for initiating intercepts and other sorts of communication surveillance. Very few of those require a warrant from the Secretary of State. It is a very narrow protection.

Mr Peter Bone (Wellingborough) (Con): I have reviewed 27 written parliamentary answers on this subject from the last few years. Most tell us absolutely nothing, but those that do have added the words “Secretary of State’s warrant” to give the impression that something is happening when it is not.

Mr Davis: My hon. Friend is exactly right and that leads me to a case that the previous Justice Secretary brought before the House when it was plain that there had been interception and recording of telephone communications between prisoners and their Members of Parliament as a matter of course. As I have said, that could lead to serious outcomes for those prisoners. The Justice Secretary was able to tell the House that the matter was not subject to the Wilson doctrine because it was not subject to a Secretary of State’s warrant.

Many of those parliamentary questions were also about the wider ramifications of the doctrine, particularly with respect to metadata. It took the Government approximately nine months to answer my question about whether metadata were involved. They told another colleague who is no longer with us—Nick de Bois—that metadata were not included, but when I challenged them it took them nine months to come to a conclusion. The collection of metadata cripples whistleblowers, because it tells us precisely who has talked to whom, when and where. Metadata tracking led to the arrest of my right hon. Friend the Member for Ashford. That area is material to the operation of our holding the Government to account.

The House should be unsurprised that agencies use their powers to the limit. If I were working for MI5, MI6 or GCHQ, I would use every power that I was given to the limit, just as I would if I were a policeman. If I am charged with the security of the state, of individuals and of safety, that will be what I am concerned about, but that is precisely why we must be careful about controlling what people do. The tendency is to stretch the limits or for those limits gradually to move.

The IPT judgment is not the first to have shown agencies moving the goalposts. The most obvious example of breaches by police and agencies concerns journalists, but because journalists are a sensitive group the Government moved very rapidly to provide protection for them—they moved so fast it was rather undignified. Breaches also involve innocent non-governmental organisations—not long ago Amnesty International was intercepted, although the Government did not move on that—and, of course, lawyers.

Intercepting lawyers is serious. Indeed, it is arguably more serious than House of Commons intercepts. In the past when some criminal—by that I mean a terrorist, paedophile or whatever category we are looking at—had

their telephone calls intercepted, that intercept would stop when their lawyer came on the line. I went through that in some detail with our erstwhile colleague, Jack Straw, as that was the case when he was Home Secretary although it is no longer true. Now, not only is the intercept not stopped, but it can continue and be recorded. The intercept used to be put in a protected file and was specifically not shown to prosecution lawyers who might be bringing that criminal to justice, but now that is not true. That serious breach will, at some point, lead to a killer being put back on the streets of Britain because they can claim in the European Court, or somewhere like that, that they have not received natural justice because of a breach in equality of arms. That serious and stupid change of policy was made clear by the IPT a little while ago.

The shadow Leader of the House listed MPs who have been affected by intercept. Looking at my list of 10, all I say is that I think they are pretty harmless—that is probably the biggest insult I could give them. Look at who they are. It demonstrates the mindset that leads people to misuse intercept. What on earth were people doing? Of course Jack Straw and Peter Hain had colourful early lives, but what about when they were in Parliament and became Cabinet Ministers? It is extraordinary how this matter is being pushed.

I side with the Home Secretary in one respect: the Wilson doctrine was always a bit slippery. Harold Wilson was a very clever man, but he was not, shall we say, known for his linear thinking. It has always been to some extent deceitful and misleading, but the truth now is that the doctrine is dead. Whether or not it is legally dead, it is in practice dead. It is dead in the eyes of the people—whistleblowers, campaigners and so on—who might come to us, and we have to do something to replace it.

I am glad to hear a commonality of view from those on all Front Benches that we need to put this in statute. That is the only way forward. When the next Bill on this subject goes through the House, I hope it brings together all 65 statutory mechanisms for allowing intercepts and surveillance. Let us understand what it should do. We all know there will be times when the police and the agencies are properly allowed to intercept or put Members of Parliament under surveillance when there is a strong suspicion of a known crime. Frankly, however, that should not be on the Prime Minister’s say-so. It should not be, with respect to her, on the Home Secretary’s say-so. I mean no insult to either of them, but if ever these powers are misused it will almost certainly be by a politician, because they are the people subject to most temptation. It should be on the say-so of a senior judge, or even a court, after presentation of compelling evidence, subject to challenge.

The Government have in place the process they use for terrorism prevention and investigation measures, where the individual cannot know what the evidence is and so will have a special advocate. Those are the measures that should be in any Act. I give notice now that if they are put in the Bill by the Home Secretary, I will support it. If they are put in the Bill by the Opposition, I will support it. If neither put it in, I will propose it myself, because that is the only way to put right what is now in effect a major breach of our democratic traditions.

6.52 pm

Mr David Winnick (Walsall North) (Lab): At the heart of this debate is the concern that the confidentiality between Members and our constituents should not be undermined. That is the nub of this debate and why this issue is so crucial.

In the past 10 years, there have been two instances that, strictly, did not come within the Wilson doctrine. My right hon. Friend the Member for Tooting (Sadiq Khan) found that a conversation he had with a prisoner in prison had been recorded secretly by the authorities. That was totally unacceptable. Understandably, concern was expressed not only by my right hon. Friend, but by many other Members of this House. The other occasion, which the right hon. Member for Haltemprice and Howden (Mr Davis) mentioned, was when the right hon. Member for Ashford (Damian Green) had his Commons and constituency office searched by the police. I want to make it clear that that was not seen at the time as any sort of party issue. The right hon. Member for Ashford is not a member of my party, but I was among those who said that what had occurred was totally unacceptable. The police had no warrant and should not have been allowed to search his Commons and constituency office: just imagine if that were to happen all over again. This is indeed a very important issue.

Ms Margaret Ritchie (South Down) (SDLP): Does my hon. Friend agree that it is particularly important for Northern Ireland MPs to be able to ensure the protection of all our constituents whenever they give us certain information that requires representation or investigation? That is particularly important in a divided society.

Mr Winnick: I agree entirely.

What was announced by the then Prime Minister in 1966 has of course been confirmed by successive Prime Ministers, including to me when I put a question to Mr Blair shortly after the Labour Government were elected in 1997. To argue, as some have done—the Home Secretary has more or less in some ways given the impression that this is her opinion—that we, as Members of Parliament, want to put ourselves above the law, is in effect to say that the protection we have had for centuries in this House to be able to speak without the threat of legal challenge is wrong. The occupant of the Chair always warns us that we should be careful what we say, especially if we make comments we would not make outside the House. That is an absolute protection for this House: just imagine if it did not exist and we could not say, without legal challenge, what is most important and what could not be said outside. The same applies to what we are debating today: confidentiality between Members and their constituents and others—journalists, whistle-blowers and so on—and their ability to speak to their Member of Parliament on the telephone, or via other forms of communication, safe in the knowledge that their conversation is not being intercepted by the authorities.

The nub of the issue is not special protection or privileges for ourselves. Of course we cannot be above the law. Of course we cannot say to our constituents, “We are special people and we want rights that you do not have.” What we are emphasising—it cannot be emphasised too much—is the right of those who want to contact their Member of Parliament or another

Member of Parliament and speak along the lines I have already indicated. That is what this debate is really all about.

I congratulate all those who took a case to the tribunal: the hon. Member for Brighton, Pavilion (Caroline Lucas), the right hon. Member for Haltemprice and Howden and even Mr Galloway—I say that with some reluctance, but I give credit to even such extreme cases. Had the case not gone to the tribunal, we would still not know whether the Wilson doctrine was being applied. It is not appropriate for the tribunal, or any other tribunal for that matter, to take over responsibility for what is essentially a political matter.

I am pleased this emergency debate has taken place. I hope the proposed legislation mentioned by those on both Front Benches will be introduced. In essence, the Wilson doctrine remains. It is quite true, of course, that since 1966 there has been a total revolution in communications. It is a different world, but that does not alter the basic position between Members of Parliament and those who wish to contact them over various matters.

It may be said that the great danger now is terrorism. No one disputes that—the country does face an acute terrorist danger—but in 1966, in a very different political climate, it was the height of the cold war. There was concern on many occasions about spies, and even the possibility of Members of Parliament being engaged with foreign intelligence agencies. What I am saying, since I was there at the time, is that the suspicion was of a different enemy, but suspicion remains. Indeed, it would be difficult to think of a time when there were not enemies who wanted to cause harm to this country, but that does not alter the fact that what Harold Wilson said, under pressure arising from the events in 1966 and the seamen’s strike, was right.

For all the reasons stated, the doctrine should be kept and it would be an extreme disservice to Parliament if the Wilson doctrine was undermined. It is an essential protection, not—I repeat—for MPs, but for those who wish to contact us, constituents or otherwise. That safeguard and security, which I hope they continue to have, is crucial if they are to contact us without fear of having their conversations monitored by the security authorities or anyone else.

7 pm

Mr Peter Bone (Wellingborough) (Con): It is a great privilege to follow the hon. Member for Walsall North (Mr Winnick). I do not always agree with him, but today I absolutely did.

Going back to 1966 and Prime Minister Wilson, one of the concerns was that the Prime Minister might be having his telephone conversations intercepted by the security forces. Fast forward to today, and let us say—I am not saying this has happened—we had a Leader of the Opposition who would not press the nuclear button, who was perhaps a member of CND, and whom someone deep in the bowels of MI5 or MI6 thought should not have certain information or needed to be listened into. It is not that far-fetched or impossible.

This is one of the most important debates we have had for a long time, and I am grateful to you, Mr Speaker, for having granted the SO24 application, but I am disappointed more Members are not in the Chamber, because it goes right to the heart of why we are

[Mr Peter Bone]

parliamentarians. Yes, we have freedom of speech in the Chamber, but we have to talk to our constituents and other important people, including colleagues, knowing that our conversations are protected. We do not want the Government listening in. Our job is to scrutinise the Government, and if they had listened in to some of my conversations, they would rightly be concerned. No doubt, they could use what I said against me, but that is not the point. We are here to scrutinise the Government, and we need this protection.

If the Wilson doctrine is still in force—I am talking only about telephone calls—and no MPs' telephone conversations have been intercepted, why has the Home Secretary, or any other Home Secretary who has been challenged about this, not said that no Member has had their phone calls intercepted? The obvious thing to do would be to say, "The doctrine is in force, so no one has had their phone calls intercepted." I am waiting for my right hon. Friend to leap to her feet and tell me that no MP has had their phone calls intercepted. She does not get to her feet. I suggest that indicates it has happened. I do not think it has necessarily happened under this Government, but I think it has happened over the years.

How could that have happened and the Wilson doctrine still be in force? The Home Secretary, very helpfully, directed us to the answer. She said that the shadow Leader of the House had not read out Prime Minister Wilson's full statement. He said:

"But if there was any development of a kind which required a change of policy, I would, at such a moment as seemed compatible with the security of the country, on my own initiative make a statement in the House about it."

The assumption is, therefore, that had it happened, a Prime Minister would have come to the House and said so, but of course there is a get-out clause: to decide it is not in the national interest. May I suggest that that is exactly what has happened over the years? Members' telephone calls have been intercepted, and the Wilson doctrine is still in force, because every Prime Minister has decided it is not the right moment to come to the House to tell us. Given that she has not interrupted me to say I am wrong, the only conclusion that reasonable people can draw is that Members have had their telephone calls intercepted not just now but over the years. I reckon it has been widespread. Had it not happened, it would have been denied.

Lady Hermon: When the IRA and Sinn Fein were inextricably linked and the IRA was murdering, bombing and creating mayhem throughout the country, Sinn Fein Members believed their telephone calls to be intercepted—and quite right, too, I would say. Does he approve of that?

Mr Bone: The hon. Lady is quite right, but I specifically asked a parliamentary question about whether any Member who had taken the Oath of office had had their phone calls intercepted. Of course, I got a non-reply, because—I believe—it has happened.

President Nixon would have been pleased with the responses to the 27 written questions on this matter that have received answers. There are so many non-denial denials. Only a few days ago, I asked the Home Secretary again about this issue, and again we got an absolute

non-denial. In that case, she said she was not allowed to give information about individual intercepts. I was not asking about an individual intercept; I was asking how many there had been. Why on earth is it wrong for this mother of Parliaments to know how many MPs have had their telephone calls intercepted in each year? They do not have to be identified; we just want to know how many.

This could be a huge cover-up that could ruin people's careers. Home Secretary, you cannot keep dancing on the head of a pin. We need to know the truth. This is so vital. If you have not authorised the interception of any MPs' telephone calls, why not leap to your feet now and tell me? What conclusion—

Mr Speaker: Order. The hon. Gentleman is normally the most fastidious adherent of parliamentary etiquette, but for the avoidance of doubt, he was not for one moment raising the prospect that I would have authorised any such interception. I would not dream of doing any such thing. The word "you", which applies to the Chair, could usefully be replaced with the third person.

Mr Bone: Yes, indeed, Mr Speaker. Of course, I was asking if the Home Secretary wanted to leap to her feet. It was probably because she misunderstood me that she did not leap to her feet, so let me give her the opportunity again. If she has not authorised any such telephone intercepts, will she tell the House now? Okay, I think that that answers the question.

We now need to move on. I agree that we need to put the Wilson doctrine—

Mr Davis: Had my hon. Friend not confined the question to telephone calls, it might have been that the Home Secretary did not know the answer. For example, the Tempora programme, widely reported in *The Guardian* and other newspapers, involves the harvesting of vast quantities of data travelling out through Bude. These data are kept for 30 days and made accessible to the United States, among others. My right hon. Friend the Member for Chichester (Mr Tyrie) ran for several years a campaign on rendition that might have made him of interest to the United States. Liberal party Members ran campaigns on the Iraq war that would have made them of interest to the US. It might well be that the Wilson doctrine is being broken by proxy, as it were, simply by the behaviour of our agencies, without explicit approval being granted in each case.

Mr Bone: My right hon. Friend makes a powerful point, but that was why I was limiting my questions to telephone conversations, which the Home Secretary would have known about and clearly does know about, but which she does not want to tell the House about.

Chris Bryant: For the avoidance of doubt, I want to make it absolutely clear that my personal objection is not that MPs' phones might have been tapped—there might be circumstances in which that is perfectly legitimate in order for Governments to defend national security or prevent serious criminality—but the continued pretence and repeated assertion that their phones have not been tapped.

Mr Bone: I almost agree with the shadow Leader of the House. What I am saying is that I have no objection to the tapping of MPs' telephones for national security,

alongside all the safeguards we have mentioned, but we should be told at least once a year how many times that has occurred. We should know not who is involved, but how often it has occurred so that the House knows what is going on. That, however, is the information that we cannot get, which is why we have to put the Wilson doctrine into law. It expands, of course, into e-mails and all the other forms of communication that are now in place.

Let us have the debate. The shadow Leader of the House seemed to take an assurance from the Home Secretary, but I was not sure whether I was listening to Richard Nixon again. It was not clear to me whether legislation will definitely be brought forward, or if that would be only considered. It is essential that we get clarity about that.

I was very attracted to what my hon. Friend the Member for Corby (Tom Pursglove) said when he talked about a treble lock. If an MP's phone is to be tapped or another form of their communication is to be intercepted, yes, that should be authorised by the Home Secretary and by a judge, but I think it should also be authorised by whoever is sitting in your Chair, Mr Speaker, as the Speaker should also have a role in this. That triple lock would make the process more difficult because if any of those parties disagreed, the proposed intervention would not happen. We need to debate such issues in detail. We cannot pretend that MPs are not having their communications intercepted when clearly, by the omission of a response from the Government, that is exactly what is happening.

7.11 pm

Gavin Robinson (Belfast East) (DUP): At this stage of the debate, I am pleasantly surprised that the contributions have not been as piously pompous as I thought they might be. It is appropriate for MPs of all parties to recognise that this should not be, and must not be, about us. Protections for constituents must lie at the heart of the intended purpose of the Wilson doctrine. If anything is laudable to pursue, it is the protection of those who most need our help.

I have listened to many of the contributions. The hon. Member for Wellingborough (Mr Bone) asked the hon. Member for Rhondda (Chris Bryant) whether the breach of the Wilson doctrine applies to this Government, or to previous Governments over successive decades. We know of many cases of such breaches occurring.

The former Member for Belfast West, Mr Gerry Adams, will be known to many in the House. His car was bugged by MI5, the bugs were detected and it was admitted—not in the House, but in newsprint throughout the UK, by the then Secretary of State for Northern Ireland, Mo Mowlam—not only that the bugging had occurred, but that it had been appropriate. There was no hue and cry about a breach of the Wilson doctrine. It is appropriate for Members to recognise that in situations involving terrorism, steps will be necessary to defend this country's national security. That was only one example.

Nobody thus far has touched on not just communication between someone of interest to our security services and a Member of Parliament, but communication from Members of Parliament themselves being subject to stringent scrutiny. Reference was made to the Leader of the Her Majesty's Loyal Opposition. Many Members

have described with a straight face his position as a threat to national security. If that is the case and it is earnestly believed, that individual should, of course, be subject to appropriate scrutiny in the best interests of this nation and our society.

There are three plaques at the rear of this Chamber, and last week we had a memorial service for Mr Gow. Threats exist for Members of Parliament, and particularly in the context of Northern Ireland, I suspect that there have been many more breaches than in respect of the former Member for Belfast West.

There is a clear desire that should an MP have his communications intercepted, there must be structures in place to make sure that such interception is appropriate and proportionate. The right hon. Member for Haltemprice and Howden (Mr Davis) cited many examples of communications between MPs and their constituents in prison, and we have heard about whistleblowers from the Home Office and the police force. What I did not hear was a fair reflection of what that right hon. Gentleman believed were the consequences regarding the interception of such communication. We should not get caught up, especially with the catch-all methods involving e-mail, in whether a message has been intercepted. Rather, the question is whether it is analysed, and whether action is taken as a consequence of that analysis. Those are the more appropriate considerations for Members, so that will be the important issue when we scrutinise forthcoming legislation.

A briefing paper by Liberty for this debate says that RIPA was silent on the Wilson doctrine, so we were encouraged to believe that the doctrine was enshrined. If I asked a question and the response was silence, I am not sure that I would be satisfied that such a response suited my purposes. I do not think that Members should have had an over-high expectation that the Wilson doctrine was still as it was outlined in 1966. The experiences from Northern Ireland that I cited eminently suggest that that is not the case. The question that this Parliament must decide, which is why the debate is important, is where we go from here, so Members' contributions in the Chamber will be crucial. It is important that the tone and nature of the debate recognises that protections must be in place for not our sakes, but those of our constituents.

Ms Ritchie: Does the hon. Gentleman agree that there is an even greater need for the protection of constituents in our context of Northern Ireland where a dirty war operated between paramilitarism, probably, and members of the armed forces by detailing information that could have led, or has been alleged to have led, to people's deaths?

Gavin Robinson: I thank the hon. Lady, but the Northern Ireland context is likely to have led to more breaches of the Wilson doctrine—and rightly so. In the context of an ongoing terrorism campaign, it is important that our Government and our national security services are there to protect us from people's—whether they be terrorists or MPs, or terrorists and MPs—nefarious actions.

Ms Ritchie: I thank the hon. Gentleman for being so gracious with his time, but does he not agree that sometimes people's lives—the ordinary lives of decent constituents—were placed in tremendous peril as a result of such interception involving paramilitaries and others?

Gavin Robinson: I do not want to place too much trust in the security services, but I do trust that when they act, they do so in our best interests, and in the interests of the safety and security of this nation—any of its four regions. That is not to say that my trust could not be misplaced, and it is appropriate to place an onus on the safeguards, how they operate and, most fundamentally, how they will protect us.

Finally, I want to touch on the counter-extremism strategy that the Home Secretary published today. Its goals are laudable, but this constitutes yet another example of how Northern Ireland is excluded from the counter-extremism strategy. Given the extremists who are operating in Northern Ireland, and given the way in which we have had both parliamentarians and constituents operating in such an extreme and destabilising way there, it is ludicrous that Northern Ireland should be specifically excluded from that strategy. Our experience tells us that we have a contribution to make to this evening's discussion, but it also tells us that if any part of the United Kingdom requires protections from extremism, Northern Ireland should feature.

7.20 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): I congratulate the hon. Member for Rhondda (Chris Bryant) on his initiative in applying for the debate, and I congratulate you, Mr Speaker, on granting it. It is a timely and necessary debate, and it has been a good debate so far. If anything about it disappoints me, it is the fact that the House has been rather less full than I hoped. I suspect that if at the heart of the debate were a more specific suggestion that Members' communications had been intercepted, the Benches would have overflowed. I am afraid that this really is not good enough. If I may borrow a phrase from another part of the political lexicon, we need to mend the roof while the sun is shining. It is at this moment, when we are not under the immediate pressure of allegations of that sort, that we should be considering this matter in the context of the broadest possible principles.

I welcome the Home Secretary's clarification that she considers the Wilson doctrine to be a live doctrine which continues to operate, but I echo the concern expressed by others this evening about just how meaningful it is in 2015. As I said to the Home Secretary in my intervention, we now have a very different constitutional framework, a range of very different ways in which communication is undertaken, and a range of different matters in which Members of Parliament now routinely intervene, many of which had not even been envisaged in 1966.

I am a great fan of the flexibility of the British constitution when, through the operation of doctrines and conventions, it is capable of responding in a way that has common sense at its heart. Sometimes, however, those doctrines and conventions become overused, and, by virtue of the introduction of other legislative frameworks, of which RIPA is one of the most obvious examples, reach a point at which they no longer serve the purpose for which they were originally intended. That, I suggest, is the point that has now been reached.

A remarkable aspect of the debate is the existence of broad agreement. From the speech of the right hon. and learned Member for Rushcliffe (Mr Clarke) onwards,

it has been clear that if we undertake this in the way in which we, as parliamentarians, ought to undertake it—openly, and accepting that we all act in good faith—it should be possible to construct a Wilson doctrine for the 21st century, which will, I fear, now have to be enshrined in statute. I hope that a draft regulation of interception Bill, at least, will give us an opportunity to consider how that might be done.

I think it is a matter of broad consensus—I have heard no one suggest otherwise tonight—that the people who stand to benefit from the operation of the doctrine are not Members of this House or, indeed, of the other place, but our constituents. That, I think, is a principle that has not changed since 1966, and one that should be at the heart of any statutory codification. There has also been universal agreement on the principle that Members of Parliament should not be above the law. However, when it comes to people not being above the law, that should of course include the Home Secretary, and anyone else who would be required to sign a warrant in respect of matters such as this. For that reason, I suggest that a degree of judicial oversight of some sort should be incorporated in our new measures.

Dr Murrison: I am listening to what the right hon. Gentleman has to say with a great deal of interest, and I agree with much of it. Does he agree with me, however, that it is slightly important for us to take the public along with us? They will see—and the press has been reflecting it recently—that this simply means parliamentarians putting themselves above the law. Can he define precisely what concerns him about MPs' relationship with their constituents, and, perhaps, contrast it with what applies to those in other professions, such as healthcare workers, lawyers and journalists? Perhaps, as he comes from Scotland, I can press him further, and ask him whether he regards this as an argument for first past the post, given that we would have to examine the relationships of list MSPs compared with constituency MSPs. Is he concerned primarily about the relationship between a constituent and a constituency MSP or MP?

Mr Carmichael: Let me answer the hon. Gentleman's second question first, while I can still remember it. I must tell him that list MSPs have constituents as well, but over a much wider range of areas. As for the question of the description, it is a little like an elephant: it is difficult to describe, but you know it when you see it. That is the sort of work that needs to be done, and I believe that it can best be done on a cross-party basis. While we have the time and the space, we should be constructing a new system which is capable of maintaining and commanding the confidence of people across the House, whichever party happens to be on the Treasury Bench at any given moment.

My intervention on the Home Secretary's speech was prompted by her interesting use of the term "the spirit of the Wilson doctrine" in relation to parliamentarians who are not here or in the other place, but in the devolved legislatures: the Scottish Parliament, the Northern Ireland Assembly and the Welsh Assembly. I think that there is a fairly simple principle at stake, namely that when we devolve power, we should also devolve the privilege that goes with power. The hon. Member for South West Wiltshire (Dr Murrison) invited me to contrast our position with that of other professionals,

such as lawyers, doctors and journalists. I would not contrast it, but I would say that, in many ways, we have the same reasons for such privilege. I say that as a former solicitor. The hon. Gentleman is a medical practitioner, and he understands that there are good and compelling reasons for the extension of privilege to those professions in the way in which it was extended to what is done in the House of Commons.

Dr Murrison: Does the right hon. Gentleman agree with both the Home Secretary and my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) that in the upcoming legislation it would be better for the professions that deal with people and their issues to be dealt with en bloc, so that the public do not see politicians as being in a particular group on their own, and are therefore more likely to understand the need for certain exchanges to be privileged?

Mr Carmichael: I caution the hon. Gentleman, without necessarily disagreeing with him, that we should not allow the best to be the enemy of the good. Ideally, that is the point that we should reach, but if we wait until the standing of the House of Commons, and that of politics in general, is so high that we will not be subject to public criticism for doing what remains the right thing to do, I am afraid that we shall end up waiting for a very long time.

I mentioned the devolved legislatures because it is apparent from reports in the *Daily Record* that there has been a change of policy. According to the *Daily Record*, before March 2015 the guidelines given to the security services stated:

“As a matter of policy, GCHQ applies the principles of the Wilson doctrine to Members of the House of Commons, Members of the House of Lords, UK MEPs, and members of the Scottish, Welsh and Northern Irish assemblies”—

however inaccurately they may have been named there. In June, however, it was reported:

“The doctrine does not apply to...the interception of communications of Members of the European Parliament or devolved assemblies.”

If that is the correct statement of the advice, and I have not seen it challenged anywhere, clearly there has been a change. We are entitled to ask why that change was made and in principle why Members of the Scottish Parliament or Welsh or Northern Ireland Assemblies should be treated any differently from Members of this House. The hon. and learned Member for Edinburgh South West (Joanna Cherry) made the point that they have a democratic mandate and duties of democratic accountability in the same way we do. On that basis, there should be no reason for them being treated differently.

As I said at the start, the time for the ability to regulate these matters through adoption or convention is well and truly behind us. There is a clear need for a measure of judicial oversight. In that way, we can ensure confidence, and it is in the interests of the Treasury Bench that the decisions taken command confidence in this House, in other places and across the country with the public as a whole.

The right hon. Member for Haltemprice and Howden (Mr Davis) said that it would be suggested that if we have nothing to hide, we should have nothing to fear. The question is not about what we have to hide or fear, it is about our constituents.

7.31 pm

Caroline Lucas (Brighton, Pavilion) (Green): I start by paying tribute to the many Members who have raised the issue of the Wilson doctrine over many years. There are many of them and it would be invidious to leave any out if I were to try to name them all, but I pay tribute in particular to the indefatigability of the right hon. Member for Haltemprice and Howden (Mr Davis), the hon. Members for Walsall North (Mr Winnick) and for Wellingborough (Mr Bone) and, of course, the hon. Member for Rhondda (Chris Bryant), whom I congratulate on securing this important emergency debate. There has been a strong sense of common cause here. Contributions from all parts of the House have been very much in accord on the kind of principle we want to see in the future, the fact that we are not putting ourselves above the law, and the fact that this is about securing the confidentiality of our constituents—whistleblowers and so on—and is not about making a special case for MPs per se.

The Cabinet Office response to the Investigatory Powers Tribunal ruling was that MPs’ communications were not “improperly intercepted” and that “all activity has been within the law.”

That is true, but I suggest that it misses the point, which is that the activity that MPs have been repeatedly told was not possible because of the Wilson doctrine has in fact been taking place and constitutes a grave breach of our constituents’ privacy. MPs have been misled about the level of protection afforded by the Wilson doctrine and we need legislation that provides a proper framework for future decisions.

The Home Office has responded to the IPT judgment by reiterating that under RIPA the security agencies must apply for a section 8(1) warrant if they want to target a parliamentarian. This is also true, but it also misses the point. GCHQ and MI5 routinely undertake the generic and indiscriminate trawling of everyone’s data to garner what is called metadata. The Wilson doctrine does not prevent communication between MPs and their constituents, whistleblowers, campaigners or journalists from being captured in this kind of trawl. All it does is stop MPs’ names, for example, being used at the next stage of the process when the security services search that metadata. So they could not search for my name, or indeed the name of any other MP, but that does not prevent them from looking at communications highlighted by a search on another term that could still lead them in exactly the direction they wish to go.

As we now know, while the secret services have guidelines intended to enact the spirit of the Wilson doctrine when they make decisions about accessing analysed data gathered in this way, this is not legally enforceable. The IPT judgment refers to previously unpublished guidance issued to the security and intelligence services on the doctrine. The guidance states that, when considering a warrant application to which the Wilson doctrine would apply, the relevant Secretary of State must consult the Prime Minister, via the Cabinet Secretary. The guidance states, and the IPT agreed, that the doctrine only applies to the direct interception of parliamentarians’ communications under section 8(1) of RIPA, and not indirect or incidental interception under section 8(4) of RIPA. Therefore the guidance as quoted does not provide for a procedure to be followed in the event that an MP’s details came up in relation to a targeted search on something else.

[Caroline Lucas]

Parliamentarians' communications are not referenced in RIPA and the IPT judgment seems to assume that this means that the Act therefore overrides the Wilson doctrine. I was not a Member of the Parliament when RIPA was passed but many colleagues here today were and perhaps they, understandably, did not seek to amend the Act to refer to their communications because they believed they were already exempted thanks to Wilson.

The judgment casts serious doubt over repeated assurances from successive Governments that MPs are not being subjected to state surveillance or interception. At best, it appears that the Prime Minister, as recently as 11 September 2015, was unaware of the exact status of the doctrine and ignorant of its application. At worst, he may have been deliberately ambiguous in order to lull MPs into a false sense of security. In this I echo the words of the Government's own lawyer, who described previous ministerial statements on the Wilson doctrine as

"ambiguity at best whether deliberate or otherwise".

What is unambiguous is that any change in the doctrine's scope should have been notified to Parliament, in terms, by the Prime Minister. If the Executive have instead unilaterally rescinded the doctrine without notifying Parliament, that represents what Liberty calls

"a significant, constitutional breach of trust between the Executive and sovereign Parliament to which it must answer".

Consistent with the absence of any reference to parliamentarians' communications in RIPA, the interception of communications code of practice, published in 2002, approved by Parliament and in force until earlier this year, is similarly silent on the subject. But its replacement, the draft interception of communications code of practice, published in February 2015, does refer to the potential for parliamentarians' communications to be intercepted. It has not yet been put before or approved by Parliament, but this change of tack suggests a conscious change of policy and, again, it is unacceptable that MPs have not been properly informed—and, indeed, have actually been issued with ongoing reassurances that the Wilson doctrine protects them. The one exception to this was a comment made by the Home Secretary during the debate on the data retention and investigatory powers last summer, which other Members have already referenced, in which she said:

"Obviously, the Wilson doctrine applies to parliamentarians. It does not absolutely exclude the use of these powers against parliamentarians, but it sets certain requirements for those powers to be used in relation to a parliamentarian. It is not the case that parliamentarians are excluded and nobody else in the country is, but there is a certain set of rules and protocols that have to be met if there is a requirement to use any of these powers against a parliamentarian.—[*Official Report*, 15 July 2014; Vol. 584, c. 713.]

Again, as other Members have said, if there has been a material change, as it appears there has been, it is incumbent on the Home Secretary or the Prime Minister to proactively advise Parliament and detail the implications for our constituents and our wider work. This is not about asking for special privileges for MPs; on the contrary.

I have also been campaigning for nobody to be subjected to mass surveillance. As Amnesty International puts it helpfully: surveillance of communications in any form—from the initial interception itself to access, and further

use, whether of content or metadata—is an interference with a range of human rights. Those include the rights to privacy and freedom of expression.

To avoid that interference amounting to an actual violation of rights, it must be lawful, necessary and proportionate. UK law and practice around communications surveillance currently fails not only the lawfulness test, but the necessity and proportionality requirements for non-abusive interference with basic rights. In this instance, it is about members of the public having confidence that their communications with MPs are not being spied upon, and that they can expect representation without their privacy being compromised. It is about trust and about our ability to undertake legitimate parliamentary duties without the security services monitoring us.

I would suggest, as Amnesty has done, that the logical conclusion the Government should be reaching in the wake of the IPT's judgment is that, in order for surveillance to be both human rights compliant and in line with the Wilson doctrine, those authorising warrants—who should be independent entities—should ensure it is properly targeted at where there is a reasonable suspicion. In other words, there should be no indiscriminate bulk surveillance of anyone's communications data.

I, too, agree that MPs should not be above the law. If there are grounds to suspect an MP or citizen of any wrongdoing, of course it should be permissible to target their communications for surveillance and interception, provided due process is followed. That is proportionate and appropriate. But it is also quantifiably different from the kind of bulk interceptions to which citizens are routinely being subjected and from which MPs were given the impression that they were exempt.

I want to thank you, Mr Speaker, for your ongoing willingness to facilitate transparency and accountability in respect of the Wilson doctrine. Last week, in the wake of the IPT judgment on the case brought by myself and Baroness Jenny Jones, I was given the green light to ask two written parliamentary questions that would not have been permissible 24 hours earlier—namely, to ask the Prime Minister what information he holds about MPs having had their communications surveilled and further, to ask him whether the Wilson doctrine has been consistently applied to my communications or whether those communications have also been surveilled. I urge other MPs to ask those same questions, as our constituents and other correspondents have a right to know whether they have been spied on. We also need answers to the following questions. Did the Government realise that the Wilson doctrine was not legally enforceable in advance of this ruling? Will the Prime Minister now come clean about how many MPs and their constituents have been surveilled?

The impending publication of the investigatory powers Bill will offer a key opportunity to ensure that the protections supposedly afforded by the Wilson doctrine are indeed properly enshrined in law. I am pleased that the Home Secretary has indicated that she will look at including a principle of that kind in the Bill, but I would be grateful if she could be even clearer when she speaks again in the debate and if she confirmed—

Mr Speaker: Order. May I gently say to the hon. Lady that I am sure her error is an inadvertent one? I do not think that the Home Secretary intends to speak

again in the debate tonight, although the shadow Leader of the House might do so if there is time. Of course the Home Secretary is perfectly welcome to do so if there is time, but I do not think she intends to do so. However, I will leave the hon. Member for Brighton, Pavilion (Caroline Lucas) to her own devices.

Caroline Lucas: I am grateful for that clarification, Mr Speaker. I will therefore simply suggest that it would be helpful if the Home Secretary were to intervene on me to clarify that she will definitely include in that Bill the kind of principle that many of us have been describing tonight. I appreciate that she is still thinking about whether this should involve independent judicial approval, as I would suggest, a triple lock or some other mechanism. We would, however, like to hear a firm indication, as a result of this debate, that this issue will be properly addressed and that the hole that has been left as a result of the Wilson doctrine not being properly enforced will be filled by a measure in the new legislation.

All the Members who have spoken in the debate have agreed that this kind of legislation should extend to the devolved legislatures and Assemblies, and to the European Parliament. We do not yet live in a surveillance state, and MPs have a right to expect that their communications, and those of the individuals they have been democratically elected to represent, should not be routinely surveilled or intercepted.

7.42 pm

Martin John Docherty (West Dunbartonshire) (SNP): I am grateful to the hon. Member for Rhondda (Chris Bryant) for bringing this debate to the Floor of the House. Like many Members, I am disappointed that more Members have not chosen to join us, although I am delighted to see that many Scottish National party Members have chosen to do so.

This is a critical issue not only for all Members of this place but for those in all layers of Government, including Members of our Parliament in Edinburgh and of the Assemblies in Wales and Northern Ireland. It is also critical for members of other democratically elected mandates in the Union, especially Members of the European Parliament. I note that the Member who mentioned Members of the Scottish Parliament is no longer here, but I remind those who have sought to remind us of the differing mandates in Scotland, that there are also differing mandates for Members of the European Parliament who are elected on the regional system. It was suggested that we should include the entire nation of Scotland, which was a ridiculous proposition.

Like most dogma, this doctrine seems neither sacrosanct nor enforceable, and if truth be told, the will of the House has never been sought in this matter. As in so many matters, the House has been ill-informed on the limits of the Wilson doctrine. This might be my own personal cynicism, but I find that rather naive. We are now debating this for the first time and calling for legislation for the first time since 1966. The hon. Member for Brighton, Pavilion (Caroline Lucas) had to physically go to court in order to bring the matter to the Floor of the House. I congratulate her on that.

The purpose of the workings of the Executive in a liberal democracy must be to maintain the defence of the separation of the Executive from this legislative

body, be that in this House, in our Parliament in Edinburgh or in the devolved Assemblies of Wales and Northern Ireland. The pronouncements of the late right hon. Member for Huyton, Harold Wilson, bound neither future Prime Ministers nor, it would seem, Home Secretaries. Instead, the doctrine is the statement of a belief and faith in what is usually a fairly small issue. In this instance, we are talking only about the telephone conversations of Members of this House, and nothing else. It is the perhaps naive collective belief of Members here and beyond that our representative role as constituency MPs should not be undermined by a range of intelligence agencies not limited to MI5, and that it has not been so undermined since that near *ex cathedra* statement of the Prime Minister in 1966.

If that belief and trust have been broken—the debate so far seems to suggest that they have been—it is the duty of the Government and perhaps of the Home Secretary of the day, without prompt and with due diligence, to seek a hasty remedy by bringing legislation before the House. The Home Secretary suggested earlier that there could be elements of the investigatory powers Bill that would find favour across the House, and I welcome that.

None the less, I ask the Government to publish with haste the details of how many Members have been investigated in a year. The hon. Member for Wellingborough (Mr Bone) also asked that question. I would perhaps go further and ask how many of those Members have been found wanting in their communications. Can we be told how many were found to pose a risk to the security of the country as a result of the examination of their telephone calls, emails and other communications for security purposes by all elements of the security services, so as to defend the reputation of this House and the need of its Members to be able to hold the Executive to account without hindrance?

This is also an issue for our Parliament in Edinburgh and the other devolved Assemblies. That was particularly the case for our colleagues in the Scottish Parliament during the independence referendum, critically in relation to the communications of the Scottish Cabinet—*[Interruption.]* I can hear tutting, but this is an issue that many people in the United Kingdom will find important. Let us be in no doubt that all communities in Scotland would find such a situation an outrage and an affront to the sovereign will of the Scottish people and the independence of their Parliament in devolved matters.

Not since the publication of the encyclical “*Humanae Vitae*” has a doctrine been so flagrantly ignored. The Wilson doctrine has not sought to propagate the population, but its principles have been unfulfilled and found wanting. The doctrine has been found wanting for some years, but never more so than on 15 July 2014 when the Home Secretary, in response to the now deputy Leader of the Opposition, the hon. Member for West Bromwich East (Mr Watson), stated:

“Obviously, the Wilson doctrine applies to parliamentarians. It does not absolutely exclude the use of these powers against parliamentarians, but it sets certain requirements for those powers to be used in relation to a parliamentarian. It is not the case that parliamentarians are excluded and nobody else in the country is, but there is a certain set of rules and protocols that have to be met if there is a requirement to use any of these powers against a parliamentarian”.—*[Official Report, 15 July 2014; Vol. 584, c. 713.]* As with most doctrines, people seem to be making this one up as they go along.

[*Martin John Docherty*]

It would seem that the very nature of our constitutional framework leaves this House, this Parliament and its elected Members at the whim of the unelected and the unaccountable. It is a constitutional fudge that affords the Executive the opportunity to undermine the role and independence of this House and all its elected Members. I am not pointing a finger at the present Government; this could apply to any Government since the 1960s, or indeed earlier. I hope that when we debate the investigatory powers Bill, the Government will at least offer to support any legitimate defence of our liberty as parliamentarians. That applies to the liberty of those of us in this House, but also to those in our Parliament in Scotland and in the Assemblies of Wales and Northern Ireland, as well as to those who represent this country in the European Parliament.

7.49 pm

Chris Bryant: I promise you, Mr Speaker, and the Home Secretary, who is already bored by my comments, that I will not speak for long. I am a former curate in the Church of England, so I am accustomed to doctrine being a rather loose concept, but the 38 articles have nothing on the Wilson doctrine. [*Interruption.*] They were often referred to as the 38 articles, because even though they had to swear allegiance to the 39 articles very few clergy in the Church of England believed in all 39 and clergy often used to leave one of the buttons on their cassock undone just to show that they did not agree with one of the 39 articles. Broadly speaking, that is what the Government have done since 1966; they have been wearing a cassock called the Wilson doctrine but leaving several of the buttons undone.

Excellent contributions have been made in the debate by Scottish National party Members, by the Green party, by colleagues from Northern Ireland, by my fellow Labour Members and by Government Members, but I have sometimes felt as if I have been in an episode of “Through the Looking-Glass” because words have been used in a way that defies their own meaning. It is a bit like when Humpty Dumpty said:

“When I use a word...it means just what I choose it to mean—neither more nor less.”

The truth is that there has been a change; Wilson said Members’ phones’ would not be tapped. I think we know from this debate that Members’ phones have been

tapped, yet successive Prime Ministers and Home Secretaries have sworn blind to this House—they have made written statements and said it time and again in this House—that the Wilson doctrine is fully in place. The truth of the matter is that it is not. I have no objection to the fact that Ministers will, on occasion, have allowed the interception of Members’ communications to have happened, if that is in the interest of national security—no Member of Parliament should be above the law, as everybody has specified—but we should just own up to that fact. If the doctrine is dead, it should be consigned to that place to which all previous doctrines have disappeared when they have been surrendered—to limbo, which itself is a doctrine now surrendered by the Roman Catholic Church.

I say to the Government that I hope that as a result of this debate we can be straightforward in what we say to the public. First and foremost, we should not rely on a doctrine—we should rely on statute law. I hope that the Government will soon introduce legislation which can go to the Joint Committee. I hope that that Committee will be set up as soon as possible so that we can consider all these issues in the round, as they affect whistleblowers, campaigners, those who correspond with MPs and of course constituents. Secondly, there must be greater judicial oversight; it must surely be nonsense that in this country, which prides itself on the rule of law, a politician should be in the position of deciding whether a politician’s communications can be intercepted, and only politicians are in the position of making that judgment. Labour Members believe that a senior judge should be making that decision.

Finally, I come to a point that has been well made by many others: this is not about MPs being a special class of people or seeking special privileges; it is about parliamentarians being able to do the job that they are assigned to by the voters in the country. That should apply not only to Members of this House, but to Members of the other House, Members of the devolved legislatures and Assemblies, and UK Members of the European Parliament. I very much hope that in the next year it will be possible to put the doctrine to bed and have proper statute law to protect our constituents and our ability to hold government to account.

Question put and agreed to.

Resolved,

That this House has considered the operation of the Wilson Doctrine.

Psychoactive Substances Bill [*Lords*]

Second Reading

Mr Speaker: I inform Members that I have not selected the amendment.

7.54 pm

The Minister for Policing, Crime and Criminal Justice (Mike Penning): I beg to move, That the Bill be now read a Second time.

It is an honour and a privilege today to introduce this Bill, which has had extensive scrutiny in its passage through the other place. At the outset, may I thank Her Majesty's Opposition—the new shadow Minister, the hon. Member for West Ham (Lyn Brown), and her predecessors, and the Chief Whip, who has spoken to me extensively about the Bill—for their co-operation? I also thank colleagues from across the House. Sadly, some colleagues in the House are going to oppose this Bill, but, within reason, across the House and across the country we have agreement. I hope that during this short Second Reading debate we will be able to convince those who do not think it is a good thing, because last year 129 people lost their lives in this country because of what they thought was a legal, safe high.

The Bill is a broad piece of legislation, and I freely admit it is new to this House, as we are bringing in a blanket ban. The reason we are doing that is simply that we have been chasing the chemists from around the world for too long. We have attempted to ban 500 substances in this bracket, but then they have tweaked the formulas and the next minute we are back in the same position again.

Caroline Lucas (Brighton, Pavilion) (Green): The Minister has already said that some people in this House, although they do not like psychoactive drugs, do not believe this is the right way of going about legislating on them, not least because similar bans in Ireland led to an increase in the use of these kinds of drugs. Given that that is the case, will he be properly reviewing the implementation of this Bill? If it is put into force and then leads to an increase in online marketing and so forth, will he then repeal it?

Mike Penning: I did not expect to be in confrontation with the hon. Lady so early on, but I think, yet again, that she is wrong. I have been to the Republic of Ireland, as well as to Northern Ireland, and not only seen the damage that these psychoactive substances have done, but met Ministers and their chemists. They think their legislation is working, and I agree with them, and New South Wales has implemented similar legislation within the past five days. The rest of the world may not be right, but in this case I think it is. I have looked extensively at this issue, as has the Select Committee on Home Affairs previously—it is doing so again and we are awaiting its report. In the Republic of Ireland the head shops vanished overnight. There are young and old people who thought these drugs were safe. Whether or not we or the scientists like to call them that, they are classed as and felt in the public domain to be legal, safe highs. That is what young people think they are.

Norman Lamb (North Norfolk) (LD) *rose*—

Mike Penning: I will make a bit of progress before we come back into confrontation.

Norman Lamb: No confrontation.

Mike Penning: I will give way then.

Norman Lamb: I hope that the Minister accepts that those people who have concerns about this legislation have the same purpose in mind: to try to address substances that are causing harm. Does he not have any concern that if the effect of the legislation is to hand the entire industry over to organised crime, we may end up with unintended consequences?

Mike Penning: If I thought that was going to happen, I would not be standing at this Dispatch Box. It has not happened elsewhere; it did not happen in the Republic of Ireland. What has happened there is that people are alive today who would not have been if the legislation had not been introduced there, which is why this Bill is so important. We will, however, make sure that we learn from the mistakes in the Republic of Ireland, and we are going to accept and work with lots of amendments that were tabled in the other place. I will have to table consequential amendments in Committee to make sure that the Bill is legal in that framework, but we are going to accept these recommendations and changes proposed in the other House.

Lady Hermon (North Down) (Ind): The right hon. Gentleman will know from his experience in Northern Ireland that it is organised crime and paramilitaries who have exploited this legal loophole, making misery for the young people who have got involved in taking legal highs and for the families. I am a Member of Parliament for a mother who grieves for her son who thought he was taking something that was going to do him good but who died because of it. Will the Minister confirm that in Northern Ireland there will be no hesitation in using non-jury trials where there is intimidation and a present and real threat of jury tampering by paramilitaries when we are trying to take forward a prosecution for using these highs?

Mike Penning: Under this legislation, the highest penalty for selling or purchasing these products—particularly for selling—will be seven years, which is not a light sentence. It indicates the severity of the offence. We do not want to criminalise a whole group of people who have, for many years, been buying a product that was perfectly legal, but there are some real changes that we need to make on behalf of our constituents, which is why we are all in this place. For once, we should get ahead of the drug dealers and chemists. Huge amounts of money are involved not only within the paramilitaries but within organised crime. By having a blanket ban, there are real concerns that we will be banning things that we all enjoy. I am talking about caffeine—

Stephen Phillips (Sleaford and North Hykeham) (Con): Nutmeg.

Mike Penning: Yes, nutmeg and the scent of a flower. That would be complete and utter tosh. We will ensure that we insert what we want to insert, just as the Government did in the Republic of Ireland, while at the same time having a blanket ban.

Keith Vaz (Leicester East) (Lab): The Minister mentioned the Home Affairs Committee inquiry. In fact, the Government caught the Committee by surprise. We were expecting this Bill to come before the House in November. We have finalised our report, thanks to the efforts of the hon. Member for Enfield, Southgate (Mr Burrowes), and it is due to be published on Friday. I wish to put it on the record that Members of the House will be able to look at the deliberations of the Select Committee when it comes to the Committee stage of the Bill, because the Minister has moved so speedily and brought the Bill to the House before we expected it.

Mike Penning: I look forward to the report, not least because of the excellent work that I know has been carried out not only by the Chairman and other Members but by my hon. Friend the Member for Enfield, Southgate (Mr Burrowes).

One reason why we have brought this Bill before the House so quickly and why the business managers have given us the time that we needed is the previous inquiry of the Home Affairs Committee

John Mann (Bassetlaw) (Lab) *rose*—

Mike Penning: If the hon. Gentleman will bear with me, I will give way once I have finished this part of my speech.

The truth of the matter is that we will have an opportunity at Committee and on Report to look carefully at what the Home Affairs Committee has said and to see whether it can be used to improve the Bill.

Kit Malthouse (North West Hampshire) (Con): The Minister mentioned amendments in the House of Lords and sentencing. He will know, because we have corresponded about this, that one of my concerns about this otherwise excellent Bill is to do with the statutory aggravating factors. At the moment, a person will receive a stiffer sentence if they sell outside a school, but not outside a children's home. I urge the Minister to look at the amendment that was proposed in the House of Lords, encouraged by the Children's Society. Also, given that the substances are very often targeted at young people—I have evidence in my own constituency of the drugs being used to lure young people into inappropriate sexual relationships—he might consider an amendment to make it a statutory aggravating factor to sell to anybody under the age of 18 so that it attracts a stiffer sentence. Will he consider that on Report?

Mike Penning: My hon. Friend is absolutely right; we have corresponded on this matter. I have looked carefully at what was said in the other place. The Sentencing Council will be responsible for the guidelines. I know that my hon. Friend and the Minister in the other place have agreed to write to the Sentencing Council, and I will do so as well. I will, if I may, keep a very open mind about this matter as we go through the Bill's stages, particularly the Committee stage.

If we are to have a Sentencing Council, we need to use it in the way that it was designed. I know that there is an anomaly, but my view is that at the moment I will keep an open mind on the matter.

John Mann: I congratulate the Minister on the speed with which he has introduced this Bill. I have called for a blanket ban several times in the past. Will he clarify this: if this Bill is passed, how quickly will Bing Bong, the outlet in Worksop, be closed down?

Mike Penning: We want such places to close down before this Bill is passed. I want this House to send a message to those who are selling these products—head shops or any other premises, or those selling in other ways—that on the day this Bill gets Royal Assent, such selling will become an offence. In saying that, these people have been selling these products perfectly legally for many, many years, so we need to give them an opportunity. This is only part of a process. We are talking about educating the public as well as helping people who are addicted to these substances. At the end of the day, these sellers have to know that, from the day this Bill gets Royal Assent, selling these products is illegal and attracts a seven-year sentence.

Mr David Burrowes (Enfield, Southgate) (Con): I very much commend this Bill. I have been calling for it for many years. The Sentencing Council has an important role to play. Under the Misuse of Drugs Act 1971, sentencing is linked to harm and is commensurate with the offence. At present, there is inequality in sentencing between all types of new psychoactive substances. We need to be clear and link the harm level to the sentence, and that is the important role that the Sentencing Council will have to play.

Mike Penning: That important matter was put to me when I gave evidence to the Home Affairs Committee. The difference between what we are doing here and what we are doing with other illegal substances is that this is a blanket ban. If we try to indicate the level of harm on every single one of these substances we will be here forever, which is why we have gone for the blanket ban, and why the Republic of Ireland did the same. As I said to my hon. Friend the Member for North West Hampshire (Kit Malthouse), we will continue to look at this matter, but the guidance to the Sentencing Council is very strong. I am so pleased that the hon. Member for Bassetlaw (John Mann) said that he had been calling for this ban for some time, because I shared an office with my hon. Friend the Member for Enfield, Southgate for five years and I know exactly what his views are. I can genuinely say that apart from a few nuances here and there, most people want to see this Bill on the Statute Book.

David Simpson (Upper Bann) (DUP): Will the Minister outline for us just how this legislation will deal with those who sell or buy online?

Mike Penning: It will be just the same as if a person went to a head shop. It is illegal. The National Crime Agency, which is now operating in Northern Ireland—I visited it recently to see the work it is doing—will be working with other agencies to ensure that we prosecute those involved in the crime. People say to me that the web is so open, but at the end of the day, purchasing, like selling, is an offence. If a person purchases these products, we will try to ensure that they are convicted. It does not matter whether they purchase them from a head shop, a friend or online, it is an offence. We are talking about purchase, not possession.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): I welcome the fact that the Government have worked with the Scottish Government on this issue of joint concern. Will the Minister set out the contact he has had with Scottish Ministers on this issue to date? Perhaps he could advocate this partnership approach to others in his Government who may benefit from Scottish Government input in a range of areas.

Mike Penning: The Scottish Government were working on this matter long before I became the Minister. It was a real pleasure to see the reports that had been done in Scotland. They coincided with the reports that we were seeing from elsewhere. I have corresponded back and forth with Scottish Ministers. We used some of the evidence from their reports in preparing our own legislation. I cannot comment further, but those who know me in this House will say that I always try to ensure that it does not matter what party or what part of the country we come from, because what is important is our constituents and what is right for them. That is why I am so keen for this Bill to get through its Second Reading this evening.

Andrew Stephenson (Pendle) (Con): When I raised this matter on my Facebook page yesterday asking for the views of young people in my constituency, one constituent said that some legal highs specifically say on the packaging that they are not fit for human consumption. Can my right hon. Friend confirm that such a statement will not allow the producers of these drugs simply to bypass the new law?

Mike Penning: I can confirm that. There are uses for some of these drugs within industry, and we want that to continue, particularly in the research field. We cannot help the people who are addicted to some of these substances if we do not give them the right support. If it is seen that someone is producing a product for an industrial use, or for any other use, but they are knowingly selling it, they will be prosecuted. It will be an offence whether or not the product carries that label. That is imperative as we take these measures forward.

Stephen Phillips: Further to the point made by my hon. Friend the Member for Pendle (Andrew Stephenson), it seems to me that the difficulty is that there will be a defence for suppliers of so-called legal highs under clause 5(2) if they do not know or are reckless as to whether the substance is likely to be consumed. If people can say that they are not selling products for human consumption because all that happened was that someone came in and asked for some plant food, it does not necessarily follow that they will be committing an offence under the Bill and that the head shops referred to by the hon. Member for Bassetlaw (John Mann) will close straight away.

Mike Penning: My hon. and learned Friend has studied the Bill and I have worked with him on other Bills, so I know exactly where he is coming from. The intent of the Bill is there. The evidence from the Republic of Ireland is that that did not happen, but if we need to tighten the provisions in Committee we can do so; I think there is consensus across the House on that. The head shops closed literally overnight in the Republic of Ireland, and the problem with that type of sale fell through the floor. If we pass the programme motion later this evening, we will be in Committee next week and we can tighten the Bill if consensus allows.

We can go through all the clauses, but I am sure that everybody has read the Bill so in the time available I want to concentrate on two points. First, what is the purpose of the Bill? It is intended to save people's lives. I completely get where my former right hon. Friend the Member for North Norfolk (Norman Lamb)—he is still my friend—is coming from. We might not agree 100% on the method, but let us take the Bill through Committee and let us consider the evidence. I know that there is some other evidence from the Republic of Ireland: I have seen it, I have sat with the scientists and I have sat with the Ministers. Let us see whether we can save lives, bearing in mind the 129 we lost last year. That figure is growing dramatically year on year, which is why there has been a campaign for the Bill for some time.

Caroline Lucas (Brighton, Pavilion) (Green): If the Irish ban has been so successful, why has the lifetime prevalence of the use of novel psychoactive substances among young people there increased from 16% to 22% in the past three years? Would it not have been sensible to have done an impact assessment of the situation in Ireland before pressing ahead with the Bill?

Mike Penning: The answer is no, because I do not want any more deaths, which will happen if we hold back now and wait for more studies, for more this and for more that. New South Wales have done this in the past five days. If I look around the Chamber, I see most people nodding and perhaps one or two people doing otherwise—I do not know how the *Hansard* reporters will work that out later, but they can try. At the end of the day, I am determined to protect the young and old—

Caroline Lucas: Prevalence has gone up.

Mike Penning: The hon. Lady shouts across the Chamber from a sedentary position, but she has not brought the Chamber with her—[*Interruption.*] Yet again she shouts from a sedentary position and, in a moment, when she has the opportunity, she will try to convince the House that she is right.

Caroline Lucas *rose*—

Mike Penning: I will not give way—actually, I will. Has the hon. Lady been to the Republic of Ireland and spoken to Ministers and scientists?

Caroline Lucas: I have not spoken to them directly, but I have evidence in my hand that tells me that the prevalence among young people has increased from 16% to 22% as a result of the ban in Ireland. I am simply asking the Minister why, if the ban is so successful, the prevalence has gone up.

Mike Penning: So, the answer to my question was no, and the hon. Lady has not been to the Republic of Ireland and has not spoken to the scientists, but she has a piece of paper in front of her that says that we are all wrong and that she is right. On this point, as usual, I am afraid that she is wrong. At the end of the day, what are we sent to this House to do? It is to protect people, and that is what we will do this evening.

Paul Flynn (Newport West) (Lab): Can the Minister tell us the effect of the ban on khat? The reports are that its use continues, but it has gone underground and become more expensive. Or what about the ban on

[Paul Flynn]

mephedrone? There was a report that in my area after the ban its use increased by 300%. How many bans reduce drug harm and use?

Mike Penning: I am sure that many individuals in this House could pick on individual substances that have gone underground, making the situation worse, but the vast majority of products that were sold to people who thought they were safe are no longer being sold. That has happened in Ireland and in other countries. I had the New Zealand Minister with me only the other day to look at exactly what we are trying to do. The legislation has been campaigned for over a considerable period and we are taking action, which I would have thought is exactly what we should be doing.

As I have said, I will table amendments in Committee. We listened carefully to the work done by our noble friends in the other place and we will have to make quite a few consequential amendments to frame the amendment they made in the Bill. We are also considering whether there are areas in which we should ban possession.

Steve Brine (Winchester) (Con): The Minister mentions the word “possession”. The word “prisons” appears on the face of the Bill only once. I see that the Prisons Minister is sitting with him on the Front Bench, and I wonder whether when the Bill goes upstairs to Committee they might consider making possession an offence inside the secure estate.

Mike Penning: I have received a large number of delegations that have made arguments about the effect on the prison population, on prison officers and on morale and safety within the secure estate, which includes prisons, and we are going to look very carefully at whether we can propose an amendment. I believe that there are some processes to be followed to ensure that we can do that, but the Prisons Minister and I are minded to ensure that the prison estate is as safe as possible for prisoners as well as staff. Legal highs are having a massive effect on that part of the prison estate as well as on other parts of the secure estate. My hon. Friend the Member for Winchester (Steve Brine), like others in the Chamber, has campaigned long and hard on this issue and has brought it up on more than one occasion. We are considering the issue and I hope to table amendments in Committee.

Anne McLaughlin (Glasgow North East) (SNP): My understanding was that those who would be criminalised by the Bill were those who were supplying, marketing, producing and selling, but twice now the Minister has made a comment that suggests that those who purchase these products might also be criminalised. When I look at clause 8 a wee bit more closely, it seems to be saying that those who purchase via the internet could be criminalised. The Minister is talking about making amendments, so would he be proposing an amendment to take that out? It does not fit the spirit of the Bill.

Mike Penning: The spirit of the Bill is that we do not want to criminalise individuals for possession, but we are going to criminalise the sale and purchase of these substances. That is in the Bill and in the spirit of the Bill, and is in line with the work that we have done.

Anne McLaughlin *rose*—

Mike Penning: The hon. Lady asked me a question, and I will answer it. In Committee, we will study the Bill line by line, because that is how we do these things and that is right and proper. If the hon. Lady has concerns, we will consider them carefully, but we cannot have someone being able to buy things on the internet and for that to be illegal—or legal—when it would be the opposite to do it in a shop or on the street.

Anne McLaughlin: So, is the Minister saying that purchasing will be criminalised, but not use? As I understand it, these substances do not come free, so to use them one would have to purchase them. I do not know what to say to that.

Mike Penning: I do not understand this argument, and I do not know whether the shadow Minister does. If someone is buying a product that is illegal, that will be illegal. If they are selling a product that is illegal, that will be illegal. We will not criminalise a small group of people—

Pete Wishart (Perth and North Perthshire) (SNP): If you get it for free, is that all right?

Mike Penning: The hon. Gentleman makes a comment when he is not even in the Chamber—he should know better, as he has been here long enough.

Lyn Brown (West Ham) (Lab): I am a little confused by the diversion from where I thought we were going. Would not a purchaser need to know that the substance was illegal when purchasing it? If so, we will need a definition of what psychoactive means. Is that not right?

Mike Penning: That is exactly the situation, and that is exactly what the Bill says. I do not understand the diversion either.

Several hon. Members *rose*—

Mike Penning: Several Members wish to intervene, but I want to provide opportunities for other Members to make speeches, because many more Members support the Bill than it might appear from some of the interventions.

Mark Pawsey (Rugby) (Con): If this is about people knowing that the products are illegal, can the Minister tell us a little bit about the education campaign that will go hand in hand with the legislation to make certain that young people are aware of the dangers and the fact that they will be committing a criminal act?

Mike Penning: My hon. Friend makes an important point. As I said earlier, this is only one part of a campaign to make sure that people understand the dangers and the change in legislation. The police are starting to talk to people and are going into schools. Treatment is important too, but it is a difficult area. My hon. Friend is absolutely right to raise the issue.

Stephen Phillips: I confess to the Minister—I am trying to help—that I am a little confused as well. I do not think that the Bill creates an offence of purchasing

so-called legal highs. Importing is a different matter, and is dealt with in clause 8, which he will no doubt confirm. If he can do so the debate about people buying so-called legal highs and being criminalised will go away.

May I tax the Minister on something else? It is my understanding that if a user of legal highs purchases three or four pills over the internet that are not for human consumption, then gives them to his mates on a night out he has committed an offence. In Committee, we may have to look at whether we intend to criminalise those individuals in the Bill.

Mike Penning: I apologise if I have confused hon. Members. Let me try again. There are relevant provisions: producing a psychoactive substance, which is dealt with in clause 4; supplying, or offering to supply a psychoactive substance, which is dealt with in clause 5; possession of a psychoactive substance with intent to supply under clause 7; and importing or exporting a psychoactive substance under clause 8. I apologise: I kind of misled the House unintentionally on individual possession. I was talking about intent to supply, not intent to use. Making a purchase from a foreign website would be caught, but the purchase on its own from a website or foreign website would not, and I apologise if I misled the House on that point.

Mike Weir (Angus) (SNP): I thank the Minister for that. I support the Bill, but I am slightly concerned about clause 8, which says

“the person intentionally imports a substance,”

and

“the person...intends to consume the psychoactive substance for its psychoactive effects”.

It seems to me that if someone imports and possesses even a small amount of the substance over the internet he is criminalised, but if he bought it in a head shop, for example, he would not be criminalised, which seems to be a strange provision. My hon. Friend the Member for Glasgow North East (Anne McLaughlin) is trying to make the point that we support provisions to deal with people who have these substances with intent to supply, or are supplying them to people in an evil trade, but to criminalise people for having small amounts of those substances is slightly dangerous.

Mike Penning: That is not the Bill’s intention. As we go through the Bill in Committee we will endeavour to iron out those concerns.

Dr Daniel Poulter (Central Suffolk and North Ipswich) (Con) rose—

Mike Penning: I will give way once more, then I will wind up.

Dr Poulter: The Minister is very generous. Does he agree that there is a particular challenge in dealing with the supply of substances from overseas areas outside British jurisdiction? Having an offence that means that the purchasing of those substances on the internet, which almost certainly would be the means of purchase, helps in some ways to deal with a situation that is otherwise difficult to deal with and legislate for.

Mike Penning: That is exactly the point, and it is important that we close any loopholes, but there are no intentions to criminalise the people we have been talking about.

Norman Lamb rose—

Mike Penning: I will give way once more, but then I will wind up, as Members wish to speak in the debate.

Norman Lamb: I am grateful to the Minister. To follow up the point made by Scottish National party Members, will he explain again why it is illegal to purchase a product that is being imported, but why the Bill does not to criminalise the purchase of exactly the same product in this country? We criminalise someone if they happen to buy it overseas, but not if they buy it in this country. What is the logic?

Mike Penning: The logic is to try to stop dealers bringing stuff in through websites. That is close to the legislation that is being used in Ireland, where it is working, so we think it is appropriate.

We will make sure that the House protects people without criminalising any individuals for having small amounts of a substance. We are going to do something that should have been done years ago. There will be a blanket ban so that chemists, organised criminals and, in some parts of these islands, paramilitaries do not work together. We will make sure that the legislation is as tight as possible and will at last do something we should have done before by introducing a blanket ban on psychoactive substances. I hope that the Bill completes its Second Reading this evening.

8.26 pm

Lyn Brown (West Ham) (Lab): The Opposition support the principles of the Bill. The 2015 Labour manifesto included a commitment to ban the sale and distribution of dangerous psychoactive substances, which is why we are with the Minister tonight.

The illicit drugs situation in the UK and throughout the world is constantly changing. Protecting young people from harm is our responsibility, even if we know that there is no silver bullet to reduce the trade in drugs. New psychoactive substances can be a significant danger to public health, and they have taken people’s lives. Jimmy Guichard was a fun-loving, sporty 18-year-old bloke living in Kent. He had heard of legal highs and decided to try them. He bought a packet of Clockwork Orange from a local head shop, and he may have taken a high dose, possibly the same as he would have done for ordinary cannabis. He had a severe reaction, suffered a heart attack and, sadly, died the next day.

Owain Vaughan was 14 when he tried a brand of synthetic cannabis with friends and was overcome by its potency. He described the effects to BBC News:

“It made me physically ill, I collapsed, I started fitting, I tried to get up, but fell straight back down and banged my head...I felt my own heart stop and I was scared.”

Unfortunately, stories like Jimmy’s and Owain’s are not isolated incidents. The Office for National Statistics reports that there were 67 deaths in England and Wales involving psychoactive substances in 2014, so the problem is clearly growing.

[Lyn Brown]

We do not have comprehensive evidence about the overall harm of psychoactive substances, but people have died as a result of taking these drugs. Some of the substances can cause severe adverse effects such as heart palpitations, panic attacks, hallucinations and even psychotic episodes.

The supply of these drugs is becoming an industry. They are made, marketed and supplied by unprincipled organisations for financial profit. Our understanding of the dangers of legal highs has been greatly enhanced by the work of the Angelus Foundation, and I pay tribute to Maryon Stewart, who established the foundation after losing her daughter Hester, a medical student, to the legal high GBL in 2009. Research by the Angelus Foundation has estimated that there were more than 250 head shops in the UK selling these products in 2013. According to the crime survey of England and Wales, around a third of all new psychoactive substances purchased in the UK came from such businesses. Head shops claim that they do not sell illegal substances, but Home Office tests have shown that almost 20% of packets of new psychoactive substances contain illegal drugs.

Head shops and other high street retail outlets normalise drug taking and encourage people to experiment with and use drugs. The names and packaging are designed to attract young adults to experiment, and free samples are regularly used as part of marketing strategies. The fact that substances can be bought on the high street in broad daylight without any sanction whatever gives the illusion that the substances are both safe and legal. There are hundreds of internet sites that sell these substances online, with little or no knowledge of who they are selling to. The Home Office estimates that the industry has an annual turnover of £82 million. Overall, the UK has the largest new psychoactive substances market in Europe.

As the Minister stated, drugs have traditionally been controlled in the UK through the Misuse of Drugs Act 1971, under which the Home Secretary has the power to put substances on a banned list, so long as he or she has consulted the Advisory Council on the Misuse of Drugs. Since the middle of the previous decade, that mechanism has been put under great strain by the explosive growth of new psychoactive substances. We have managed to control some of them, but let us be under no illusion—that has not solved the problem.

The relatively easy process of creating new psychoactive substances means that these new drugs are appearing on the market all the time. In each of the past six years, more substances appeared on the market than was the case in the previous year. The Home Office and the Advisory Council on the Misuse of Drugs cannot keep up because the traditional process of classifying the drugs, with its independent and objective process of assessing the overall harms of a particular substance, can be cumbersome. It is a game of whack-a-mole that the authorities are hard pressed to win. In 2011, the Government tried to deal with the problem by introducing temporary class drug orders. TCDOs allow the Government to ban the production and sale of new psychoactive substances while the ACMD gathers more information on the risk and harm associated with those drugs.

There are problems with TCDOs. First, they are inherently reactive, and there is always a time gap between a drug coming on to the market and being

subject to control. The second problem is that TCDOs last for only 12 months, which puts significant pressure on the ACMD to assess the harm caused by the drug quickly. Another approach taken by the Home Office under the Labour Government was to add generic groups, rather than specific compounds, to the list of controlled substances. Although this procedure has had some success in controlling new psychoactive substances, it is clear that we are dealing with an evolving problem that our current legal framework cannot get to grips with.

In December 2013, the Government appointed an expert panel that recommended that the most effective way to deal with new psychoactive substances would be to introduce a blanket ban on the supply, importation and exportation of any psychoactive substance that was not specifically controlled or exempted. This approach, as we have heard, is modelled on legislation passed in the Republic of Ireland in 2010. There were 102 head shops in Ireland at that time, according to the Irish police force, and they have now “virtually disappeared”. The expert panel was clear that the number of clients attending drug treatment services had declined: 368 people received treatment for problems in 2011 and that number fell to 220 in 2012. Although I accept that it is too early to make a long-term judgment on the success of the Irish model, it seems to have made a start at tackling the problem.

The Bill takes up the expert panel’s recommendation and makes it a criminal offence to produce, supply, import or export these drugs. I am not so naive as to think that we are going to shut down the industry altogether, even though that is what many people would want, but by more quickly containing production and supply upstream, we will hopefully reduce the harms to young people downstream.

Stephen Phillips: Does the hon. Lady share my concern, which we need to consider when we think about the Bill, that the closure of the head shops makes it possible that the entire trade will be driven underground, that it will link itself with the illegal drug trade, and that those who might at present go on to the high street or into a garage and purchase what they think are legal highs, which may be very dangerous for them, will end up using much more serious class A and class B drugs?

Lyn Brown: I accept what the hon. and learned Gentleman says, but one of the things I find particularly repulsive is that our young people see these head shops in front of them on the high street, and then think that the shops are legal and safe because if they were not, the police would have come along and nabbed them. I will answer him later because we do need to think about what happens with an underground market.

This Bill sends out a message to young people who are unaware that these substances are dangerous. Many of those that are sold in the shops are illegal now, let alone before we ban the lot of them. As I support the aims and general approach of the Bill, I want to ensure that it is drafted and implemented as effectively as possible, so I will press the Government on several issues and worries. I hope that the Minister will take my recommendations and concerns in the constructive manner in which they will be intended.

My first point is about education. The Bill is an appropriate way to try to tackle the supply of dangerous psychoactive substances, but we need to reduce demand.

Unfortunately, there is a load of misinformation about psychoactive substances. Research by the Royal Society for Public Health found that a quarter of young people aged between 16 and 24 believed that so-called legal highs were safer than illegal drugs. This is a dangerous misunderstanding, because some of the new psychoactive substances have gone on to be controlled and designated as class A, indicating that they were some of the most harmful drugs around before they were controlled. Passing this legislation has the potential to put to bed the dangerous myth that psychoactive substances are safe, but the measure will do so only if it is supported by a concerted communication and education strategy.

The Labour Administration in Wales have shown us how that can be done by putting education at the forefront of their drug prevention strategy. There is now a core substance misuse education programme in 97% of Welsh primary and secondary schools to ensure that almost all Welsh schoolchildren receive accurate, consistent and credible information about the potential harms of drugs, rather than having to rely on myths and guesswork. Labour Members have consistently emphasised the role of PSHE—personal, social, health and economic education—in reducing drug use. I have voted to make PSHE compulsory in schools, and that needs to be considered again.

Dr Philippa Whitford (Central Ayrshire) (SNP): This aspect did not go to the Advisory Committee on the Misuse of Drugs and has therefore been put together without its advice. The use of illegal drugs has been going down not because of locking people up and criminalisation, but because of education. We all want these chemicals not to be used, but we must not overreact and not use education enough, because it is a key tool.

Lyn Brown: The hon. Lady is absolutely right; I completely and utterly agree. Education is the key to this. We need to reduce the demand for the supply.

Thus far, a mere £180,556 has been spent on education programmes on new psychoactive substances, as the Minister told the House in a written answer on 2 June. Sadly, the Government rejected Labour's amendment to the Bill in the Lords which would have placed a statutory duty on the Secretary of State to increase public awareness and help schools to educate children about the dangers of these drugs. Let me say gently that that is a wholly inadequate response given that the Government themselves recognise that these drugs are a serious problem. If we want young people to have the resilience, the confidence and the knowledge to say no, we have to be fully committed to a comprehensive education programme across the UK.

The next area where the Minister needs to exercise care and caution is proportionality of sentencing. Under the Misuse of Drugs Act, sentences are linked to the harm caused by the drug possessed, supplied or produced—the more harmful the drug, the harsher the maximum sentence. Of course, there is judicial discretion in applying individual sentences, but the general approach of linking to relative harms is important.

The Bill represents a radical departure from previous attempts to control drugs, because it legally decouples controlled substances from an independent and objective assessment of the harm they cause. We understand why that may be appropriate. The process by which the ACMD determines the harm of a substance can be

lengthy and resource intensive, which is precisely why the Home Office cannot keep up with the illicit market. It is difficult to introduce the concept of harm to the Bill without denying the Home Office the tools it needs to deal with that central problem.

It is because this Bill suggests such a radical change that we need carefully to consider the impact it will have when implemented. I am worried that we might end up in a situation where someone who is prosecuted for selling a weak psychoactive substance faces the possibility of the same seven-year custodial sentence as someone who sells a very dangerous substance. The Bill contains no classification system to differentiate between those two crimes. I fear that the proposed laws could lose the confidence of the public and the judicial system if the issue of proportionality is not looked at carefully. As the Minister will be aware, the issue has exercised the Home Affairs Committee.

I am particularly worried about the proportionality of sentencing for young people involved in social supply. It is not unusual for a number of young people to club together and for one person to buy substances off the internet and distribute them among friends, or even for one individual to sell a small amount to a friend. The Bill makes no distinction between those people and large-scale importers. We need to look at that.

Has the Minister considered providing credible measures for a relatively harmless substance to be excluded from the controls, if that is deemed appropriate? Conversely, if a new psychoactive substance proves to be particularly harmful, surely it should be removed from the scope of the Bill and controlled under the Misuse of Drugs Act. Reviewing that may be an appropriate responsibility of the ACMD.

Another issue that needs careful consideration is how the police and prosecutors can both determine and prove that a substance is psychoactive. I am sure the Minister is aware that Professor Iverson, chair of the ACMD, has previously written to the Home Secretary warning her that we will have to rely on proxy measures of psychoactivity, such as in vitro neurochemical tests, in order to prove psychoactivity, but that they may not stand up in court.

We should take Professor Iverson's warnings seriously. Although similar legislation in Ireland appears to have been broadly successful—given the statistics I quoted earlier—there have been only five successful prosecutions. Police in Ireland have admitted that that is because they find it difficult to prove the psychoactivity of substances. We want sellers to stop selling psychoactive substances voluntarily, and for consumers to stop purchasing the drugs. However, it is hard to imagine that that would work without any prosecutions at all. The law simply would not provide a credible deterrent.

Mike Penning: I raised this issue with the Minister in Ireland, where local authorities and others can use the powers they have been given without having to go all the way to the criminal courts. This Bill also gives extensive powers to local authorities. That addresses some of the hon. Lady's concerns, but the Bill Committee will look at the issue in more depth.

Lyn Brown: I am grateful to the Minister for that assurance. If the ban pushes supply away from the high street and increases online sales, there will be a need for

[*Lyn Brown*]

resources and to look at how technology and international co-operation can disrupt supply and delivery routes. Is the National Crime Agency going to take the lead on online sellers? Does the Minister have the information to hand? Perhaps he could inform us of the plans when he winds up the debate.

Paul Flynn: The European Monitoring Centre for Drugs and Drug Addiction in Lisbon has reported that the lifetime use of these substances in Ireland before the ban was 16%, but that four years after the ban it had increased to 22%. Is it not true that almost every drug ban has resulted in an increase in usage?

Lyn Brown: I have only been in this job for two weeks, but if I had been in it for a bit longer and the Public Bill Committee was not next week, I would have nipped over to Ireland to find out. My information is that the ban has closed down the head shops. The second piece of information from Ireland is that the number of people going to hospital with the effects of psychoactive drugs has also declined. I have managed to glean those two pieces of information from Ireland. I promise that I will do more research on Ireland before the Committee next week. Even if I am not allowed to go across to Ireland—can I go?—I will certainly have a look at that. [*Interruption.*]

Norman Lamb: I will not take that groan personally. To follow up on the intervention by the hon. Member for Newport West (Paul Flynn), the hon. Lady may be interested to know that in Poland, where the same approach is being applied, the number of poisonings—this is about damage to young people—has gone up dramatically since the ban came in from 562 cases in 2010 to 1,600 in the first 10 months of 2014. Does that not give her cause to pause in supporting the Bill?

Lyn Brown: I genuinely think that Ireland is much more comparable to us than Poland. However, I do not think that I will get to Poland in the next week—if I can, I will—but I will certainly look at the evidence cited by the hon. Gentleman.

Lady Hermon: Will the hon. Lady give way?

Lyn Brown: No, I will make some progress.

John Mann: Before my hon. Friend continues, is she aware of the recent evidence from Ireland showing that the number of people who have accessed services for treatment for such drugs has significantly reduced over the past three years?

Lyn Brown: I thought I had said that, but I obviously did not say it well enough. However, I thank my hon. Friend for his assistance.

I understand that the ACMD has offered to work with the Home Office to try to overcome of the problem of needing to prove psychoactivity, and that the ACMD believes the issue can be resolved. I look forward to the Minister informing the House about what progress is being made on that issue so that we can be assured that the Bill has the teeth it needs. The definition of psychoactivity should be at the core of the Bill, so I am rather surprised that the Government felt able to move the Bill's Second Reading without that point being

resolved. The ACMD recently met the Home Secretary, and the House really needs some detail on how the discussions are progressing.

I want the Minister to consider monitoring and evaluation. I am pleased that the Government are now making a statutory commitment to review how well the Bill works. However, it is important that we are given more details of the intended scope of the review. We need to know that we are breaking up not just the legal market, but the overall supply chain as well. Ultimately, the ban may have the effect of reducing the number of users of NPSs, but of increasing the risk for those who continue to use them. It is clear that a wide-ranging and comprehensive review, backed up by thorough and better research, will be necessary.

I also want the Minister—he can see that I have a long list—to speak to his colleagues in the Ministry of Justice to see whether the impact on prisons can be given particular attention. I am sure that he was as alarmed as I was by the prisons and probation ombudsman's report in July, which found that new psychoactive substances were a factor in the deaths of at least 19 prisoners between 2012 and 2014. The annual report of Her Majesty's chief inspector of prisons was just as concerning. It found that NPS

“has had a severe impact and has led to debt and associated violence.”

That is a real problem for our prisons, and we need to know that it is being dealt with.

Stephen Phillips: A point that may not have occurred to the hon. Lady arises from the two points that she has put to the Minister—the impact on the MOJ's budget of the difficulty of proving that something is a psychoactive substance within the meaning of clause 2. That issue will inevitably have to go to a jury, and will therefore require expert evidence on both the prosecution and the defence sides. Has she considered the potential financial effects on the legal aid budget if clause 2 is not amended?

Lyn Brown: I am clearly being far too subtle. I am not often accused of that. I talked about resources and clearly we understand that that will be an issue. I thank the hon. and learned Gentleman for drawing the point out and for being so succinct.

The Home Secretary has said that the Home Office is actively considering the point about prisons and intends to table an amendment in Committee. I hope that that is still the Government's intention. I will examine any such amendment carefully.

Mike Penning: Perhaps I was a bit too subtle as well, because I think I said that we would do that.

Lyn Brown: We are not often accused of that, are we?

Mike Penning: No.

Lyn Brown: In conclusion, the Opposition want the best possible Bill so that young people are not exposed to these dangerous, untested substances and so that we reduce the harm that they do. I want to work with the Government to ensure that that happens. That means looking seriously at the potential weaknesses in the Bill. We will stress throughout the legislative process and beyond that this problem cannot be tackled through law enforcement alone. We need to restrict supply and demand.

That means looking once again at the state of drugs education in this country, alongside reducing the overall public health harms.

Several hon. Members *rose*—

Madam Deputy Speaker (Natascha Engel): Order. We have calculated that with 17 Members wishing to catch the eye of the Chair, it works out at about 12 minutes each if the House sits until midnight. I will not impose a time limit, but I ask people to self-regulate.

8.51 pm

Steve Brine (Winchester) (Con): It is a pleasure to follow the shadow Minister. I very much enjoyed her subtly constructive contribution to the debate. I am sure that the Committee will be great fun.

There were many good things about the Conservative manifesto on which Government Members were elected in May. The inclusion of a commitment to “create a blanket ban on all new psychoactive substances” was very welcome to my constituents in Winchester.

Like many Members who are here tonight, I have spoken about this subject many times since entering the House in 2010. There have been numerous debates in this Chamber and Westminster Hall, and it has been raised frequently in Home Office questions and Prime Minister’s questions. As a Back Bencher in the last Parliament and, in its final year, as Parliamentary Private Secretary to the excellent Minister who opened the debate from the Dispatch Box, this has been something of a mission for me. I must say at the outset that I will support the Bill tonight. I thank the Minister for the way in which he laid it out for us.

As I have said many times, new psychoactive substances, or legal highs as they are commonly known, are often not legal and do not always get people high. Why do I say that? Very often they land people under arrest because they are not legal and, in too many tragic cases, they do not get people high but cost them their lives.

NPSs are notoriously difficult to identify. Currently, they have to be regulated on a substance-by-substance or group-by-group basis because of their diversity and the speed with which they are developed to replace drugs that are controlled under the Misuse of Drugs Act 1971. Many NPSs are legal because they have not yet been assessed for their harm and considered for control under the 1971 Act. That is not because they are inherently safe for human use—far from it.

That is the cruellest danger of the legal highs that I have seen. So often, they are sold as harmless fun at high-street head shops or at the festivals that I happily frequent every summer. As the Parliament of this country, we have a grave responsibility to protect our children from this menace. As things stand, we are simply not doing that.

Mephedrone is probably the best example of a legal high that was just that until people died and we acted. It appeared in 2008-09 and quickly gained a lot of media attention due to its tragic death toll. It became a class B drug in April 2010 and has declined significantly in popularity since.

Ketamine is another example of a “party drug” that, although originally a class C drug, has left lives ruined or worse in its wake. For those who are listening to this

debate, whether outside the House or inside it, I will be blunt. Ketamine is a powerful general anaesthetic that stops one feeling pain. It is used for operations on humans and animals. If you’re lucky, the effects do not last that long. Until those effects wear off, ketamine can cause a loss of feeling in the body, paralysis of the muscles, confusion, agitation, panic attacks, and impairment of the short and long-term memory. Frequent use is sometimes associated with the development of severe depression. Again we acted, and in June 2014 ketamine changed from a class C to a class B drug.

Sadly, that was not soon enough for 18-year-old Ellie Rowe, who collapsed at a festival in my constituency in August 2013 after taking the drug. Ellie was a dedicated Army cadet, and she obtained the Duke of Edinburgh gold award a few months before her death. She had everything to live for, but for £40 her life was gone. That paltry sum got her and her best friend two grams of the drug which, according to the inquest that followed, she inhaled after drinking several cans of lager and suffered a fatal cardiac arrest as a result.

Speaking after the verdict, her dad said:

“I always imagined if any harm came to Ellie it would be on a bungee jump or canoeing down a fierce river or in an accident on a mountain—but nothing like this. She was so sensible. It’s an absolute tragedy for our family. It was one act of stupidity that has destroyed a family.”

Ellie’s mum was at the festival in Winchester this summer and last summer—the summer after her daughter died there—warning young people about the dangers they face from these drugs. I spoke to Ellie’s mum, Wendy, this morning, and it was not an easy conversation. She gave me permission to use her daughter’s tragic case in today’s debate, for which I thank her. Her message was this: yes, ban these substances, especially if it reduces demand, but please do not think that the law is the start and the end of the matter—I suspect that other Members will raise that point tonight. Of course we do not think that, and as the Minister said in his opening remarks, we must be careful about criminalising young people for silly mistakes. A criminal record can also ruin lives, and education about the dangers of these drugs—legally as much as physically—must not stop if this Bill receives Royal Assent.

Wendy’s final point when we spoke this morning was telling. She said that we should help young people to broaden their horizons and expand their consciousness without the aid of mind-altering drugs. Perhaps our education system in this country is not making room for our young people to be creative enough—possibly that is too deep for this time on a Monday night, but my point remains.

I am reminded of the opening lines from that seminal track, “Loaded”, by Primal Scream—a band that I am sure you are very familiar with, Madam Deputy Speaker. It is taken from the classic 1960s film “The Wild Angels” starring Peter Fonda. The question posed at the start of the song is:

“Just what is it that you want to do?”

Heavenly Blues, played by Peter Fonda, replies:

“We wanna be free

We wanna be free to do what we wanna do

And we wanna get loaded

And we wanna have a good time”.

It is a great song.

[Steve Brine]

That may be the first time that Primal Scream has been quoted in this House, but there is a serious point. The music industry and the popular culture industry have a responsibility, and we as a society must dig deep into why young people in our country today want to alter their state of mind and get so “loaded” or “wasted”—there are many other words—as part of what should be a fun night out.

In preparing my remarks for this debate, I acknowledge the contribution of Hampshire constabulary, Dr Ruth Milton, our director of public health in Hampshire, and Jack Briggs of drug and alcohol specialists Baseline Training, which is based in my constituency. The picture they give of NPS prevalence in Hampshire is consistent and deeply worrying. An intelligence overview produced by Hampshire constabulary in March this year found that across Hampshire and the Isle of Wight there were at least 16 NPS retailers—head shops—with the number growing all the time. Analysis by the constabulary suggests that NPS use is more common in areas surrounding head shops, and that in turn leads to more shops opening to meet the demand.

Winchester has its store on Stockbridge Road, which is passed by hundreds of school and college students every day. It is even neatly placed right by the city railway station. I have been inundated with complaints about that shop from constituents, and I was pleased to give them our manifesto commitment—which we are debating today—in response.

An intelligence report to the Hampshire and Isle of Wight drug strategy group in April this year reported that NPSs remain in “prolific common use”, with vulnerable people such as those with alcohol addiction, mental health issues and homelessness being susceptible to targeting by NPS dealers.

The reference to homeless people in the city of Winchester and long-term drug users being targeted to move on to NPSs certainly struck a chord with me. Trinity Winchester is a charity in my constituency which addresses the effects of homelessness and vulnerability through specialist practical help and support. Sue and Michelle from Trinity confirmed to me, ahead of today’s debate, the stark increase they have seen in clients under the effect of NPS. Equally, Winchester’s night shelter sees the effects of NPSs on a daily basis in its work.

The harm NPSs are causing and the complexity they are adding to already stretched public services is of grave concern to me as a constituency MP. This is supported by anecdotal reports from Winchester’s mental health team, which reports considerable problems as a result of NPS use. They speak of some withdrawal symptoms which appear to mimic mental illness, settling down once the NPSs have left their system. The mental health team reports that NPSs have been noticed locally as having a significant impact on severity, longevity and intensity of psychosis. They also cause problems with finding the right treatment for a patient, hence the case complexity. As Sue from Trinity said to me just this morning:

“We exist to help people with work and housing problems. We cannot begin with them if they are presenting to us spaced out or worse.”

Before concluding, I want to touch on prisons. In the previous Parliament, I was fortunate enough to serve on the Justice Committee, which gave me a wide insight

into prisons and the challenges they increasingly face with NPSs. It is true that problems in the wider community sooner or later become problems in the secure estate. Whether we like to admit it or not, prisons are merely a reflection of our society. According to an excellent briefing sent to me by the Rehabilitation for Addicted Prisoners Trust, NPS use has quickly become widespread among prisoners. The 2015 annual report from the National Offender Management Service affirmed that increased NPS use among prisoners is generating high levels of debt, intimidation and violence between prisoners, and is likely to be the main catalyst for the recent rise in attacks on prison staff.

Reports given to me by HMP-YOI Winchester confirm the use of legal highs inside its walls is now widespread. Winchester now has trained drugs dogs, but there are a variety of compounds used in NPSs, so if the core compound is not the same as the dog has been trained for, it simply misses the substance. It seems the new currency inside our prisons is not tobacco or cannabis, but the NPS known as Spice. It is a lethal substance existing under the brand names Herbal Haze, Damnation and Space Cadet. The governor told me that on one day last month there were three ambulances in the prison yard, after three prisoners had taken Spice.

Paul Flynn: How will the Bill reduce the prevalence of Spice in prisons, when all illegal drugs are freely available in all our prisons?

Steve Brine: I have already talked, in exchanges with those on the Front Bench, about amendments I would like to see tabled in Committee on the possession of legal highs in the secure state. The Minister gave a very strong response. I dare say the hon. Gentleman will have his chance to make his remarks later on.

This trend in our prisons is worrying on many levels, but it is another reason why we need a social revolution in this country about how we use prisons. As the governor of Winchester prison said to me, today’s debate is not just about making NPSs illegal; it is about looking at the effects that that will have on the prison economy and behaviours. He said:

“Prisoners will always want to use illegal substances whether they be a class A or B drugs or NPS. There has to be more done to support for those who want to kick the habit. Our services are being stretched. The punishments for those caught with NPS or any other drug have to be substantial. However, the trick is to ensure that this does not then incentivise more bullying and coercion. A total ban will clarify the position, but cannot be done in isolation in my view. There needs to be a range of things available to support vulnerable prisoners who have a drug habit.”

I could not put it better myself, which is why I quote the governor.

I want to place on the record how pleased I was to see noble Lords in the other place amend the Bill on Report to ensure the supply of a substance banned under the Act in prison would be an aggravated offence under section 5. I believe we need to go further, and that has already been covered with the Minister.

It is important to note that tackling this menace is not all about waiting for this Parliament to act, important as that is. Just last week, the police and crime commissioner for Hampshire, Simon Hayes, launched his Lethal Highs campaign to raise awareness among young people of the dangers of NPSs. The advertising campaign that supports it does not pull its punches and that is welcome by me. Equally, Hampshire’s public health response is

built around reducing demand, restricting supply and the use of Trading Standards. Hampshire is working with Catch22, training professionals in education, social care and health to better support their efforts, and Hampshire Trading Standards has been active in pursuing a change in the legislation—I believe it supports the Bill. Using the existing law, however, Trading Standards has been unable to secure a prosecution for the sale of NPSs. Instead, it focuses on supporting the police down the route of antisocial behaviour legislation where the problem is associated in the area of a particular retailer.

It does not take a genius to work out that this is fiddling while Rome burns. It is all good work, but we are tying hands behind backs without the Bill. Its critics, from whom I dare say we will hear tonight, have argued that the market will continue as before, through internet sales, and be driven underground into criminal hands. I am not sure I entirely agree. The expert panel reported that the main drivers of NPS consumption were, one, legality; two, availability; three, potency; and four, price. Often, these substances are highly intoxicating but give relatively little pleasure, so it is reasonable to argue that people will be much less likely to seek them once their legal status has changed.

In conclusion, by creating a blanket ban on the production, distribution, sale and supply of psychoactive substances in the UK, we will change the rules of the game hugely in favour of the police and other agencies working to keep our constituents safe. For that reason, I am happy to support the Bill on Second Reading.

9.5 pm

Anne McLaughlin (Glasgow North East) (SNP): I rise to offer the Scottish National party's tentative support for the Bill to proceed to the next stage. I say "tentative" because as it stands the Bill has not resolved many fundamental questions, meaning that the Committee will have its work cut out. None the less, we will support it today because we must tackle the alarming rise in the use of so-called legal highs and because further delays might result in lives being lost that could have been saved.

Of course, the term "legal high" is misleading, given that not all these substances are stimulants and many contain controlled substances. It misleads young people into believing that they are safer, more sophisticated or less likely to land them in trouble than the traditional drugs they mimic. Language is important, and nobody knows that better than those who bring these products to market. I refuse to name any products because the names make them sound bold, exciting and adventurous, when in fact they can have catastrophic impacts on someone's life, and, as we know, in many cases they have ended people's lives, sometimes in minutes.

I urge colleagues to refuse to use the names that the marketing consultants give to their dangerous substances and to limit their use of the term "legal high". Some believe they would not be legal if they were dangerous, so we, as legislators, must ensure consistency in how we deal with these emerging substances. The Bill will create a blanket ban to prohibit and disrupt the production, distribution, sale and supply of NPSs in the UK. This consistent approach will have the benefit of removing all doubt about the legal consequences of being involved in the manufacture or distribution of these substances and will highlight the safety concerns of society at large about NPSs.

Jim Shannon (Strangford) (DUP): An organisation called FASA, which is doing some great work in my constituency, has indicated to me its concern that resources be put in place to help people off those legal highs when the law changes—I hope—next April. Should the Government look at that as well?

Anne McLaughlin: I will always support treating drug use as a health issue above anything else, so obviously I would support giving help to people struggling with it.

The Bill addresses the difficulties that have arisen in controlling the use of these substances under the Misuse of Drugs Act 1971. The SNP supports the aims of the Bill, and the Scottish Government have been working with the Home Office and other partners in combating the use of harmful NPSs. Let us not pretend that they are not harmful. A Scottish Drugs Forum survey of drug services in 2013 provided a summary of some of the key harms associated with NPS use—overdose and temporary psychotic states, attendance at A and E, hospital admissions, sudden increase in body temperature and heart rate, coma, risk to internal organs, hallucination and vomiting. The list goes on. Some would argue that many of these effects can occur as a result of alcohol abuse, but with these substances no abuse is necessary; simply their use can have catastrophic effects. There were also some associated long-term health issues such as an increase in mental health issues, including psychosis, paranoia, anxiety, psychiatric complications and depression—and dependency, which can happen over a very short period of time, sometimes just a matter of weeks.

Many hon. Members will have received correspondence from their constituents, and today we have heard some horrifying examples of the impact of these substances. Faced with a personal testimony and a growing body of research from health practitioners and academic researchers, we have a duty as legislators to get this legislation right. We are not yet there. The Committee must explore in detail some of the concerns raised today, including the issue of driving sales underground, internet sales and how to ban them, either on the clearnet or the darknet, and the issue of proportionality in sentencing, which the hon. Member for West Ham (Lyn Brown) mentioned. There are many other issues, too.

The Scottish Government have commissioned research to look at trends and, more importantly, at the motivations of those consuming these substances. In February this year, the expert review group commissioned by the Scottish Government put forward a number of recommendations, which should be of interest to Members in debating the Bill. One of these was the development of a definition of "new psychoactive substances", which could be used across all sectors attempting to deal with these issues, especially the NHS and enforcement agencies.

It is crucial to ensure that we get the definition of NPS right in this Bill. Speaking as a new Member, I often wonder whether it is just the way things are done here, but I am quite certain that most Members would agree it is not acceptable to have reached this stage of legislation while still not having a definition with which everyone can agree. Most alarmingly, the chair of the Advisory Council on the Misuse of Drugs has said that the definition we are being asked to agree to is unworkable. I urge the Bill Committee to consider the evidence of the ACMD and find a workable definition.

Jim Shannon: I do not want to let this subject pass. The Republic of Ireland has very clear legislation with a very clear meaning. Does the hon. Lady feel that the Republic of Ireland has set in place legislation that could set a precedent for the rest of the United Kingdom of Great Britain and Northern Ireland?

Anne McLaughlin: I think the legislation in the Republic of Ireland is interesting. It is one of a number of countries whose legislation we should look at. A number of countries throughout the world have experience of legislating on this issue, and we should reflect on such legislation.

A related issue that also featured in the recommendations is ensuring a cross-agency working approach, as my hon. Friend the Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) discussed with the Minister earlier, that is required to tackle what is a sophisticated—unlike myself—emerging and extremely adaptable public health problem. If we get this Bill right, it will be a significant step forward. That is why I ask the Government to ensure that the legislation is not rushed. Although we all would like to see this threat dealt with speedily, it is in no one's interest to see the Bill rushed through with loopholes that can be exploited by the producers of these products in the future.

At the age of 18, I recall thinking that people in their 20s, including 20-year-olds, were so much older and far too old to understand what it was like for us 18-year-olds. It sounds ridiculous now that I have aged just a fraction, but it is just a fact of life that if any of us here—and yes, this might even include my hon. Friend the Member for Paisley and Renfrewshire North (Gavin Newlands)—were to try to tell a young person about the potential hazards of these substances, they would be more likely to switch off, asking themselves, “What do they know?” It is therefore crucial that young people equip themselves with the facts and educate each other. We can support that education, but we absolutely must work with young people.

In recognition of that point, Paul Wheelhouse, the Scottish Government's Community Safety and Legal Affairs Minister, attended an event at the Scottish Youth Parliament at the end of September to discuss the best approaches to raising awareness of the dangers of NPS. The SNP Government will continue to work closely with the SYP—there are too many letters here—and they will shortly present a report on their findings to the NPS ministerial cross-party working group.

I would urge both Governments to continue to work with young people, but I would urge them to work with a broad spectrum of young people. For example, looked-after young people who have come through the care system will have a different perspective from those who have grown up in a traditional family. Young people with BME backgrounds may have a very different perspective from members of the predominant race in their society, and those growing up in poorer areas and households will undoubtedly see things very differently from those with healthier upbringings.

I want to share with Members my perspective on all this during my youth. I confess that I have never—not once—touched a single illegal substance. I say “confess” because when I was growing up, it was a bit of a confession. There was a lot of peer pressure, although nothing like as much as there is today. I managed to

resist all temptation because of a hauntingly beautiful young woman of whom I would catch a glimpse from time to time as my dad dropped my mum off at work. My mother was a psychiatric nurse who worked night shifts. I always said that I could not do that, but here I am.

Fiona was not the name of that beautiful young woman, but that is what I am going to call her. She had a look of Snow White about her. She was 18. She had been celebrating with her friends, and she had had much to celebrate, because she had just heard that she had managed to get straight As and would be heading off to medical school the following month. She did not make it. Instead, she ended up in a locked ward with my mum as one of her nurses. She remained there for almost four decades, and has only now moved into supported accommodation.

Fiona's life turned out to be so different from the one to which she had been looking forward on that fateful night. She ended up in hospital that night, and spent nearly four decades there, because she had taken something. No one knew exactly what it was, and her friends say that her drink must have been spiked because she would not have done it voluntarily. Who knows the truth? But it was a hallucinogenic, and it sparked off a latent psychosis which might have lain dormant throughout her life. Instead, it was activated that night, and her life became dominated by terrifying panic attacks, hallucinations, and paranoia so great that she felt like a kidnap victim who was being kept against her will rather than a patient being cared for by my mum and her colleagues.

This hauntingly beautiful, extremely intelligent young woman with a bright future ahead of her got none of what she deserved from life. Her story is an extreme one, and the risks of the same thing happening are relatively low, but the consequences would be too great for anyone to bear. There were too many unknowns for a control freak like me, and, by telling me that story, my mother very cleverly guaranteed that I would never take the risk.

There will be many different motivations that entice or drive young people to experiment with mind-altering substances, and many different messages that prevent others from experimenting. Our primary interest should be in keeping them safe and healthy, not in punishing them. I therefore welcome the commitment that I believe the Bill provides to criminalising suppliers and not users. I also welcome the Minister's assurance, following interventions from Members on both sides of the House, that he will iron out the anomalies in clause 8. Not sitting in moral or legal judgment of those who use these substances will give us a huge head start when we are trying to find ways to discourage them. The Bill is right to target those who gain a financial benefit from dangerous substances, the dealers and producers. Many NPSs are cynically marketed to avoid existing restrictions while also making clear what effect they will have on the purchaser.

There is an important international context as well. As the example of Poland shows, if we do not ensure that our neighbours are on side, legislation in one country can be undermined by a lack of legislation in neighbouring states. NPSs are developed and sold across international markets. The European Monitoring Centre for Drugs and Drug Addiction has emphasised the

importance of international collaboration in information collection and data-sharing, and, indeed, the G8 countries have agreed to share data on NPSs. It is worth noting, however, that most of these products are produced in China and India and then shipped in bulk to Europe, where they are sold to consumers. It is also worth noting that the Prime Minister is to meet the Prime Minister of India shortly when he visits the UK—and, of course, we are all too well aware of the state visit of the President of China, which will start tomorrow. Perhaps the Minister will ask the Prime Minister to raise the need for international collaboration on NPSs with both Mr Modi and President Xi Jinping.

In conclusion, the SNP supports the Bill at this stage, but not unequivocally. We believe there is a job ahead for the Bill Committee to catch up with where we should have been now in terms of the definitions, and I would like to think the Committee will take a robust approach and listen to those who have expressed concerns about the working of the Bill, and to those who have more experience, like Professor Iverson, as well as to those who currently use psychoactive substances recreationally. Their voices will inform us greatly.

We do not want to be having to return time and again to amend the Bill, nor do we want to have to look at repealing it because it is unworkable, as the hon. Member for Brighton, Pavilion (Caroline Lucas) suggested we might have to do at some stage. Let us get it right from the start. The best way to do this is to collaborate with as many interested parties as possible.

9.20 pm

Dr Daniel Poulter (Central Suffolk and North Ipswich) (Con): I rise to speak in favour of the Bill. It is a pleasure to follow the hon. Member for Glasgow North East (Anne McLaughlin), who spoke very eloquently in outlining some of the very real human dangers of some of the substances we are discussing, drawing on the personal experiences of people she knows. It brings home to us that when we debate issues in this House, they are about real people and their lives—and in the current debate are about the effects these psychoactive substances can have, including the potentially devastating effects on people's mental and physical health. In some rare cases, their use has led to the death of the user, with tragic consequences for their families.

We have had a very consensual debate among Members on both sides of the House. There has been some legitimate probing of some of the nuances and legal framework of the Bill, which will be discussed in greater detail in Committee. The discussion has been beneficial, and it has flagged up a number of the challenges we face when making laws in this area, showing why it is so important this House passes this Bill.

The Bill rightly recognises that the Misuse of Drugs Act 1971 was drawn up at a time when there was a fairly static drugs market. The situation today is very different. We have an influx of hundreds of new products and drugs on to the market almost by the year. Many of these drugs have potential consequences for human health and wellbeing.

I also echo the point made by the shadow Minister and my right hon. Friend the Minister that there has been success in Northern Ireland, which we hope to replicate through the passing of this Bill in England, by helping

to close down head shops and some access to these substances. The shadow Minister made a compelling point: having shops on the high street that sell substances which can damage human health and lead to death but that appear to be just like any other shop on the high street is a form of legitimising these substances. It is important that we take action through legislation, as this Bill does, and recognise the importance of helping to close down those shops. The hon. Member for Bassetlaw (John Mann) mentioned a shop in Worksop and I am sure there are many others up and down the country that at the moment are seen by many people to be legitimate high street shops. They are not; they are selling substances that can be very damaging to human health.

Indeed, we can draw a parallel with the approach that we have taken, not so much through the criminal law as through drug regulations, to Chinese herbal medicine practitioners. People often believe that such practitioners are perfectly harmless, and many of them do practise in a responsible and harmless way, but some people have died as a result of metal toxicity, including lead poisoning, and other associated consequences of the activities of unscrupulous practitioners in that field. That is why Parliament needs to legislate. We need to point out that just because a shop is on a high street, it is not necessarily carrying out desirable or even safe pursuits. It is our responsibility in this place to make that clear to the public, and that is an important part of the Bill.

We also need to get to grips with another issue in Committee. The general principle behind the Bill is that it will become illegal to supply or intend to supply the drugs, which appears to mean that mens rea will have to be actively involved. We need to consider how suppliers of the medications could try to get round the law. I mentioned Chinese herbalists. I use them only as an example; I am not in any way discriminating against or picking on them. I think that they are covered by schedule 1 to the Bill. We need to examine how people classify themselves as suppliers of these substances. Perhaps they will classify themselves as industrial suppliers, for example, or as Chinese herbalists. We must not allow them to circumvent the intention of the Bill by finding a gap in the law in that way. I hope that we can discuss that in greater detail in Committee, so that the Government can determine whether any parts of the Bill need to be tightened up in that respect.

I also want to speak briefly about education. Simply criminalising certain activities will not necessarily stop them happening, and it is key to recognise that criminalising the people who often use psychoactive substances—the most topical is cannabis, as we discussed in Westminster Hall last week—will not tackle the educational challenge. We need to make people aware of the dangers of using those substances. People who have a mental illness, as well as children and young people, are particularly susceptible to the messages about using the substances and particularly vulnerable to the people who supply them. I would like to hear more in Committee about how we can better educate people.

We need to take a two-pronged approach in dealing with this challenge. Making the substances illegal is absolutely the right thing to do. We have a cumbersome legal framework at the moment, and it takes too long for the Government to act to protect the public. The Bill is all about supporting a much more proactive, interventionist

[*Dr Daniel Poulter*]

approach to protecting the public from the harms of these substances, but it is also important to have an educational strategy for making young people in particular aware of the dangers of the drugs. We need to take that two-pronged approach, and I hope we will hear more about that in Committee.

A further point about cannabis came up in the recent Westminster Hall debate, and I wonder whether there will be an opportunity to table amendments in Committee relating to it. Cannabis is perhaps the best known psychoactive substance, but at the moment there is a potential challenge. Under that slightly antiquated legislation, the Misuse of Drugs Act 1971, cannabis is classified under schedule 1 to the Act. It was seen as having no medicinal benefit, whereas the more recent evidence, for example, from the United States, is clear that there is potential medicinal benefit from cannabis and its derivatives. As we have a Bill dealing with psychoactive substances, surely this is a good opportunity to look at the international examples, such as that of the United States, where more than 20 states have legalised the medicinal use of cannabis and helped to promote additional medical research into its use.

The Bill provides an opportunity to examine that psychoactive substance and the fact that other substances are classified under schedule 2, including methadone, because it has a medicinal purpose. We may recognise that in today's medical world cannabis has a medicinal purpose, that the old scheduling might be out of date, and that we have an opportunity to enhance medical research and to alleviate the pain and suffering of a number of people who could benefit from the medicinal benefits of cannabis and some of its products. I hope that could be looked into in Committee, because I am sure it would be helpful for medical research and for patients, and I know it would garner a lot of support in parts of the medical community and among a number of patient groups.

I do not wish to detain the House any longer, other than to say that this is a good Bill that addresses some of the current legislative inadequacies in dealing with a fast-moving drugs market, and the House should support it. I hope that the issue of the scheduling of cannabis and the difficulties we face in properly researching and using some of the benefits of cannabis for the relief of pain in palliative care and elsewhere will also be looked into, either as part of this Bill or elsewhere. On that note, I close my remarks by supporting the Government and hoping to carry the whole House with me this evening.

9.32 pm

Norman Lamb (North Norfolk) (LD): I should say at the start that I am instinctively hostile to drugs and their excessive use, be they legal or illegal. I make the same admission as the hon. Member for Glasgow North East (Anne McLaughlin), the spokesperson for the Scottish nationalists: I have never taken any illegal substance. My absolute anxiety about the impact of drugs on society does not lead me to conclude, however, that this Bill is the right way—the best way—to address the problem. I am anxious about the impact of prohibition. As we have seen so often internationally, it brings with it unintended consequences, so we have to proceed carefully.

My plea to those who support the Bill is that they accept the bona fides of those of us who have concerns, as we may have exactly the same interest at heart. I share all the anxieties that the hon. Member for Winchester (Steve Brine) expressed, but we reach a different conclusion about the best way of addressing this harm. My whole interest is in reducing harm, particularly to young people. My anxiety is that although this Bill is seductive in its attraction, it is none the less misguided.

Steve Brine: I do not mean this unkindly and I realise that the Lib Dems are moving on from the manifesto on which the right hon. Gentleman stood at the last election, but did not that manifesto contain a pledge to implement exactly what his colleague, the former Member for Lewes, laid the groundwork for in government with regard to this Bill?

Norman Lamb: I would have to check that. All I want to do is say what I believe, which is ultimately what we should be doing in debate in this place.

First, let me raise a concern about process. The Government have circumvented the Advisory Council on the Misuse of Drugs, but they are unwise to do so. Its clear legal remit has been ignored. It is there to advise precisely on such issues. It seemed somewhat cynical to consult it after the text of the Bill had been drafted and just two days before the Bill was laid, and then for the Government to ignore its recommendations. Instead, the Home Office convened a separate new expert group. What on earth is the point of that when we have an advisory committee that is legally obliged to advise on such issues? It seems that the duty of the advisory committee has been fettered in a very damaging way.

The definition seems to be flawed. As the hon. Member for Glasgow North East said, is it not extraordinary that at this point of our consideration of a Bill there is such concern about the possible implications of a definition? The view of many is that it is impossible to provide a scientifically or legally meaningful definition of a psychoactive substance. The definition is very broad. At least in principle, it could cover thousands of plants, spices, herbal remedies and over-the-counter medicines. The degree of psychoactivity necessary to establish a criminal offence is also completely unclear, as it is unspoken in the Bill, but that will create a legal and scientific minefield. As the advisory committee warned, there is a risk of serious unintended consequences.

Under the blanket ban, there will be absolutely no distinction between very risky substances and relatively safe ones, as all are treated exactly the same under the Bill. Two of the most dangerous drugs of all—alcohol and tobacco—are exempted. Hon. Members should bear in mind that tobacco kills 100,000 people in our country every year. What is more dangerous than that? Alcohol causes untold damage to society, yet it is exempted from the Bill, and that seems to undermine respect for the law.

Let us look at the international evidence. Since a blanket ban was introduced in Ireland in 2010, usage has increased to the point where it is the highest in Europe. That is under a system that involves a ban, so should not that make us pause for reflection? In Poland, there was initially a drop in use after the introduction of a ban, but there was then a dramatic increase in use.

The number of NPS-induced poisonings—we are now talking directly about harm to individuals—has risen dramatically from 562 cases in 2010 to 1,600 cases in the first 10 months of 2014. Does that not cause the Government to stop and think about the implications of passing the Bill? The analysis of the Home Office—the Department promoting the Bill—says:

“Looking across different countries, there is no apparent correlation between the toughness of a country’s approach and the prevalence of adult drug usage.”

Again, should not the Home Office be reflecting on its own analysis?

John Mann: The hon. Gentleman, like a few others, is making a great play about this Lisbon-based European monitoring body and its report. Can he confirm whether it is a report of all 28 member states and whether the United Kingdom is included in the comparisons, or was the UK, along with the Netherlands and many others, excluded from the Lisbon report?

Norman Lamb: The hon. Gentleman might be right—I thank him for his intervention—but that does not in any way undermine my concern about what has happened in Poland since the introduction of a ban. The number of poisonings has gone up dramatically.

The effect of the Bill will be to hand the entire supply of these substances to organised crime. What a triumph of Government policy that is, Madam Deputy Speaker.

John Mann: Will the hon. Gentleman give way?

Norman Lamb: Let me make this point, as I am conscious that other people, perhaps including the hon. Gentleman, want to speak.

Does a criminal have any interest in my welfare? Of course they do not. Remarkably, as we were discussing earlier, the Bill manages to criminalise the purchase of a substance imported from overseas, but does not criminalise the purchase of exactly the same product domestically. Is not that just ridiculous? Can anyone in the Chamber possibly justify that distinction?

The Bill does not criminalise possession for personal use because the expert group acknowledged the negative impact on young people. It is good that that is acknowledged, but if the Government accept that criminalising usage has a negative impact on young people, why not apply that approach to drugs covered by the Misuse of Drugs Act? We have managed to come up with three tiers of approach for substances with a broadly equivalent risk. We have one tier that criminalises the use and supply of drugs under the Misuse of Drugs Act. Another approach—the one taken in the Bill—criminalises supply but not possession, while the third approach is the legal supply and use of two of the most dangerous drugs of all, tobacco and alcohol. It seems to me that that undermines respect for the law.

We should at least consider regulation rather than prohibition. If lower-risk drugs were subject to a regulated legal framework, the incentive to develop and market new psychoactive substances would diminish. That is exactly what has happened in the Netherlands, where the de facto legalisation of cannabis has removed from the market far more risky synthetic cannabinoids. The Government ought to reflect on that.

John Mann: The hon. Gentleman cited Poland, but did not reference his source. He is now cites evidence from the Netherlands without referencing his source. Is not his source a badly researched, unquantified report by Transform, which is a pro-drug lobby group, rather than academic research?

Norman Lamb: Rather than dealing with the accusation that the hon. Gentleman makes, my concern is to encourage him to reflect on what I said at the start of my speech. We ought to be able to discuss these issues recognising that while those the other side may sometimes have a different point of view, they might be seeking the same objective. The Government have not carried out any risk analysis of what happened in Ireland since it introduced a ban, but surely that is exactly what they ought to have done.

The Bill is flawed and our debate suggests that many Members recognise its flaws. My fear is that it will not work and that it will be brought into disrepute. My preference would be to work on an approach that protects young people, that avoids enriching criminals as well as lawyers, that provides clarity, rather than legal confusion that can be exploited in court by lawyers, and that is based on health and the reduction of harm.

9.44 pm

Julian Sturdy (York Outer) (Con): It is a privilege to be called to speak in this important debate. I join many right hon. and hon. Members from across the House in congratulating the Government on introducing this long-awaited Bill.

We have already heard some powerful speeches on why the Bill is so important, none more so than that from my hon. Friend the Member for Winchester (Steve Brine). I agree entirely with the Minister, who began by saying that we have been chasing the chemist for far too long. For far too long, York, along with other cities and towns across the country, has been on the front line in the fight against legal highs. Only by making it an offence to produce or supply these drugs, and by imposing a blanket ban on psychoactive substances, can we be sure to clamp down on this dangerous trade once and for all.

It has been well publicised in both local and national media that NPSs can be purchased on York’s bustling high street. The fact that such dangerous substances can be purchased in the centre of an historic city that welcomes thousands of tourists every year demonstrates the scale of the problem. Furthermore, the ease with which these drugs can be bought for as little as £7 should be at the centre of the debate. It is for those reasons that many impressionable young people have failed to appreciate the dangers of such substances. Even the name, legal highs, gives a misleading impression of safety. Sadly, too many families up and down the country have first-hand experience of the problem, and know that that is not the case, having seen their loved ones suffer the devastating consequences of taking such drugs.

Simply stamping “not fit for human consumption” on a brightly coloured packet that claims that its contents mimic the effects of illegal drugs is not enough to keep people safe. Those who sell such substances know that, yet they are happy to let their customers play a highly dangerous game of Russian roulette in exchange for a quick profit. More needs to be done to establish the impact of NPSs on crime rates. This summer, the shop

[Julian Sturdy]

in York to which I referred was broken into late at night as a result of one man's unquenchable addiction to legal highs. On his arrest, he told police officers that when he took the substances something changed in his mind. It emerged that because of NPSs he had tried to commit suicide and had spent time as an in-patient in a psychiatric hospital. That frightened him so much that, thankfully, he no longer takes those substances, but he is one of the lucky ones.

North Yorkshire police are not alone in experiencing a growing problem with NPSs and the practice of double dosing. People, often recovering drug addicts, use legal highs alongside prescription drugs. They mistakenly believe that legal highs are less harmful because they are sold on the high street. That is the essence of today's debate. Selling such dangerous substances in a highly appealing way in shops gives the illusion that this trade is in some way acceptable. It is simply not. The sale of legal highs is a trade in human misery. While legal highs have brought out the worst in some, the issue has thankfully brought out the best in others. Voluntary groups such as York against Legal Highs have sprung up across the city, providing valuable information on social media to those who need it. Furthermore, York's premier newspaper, *The Press*, has consistently reported on the problem in a responsible and commendable manner. The daily publication deliberately decided against revealing the name of the shop that sold NPSs so as not to provide it with additional publicity. It has also printed many articles highlighting the dangers of consuming legal highs.

That may have saved lives, and it is my sincere hope that the Bill will do the same by clamping down on the trade in these drugs once and for all. However, successful prosecution is vital under the legislation, which means closing all the loopholes. I look forward to seeing further details as the Bill proceeds through Parliament.

9.49 pm

Paul Flynn (Newport West) (Lab): I had the distressing experience of hearing the evidence to the Home Affairs Committee, particularly that of the mother who founded the Angelus Foundation, and heard the terrible experience she had with a young, beautiful, ambitious, gifted daughter whose life was taken away from her by the use of a legal high. Quite rightly, we all empathise with that. We all want to stop that. We all want to reduce the harm caused by drugs, but we should stop falling into this lazy thinking that leads us to believe that a ban on drugs means a reduction in use and a reduction in harm.

We are sent here to legislate and the least we can do is to avoid doing harm. Drug legislation for the past 45 years in this country has done more harm than good. At the time of the 1971 Act there was hardly any cannabis use in Britain. There were 1,000 cocaine and heroin addicts. After 44 years of the strictest prohibition in Europe, there are now 320,000 addicts. Recently we banned mephedrone. Everyone agreed with that. Very few voices were raised in the House against the ban. The assumption, which was naive and evidence-free, was that if we banned mephedrone, harm would go down. It did not; it went from 16% use in the population to 42%. We know what happened in Ireland. Use and harm have increased, rather than being reduced.

It is a widely believed myth in this country that bans work. But prohibition does not work. Look at the prisons. In a recent parliamentary question I asked how many prisons in this country are drug-free. They have walls around them, they have guards, they have rules, they have searches, but how many are drug-free? The answer that I received was that 81 prisons were drug-free for a month last year. Next question: how many prisons were drug-free for a year? The answer that came back was that one prison had reported no drug use last year. How many prisoners were in that prison? The answer came back: none, because it was closed down. That is the defensive attitude of Government. They had solved the problem of drug use in prison not by taking the drugs out of the prison, but by taking the prisoners out of prison. It is the kind of self-deception that goes on in Governments of all parties.

I attended a debate here once when the Opposition spokesman and the Minister had to leave the Chamber during a three-hour debate because they needed a fix. They were both addicts to tobacco, and they could not see the contradiction between their own addiction to a deadly killer drug and the way they were restricting the use of drugs by young people.

The Bill is impossible. There is no way of tackling the issue sensibly. There is an almost infinite number of combinations of chemicals in the drugs that are being produced. The chemistry is ferociously complicated. It can never be proved in vitro that a drug is psychoactive. The test tube shows no emotion. The drug can be tested only on human beings, which is impossible. The challenge throughout the world is one that cannot be solved sensibly and legally by testing for the drug and proving that it is psychoactive.

So what do we do? Well, we are politicians. Dogs bark, babies cry, and politicians legislate. When we cannot think of anything sensible or intelligent to do, we pass a Bill. People will feel good as they think, "We did something about that. We passed a Bill." This Bill, like most of the other Bills that have gone through this place introducing bans, will probably do more harm than good. There will be more tragedies as a result of this, not fewer. Khat was banned. The idea was that the authorities were going to get rid of khat, but of course they have not got rid of it. Instead, they have pushed a wedge between the Somali and Yemeni communities and the police. They have driven a legal market into being an illegal market. The price has gone up sky high, and the criminals who are now running it are making bigger profits. That has been the story throughout the world.

I ask Members to consider the possibility that they are wrong, and that all parties have been wrong on our drug laws for 45 years. The best thing we can do is to throw out this piece of legislative garbage that disgraces the House and will be treated with derision by future generations.

9.55 pm

Mr David Burrowes (Enfield, Southgate) (Con): I am grateful for the opportunity to contribute to this debate. I very much welcome the Bill.

I am tempted to detain the House for many minutes to respond at length to the hon. Member for Newport West (Paul Flynn), who repeated the same lines that he has for many years. I respect the fact that he is consistent

in his liberalising argument. He is now joined by the right hon. Member for North Norfolk (Norman Lamb), who has gone against what his colleagues did in government when they helped prepare the way for this Bill. They both talk about the Advisory Council on the Misuse of Drugs when they choose to. They both talk about relying on the evidence, but they do not do so when it goes against their argument, which is made of straw. They should listen to the evidence given to the Home Affairs Committee. Professor Iversen, the chairman of the ACMD, said that this is the most significant piece of drugs legislation in 40 years, and he and the Committee broadly welcomed it.

There is a consensus in the House that this Bill is not going to prevent everyone from taking NPSs—we all accept that—but it will restrict supply. The Bill is focused on the suppliers of this evil trade. The hon. Member for Newport West talks about a deception. I will tell him what a deception is—it is in any way suggesting that NPSs are legal and safe. That is a deception that has harmed people and led to lost lives, and we are going to tackle it. We are not just going to hold up our hands and make the liberalising arguments saying “Let’s try and do something different.” We need to focus on the supply. This Bill does that, and I welcome it.

Five years ago, on 9 September, I urged the then responsible Minister, my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire), to follow the route that has already been trodden by the Irish, recognising that what we have been trying to do in this House, which has been pretty much a useless deception, is to catch up. We have been trying to react to the latest NPS on the market with the temporary class orders that followed on from the advice given by the ACMD, and then we eventually get to the point of having a statutory instrument that is far too late for young people, particularly, in our country. This Bill will at last try to be proactive and respond quickly and expeditiously. What happened in Ireland will happen here.

The Bill says loud and clear that it is calling time on head shops in Bassetlaw and elsewhere and saying very clearly, “Give up, go away—the police are going to come after you and get rid of you. Make sure that you don’t carry on the deception where you are selling these substances used for research on fertilisers, air fresheners and herbal incenses.” That is what I call garbage—not safe garbage but garbage that harms young lives. This approach is worthwhile, but it is not going to solve the problem. There are problems with the internet and with importation and exportation, and we need to do a lot more.

The Bill is not perfect. It needs improvement and scrutiny, particularly in relation to the definition. I declare an interest as a criminal defence lawyer. I want to make sure that my colleagues who are still practising will not be faced with extra loopholes and unintended defences because they are unable to look at the definition as they can now and say, “We are going to have to instruct experts to measure the issue of psychoactivity to assess the behavioural aspects.”

We recognise the example in Ireland, where the Drugs and Organised Crime Bureau has said of the problems with the current definition:

“We are relying on scientists to assist us with these prosecutions and, unfortunately, they haven’t been able to provide the evidence to us.”

We have also listened to the ACMD, which said:

“The only definitive way of determining psychoactivity is via human experience, which is usually not documented.”

I remember my days dealing with the issue of cannabis and its impact on fitness to drive—

10 pm

The debate stood adjourned (Standing Order No. 9(3)).

Motion made, and Question put forthwith (Standing Order No. 15),

That, at today’s sitting, second reading of the Psychoactive Substances Bill [Lords], may be proceeded with, though opposed, until Midnight.—(*Sarah Newton.*)

Question agreed to.

Debate resumed.

Question again proposed, That the Bill be read a Second time.

Mr Burrows: Attempting to prove the behavioural impact of cannabis on fitness to drive is subjective and can cause problems. It can result in prosecutions failing and can defeat lawyers and experts. We need to consider the ACMD’s additional recommendation to link the definition of psychoactive to the public health threat. That, together with certain tests included in the Bill, will provide objectivity and clarity.

We need to work on sentences as well as definitions. As I said in an earlier intervention, it is important that someone who is convicted in court is dealt with in a way that is commensurate with their offence. They must be dealt with justly, which means that cases involving controlled drugs should be linked to harm. We need to look carefully at that. The Sentencing Council will have its work cut out, but we should ensure that it is able to play a leading role in ensuring that people are sentenced appropriately. The maximum sentence is seven years, but plainly not everyone who supplies NPSs will face that penalty. In such cases, one usually considers purity as well as the links to harm.

We all agree on education and treatment. Between 2013 and 2015, £180,556 has been spent on NPS education. We need to do better than that. This Bill should spark off further educational investment. Prison education is also important. The Under-Secretary of State for Justice, my hon. Friend the Member for South West Bedfordshire (Andrew Selous), who has responsibility for prisons, is present. I understand that in the past year, 30 ambulances have attended north-west prisons because of NPSs. That is an issue of education as well as of restricting supply. Something is clearly going wrong and it is impacting on our prisons.

On treatment, we visited the drug clinic in Chelsea and Westminster. It is run by the Central and North West London NHS Foundation Trust. Its specialist, bespoke work does a great job of addressing why someone takes a particular drug as well as treating them. That provides a lesson not just for specialist clinics, but for our treatment system, which is behind the times. Gone are the days when we just doled out a substitute drug to treat those addicted to opiates, crack and other controlled drugs. We are talking about the new drug on the market and it is causing harm. We must ensure that the drug treatment system across the country wakes up to the fact that we should deal not just with the substance, but with the addict and provide all the therapeutic support they need and deserve. I hope the Bill will spark off that approach.

[*Mr Burrowes*]

I have waited many years for this Bill, as have others. I will not take up any more time. Colleagues who are waiting to go home have been very patient, but I hope they feel that this Bill is worth the wait.

10.3 pm

John Mann (Bassetlaw) (Lab): It is always a pleasure to follow the hon. Member for Enfield, Southgate (Mr Burrowes), particularly in debates about drugs. Indeed, one could say that he came to the kinder form of politics—and made his initial contribution to the topic under discussion—well in advance of the rest of the House. A number of us have weighed into previous debates and backed the concept that only a blanket ban could possibly work, because anything else would constantly be chasing something that was always elusive.

There are differences of opinion. The right hon. Member for North Norfolk (Norman Lamb) represents another form of kinder politics. He is a great font of wisdom when it comes to his brilliant work on mental health, but he struggled to evidence his case tonight because the evidence is not there. The argument is based on assertions by lobbyists who are lobbying for a particular political outcome. The evidence base does not exist. I would not call this great survey that has been cited a rigged survey, but it is not a full survey. It misses out whole countries—the United Kingdom, for example—so comparing Ireland with all the countries of eastern Europe, where statistics are not calculated in so defined a way as in this country, is not making a valid international comparison. Statistics do not exist, on either side of the argument, about what might or might not work.

We need to look at the evidence base. My hon. Friend the Member for Newport West (Paul Flynn) has always been consistent in this approach—I do not know whether he has been in the House for quite 45 years, but he has been very consistent all the way along—but that has not been the response of all of us to making legislation. My approach to drugs when I entered the House 14 years ago was not to rush in to demand legislation; it was to go into the communities to talk to those using drugs, to their families and, yes, to the victims of crime who suffered in vast numbers from that drug use in my constituency and get their evidence. That is what I have done when it comes to psychoactive substances: to ask those in the communities that suffer the most about their experience.

My instinct for a long time—this is why I have called, both in my party and in the Houses of Parliament, for a blanket ban for a long time—has been that there was sufficient evidence, from what I could see on the ground, that lives were being damaged. With these substances, I found that it was particularly common for the users to be young. We all talk about young people and the misuse of drugs, but I found that the age profile is much lower for these drugs than for others. It is very much the school or the just post-school generation who are the most susceptible or the most attracted and to whom the worst episodes happen. I could give chapter and verse, as other hon. Members have, of precise examples of horrific things that have happened to my constituents, but what is uniform is how young they are in each case.

It is the traditional working-class mining communities in my area who are the most adamant that shops such as Bing Bong in Worksop—not far from my office—should be shut down. They know who goes past the darkened windows and in through the shut door to buy drugs. Let us kill the myth that that is all done legally. I can tell hon. Members that there is a huge illicit market alongside such shops. How can 14 and 15-year-olds access drugs? If they were going into such shops, that would be easy. I would soon have those places shut down for illegal trading. They are not buying the stuff there; there is a huge secondary market. Who provides the secondary market? The same people. We call them drug dealers, but that term is not particularly accurate. They sell all sorts—alcohol, cigarettes, cocaine and, if they can get it, heroin. They sell anything that is going, any kind of pills and any bag of anything. Those people are providing far more drugs in my community than Bing Bong, although that may well be one of the initial sources.

If hon. Members want to know what is happening with drugs, it is always good to go and talk to those in the post office or the sorting office. They are highly unionised in my area and they are always happy to talk to me. They tell me, officially or unofficially, what is going on. There are all sorts of dodgy packages. Without having to refer to the police, they show me some of the addresses, and I think, “Hang on a minute. I can see what’s going on here.” There are addresses that get no post other than these strange envelopes. Perhaps people are purchasing something else, but I suspect not; I suspect that these substances—often junk—is being provided to them.

What else can we do as a Parliament? Of course education is good, but how can we educate such people when names change and the actual substances can change? That can have a dramatic impact on people, and the motivation for taking something changes, because they do not know until they have had it what it might result in; they can only copy somebody else. That is precisely why I and a few others, including the hon. Member for Winchester (Steve Brine), have argued repeatedly that the crudeness of a blanket ban is the only way to deal with this problem. That is why I applaud the Government’s speed. Yes, there will be problems in getting the legislation exactly right, but there is no other coherent approach that will work.

I want this legislation for my constituents, particularly my constituents who are well informed on this matter—the mothers and grandmothers who deal with this problem all the time. They are the ones who come and see me to demand that Bing Bong is closed down and that this stuff is forced off the streets, where possible.

This is not just about legislation. My area has done more to get people off heroin than anywhere else in the country. That has not been done through legislation, but through effective research, arguing the case and putting good systems in place. When I was elected, a lot of people were on heroin. When I look at statistics, I do not look at those for the prevalence of drug use, which are unreliable, but at crime statistics, burglary statistics and hospital statistics on overdoses—how many have there been, how many have resulted in death, how many have resulted in in-patient stays and what the cost of all that is. Those are real statistics that quantify this problem over time. In my area, we have got on top of a lot of these problems, but not through legislation.

I am seeing these problems slowly creep back in. Last weekend, I spoke to people who came off heroin nine or 10 years ago. Their view is that we need to act. Their view is that Bing Bong and its products need to be removed. Why? Their advice is that this market is fuelling the overall market in illicit drugs. They know that because they know what is happening and the people it is happening to. They can give evidence that goes way beyond the normal statistics.

I put only one caveat to the Government. The Government have made a big mistake with heroin treatment. They have decided to play the role of doctor by specifying what should happen with methadone. In Brighton, Pavilion, the privatised service run by Crime Reduction Initiatives has led to the biggest increase in heroin deaths anywhere in Britain. That organisation now runs the privatised service in my constituency and across Nottinghamshire, using the methadone elimination model that the Government have brought in. My message and that of those who have been on heroin in my area—

Caroline Lucas: Rubbish!

John Mann: No, it's not rubbish; it's factual.

My message to the Government and the message of those in my area who have been on heroin is to let the doctors make the medical decisions, not the politicians. Let those who have been on methadone in my area stay on methadone, so that they are stable, out of crime, back at work and are not dragged in with their families and called drug addicts again, which is what is happening in my area with Crime Reduction Initiatives—this so-called charity. I say the same thing when it comes to psychoactive substances: let the doctors determine the treatment, not the politicians. On this, the Government have got it wrong.

Through his brilliant and superb Parliamentary Private Secretary, I invite the Minister with responsibility for drugs to meet some of the people in my constituency in the near future.

Caroline Lucas: As the hon. Gentleman knows, I was only just walking in when he started talking about Brighton, Pavilion. The randomised injecting opioid treatment trial—RIOTT—in Brighton, Pavilion has had some of the best results in the whole country in getting people off heroin. When I was elected in 2010, Brighton was the drugs death capital of Britain. It no longer is and some excellent work on drug deaths is going on. The hon. Gentleman should do a bit of homework and know his facts before he makes such claims.

John Mann: I have done my homework and I can tell you that it is a place where heroin deaths are going up. This mickey mouse charity replacing GPs offering real treatment has been disastrous in Brighton, disastrous in Nottinghamshire and disastrous elsewhere in the country. You should talk to those who have been on heroin—

Caroline Lucas: I have!

John Mann: Talk to those who have been on heroin in my area and see what it is doing to them, their lives, their children and those who are back at work. It is a disaster.

I hope that the Minister will come to my constituency—he will get in and out safely with my assistance—and meet people privately. That will also give him and the Government—*[Interruption.]* From a sedentary position, the hon. Lady asks how I dare. She should come and talk to those heroin addicts about that mickey mouse waste-of-time charity from Brighton that has come in and replaced GPs and the national health service. It is a privatised service. The so-called Green party, with its privatised NHS—but that is a separate argument. I hope the Minister will come to my constituency, because with these substances we should trust GPs and medical experts to solve the problem.

Caroline Lucas: On a point of order, Madam Deputy Speaker. The way that the hon. Member for Bassetlaw (John Mann) has been carrying on in the House is completely unacceptable. He has launched into a unfounded attack—*[Interruption.]* Will you just be quiet? CRI has nothing to do with the Green party, and it is out of order to make such accusations with absolutely no evidence. To blame that on Brighton and the Green party is simply wrong.

Madam Deputy Speaker (Natascha Engel): I thank the hon. Lady for that point of order, but things are getting a little heated. She was making comments from a sedentary position and the debate got rather heated. I do not know what the facts are so I cannot make a judgment on that, but it would be good if we could move on now. John Mann, is the speech complete?

John Mann: The speech is now complete.

10.16 pm

Andrew Stephenson (Pendle) (Con): It is a pleasure to follow the hon. Member for Bassetlaw (John Mann). I hope to make a short contribution, which might be less colourful than his. I am pleased to support the Bill and the powers that it will give the police and local authorities to tackle the sale and misuse of dangerous drugs.

In Pendle, there is genuine concern about the use of so-called legal highs, especially among young people. Just two weeks ago, I joined Lancashire-based charity, Early Break, which educates young people about the dangers of drug use and helps those who are affected by substance misuse. I accompanied its outreach team on the streets of Nelson, to see at first hand the impact of drugs on young people in my area, and on their families and the wider community.

Early Break told me that since 2011 and the emergence of mephedrone, there has been a big shift in the substances that young people are using compared with when it started working in the area 21 years ago. It is well connected to younger residents in my area, especially though its use of social media to get its message across, and young people recognise Early Break as a key provider of support and advice. Last year, Manchester Metropolitan University evaluated its outreach to young members of Burnley and Pendle's BME communities and praised its work highly. Sadly, the university's findings also made clear just how normal it is for young people in my area of all backgrounds to take drugs.

The rise in legal highs, which mimic drugs such as cocaine, amphetamines or ecstasy, causes wider social issues that our police, social services, NHS and schools

[Andrew Stephenson]

have to deal with daily. As a community first responder with the North West ambulance service, I have seen with my own eyes the effects of drug addiction. I have dealt with people who have overdosed and seen the harm that drugs do, and I know the damage that they cause to communities.

More and more, the problems that we come across in Pendle are with not traditional drugs but legal highs. These drugs are legal not because they are safe, but because we have not got round to banning them. The people profiting from this evil trade have a head start on those who are trying to remove drugs from our streets, and it is time that those who are opposed to the Bill open their eyes to the damage that the current law allows. Making legal highs illegal sends a clear message—the right message—that those drugs are not safe and that young people simply should not be taking them. Be under no illusions: lives are being wrecked, and in many cases lost, to legal highs.

Our local police are working incredibly hard to fight the drugs trade. Two years ago, they launched Operation Regenerate to target organised criminal gangs and drug dealers in Brierfield and Nelson. I had the pleasure of introducing the then policing Minister, my right hon. Friend the Member for Ashford (Damian Green), to some of the dedicated officers working on Operation Regenerate when he visited my constituency in June 2014. Although the officers were hugely effective, they could not touch those selling legal highs. The number of legal highs available as a substitute for illegal drugs, as well as the speed with which banned drugs are replaced on the market, undermine the efforts of our police to protect young people and to get drugs off our streets. When I speak to police officers in my constituency, I am told of their frustration when they arrest someone for selling illegal drugs, but then find that an equally or more harmful drug that is perfectly legal is being sold just down the road.

Most damagingly, while these drugs are technically legal, saying that they are legal implies that they are safe. Young people told *Mixmag* in a survey that they take them because they are more available than illegal drugs. Indeed, as many hon. Members have said, they are openly sold online and in head shops. Early Break is clear that legal highs are not safe and the House should be clear about that issue, too. Legal highs can cause a lack of inhibitions, drowsiness, paranoia, comas, seizures and even death. They can also play a role in the grooming of young girls by gangs, which use them as a gateway to drug addiction and sexual exploitation.

I do not wish to detain the House, so I shall conclude by saying that the Bill will be warmly welcomed by those authorities dealing with the consequences of dangerous drugs and young people themselves who fear that many of their friends are at risk of serious harm. I strongly welcome the Bill, which is necessary to ensure that we are doing our best to keep young people safe and to stop people from profiteering through peddling dangerous substances on our streets.

10.21 pm

Carolyn Harris (Swansea East) (Lab): We can call these things what we like—legal highs, new psychoactive substances, NPSs, lethal highs—but it all amounts to

the same thing: a product that is highly dangerous, addictive and readily available on our streets. In my constituency, these horrendous substances are blighting the lives of those taking them, creating havoc for the communities who have to endure the antisocial behaviour associated with them and terrifying the families of those young people who take them. Mothers have told me they fear that the next time their child walks through the door, it could be the last time they see them. The biggest problem is that we do not really know how to treat those who react badly to them.

Emergency admissions caused by these drugs have soared by 1,460% in just three years at my A and E department at Morriston hospital in Swansea. Between April and August this year, 78 people were admitted to that department, whereas in the whole of last year, 46 were treated. In 2013-14, 16 were treated. Between 2012 and 2013, fewer than five were treated. Such is the growth in numbers that Abertawe Bro Morgannwg health board now specifically records the numbers of legal high admissions.

The packaging and naming of these killers are intended to look and sound attractive. They have colourful sachets with names such as Spice, Gogaine, Exodus and Rush. They are normally labelled as “room deodorisers” and be will stamped as “not fit for human consumption”, yet I am reliably informed that staff at the head shops will often advise customers how to take them. The chemical composition of the drugs is unknown, but I would argue that all should be regarded as potentially fatal, as taking them even once may lead to lasting physical and/or psychological harm.

So-called legal highs, which can come in powder, pill or herbal form, are designed to mimic the effects of illegal drugs, including cannabis, and can have stimulant or hallucinogenic properties. Most of the drugs are produced in China, India and, to a lesser degree, eastern Europe. Many local drugs projects and local police are now running schemes that are dedicated to raising awareness of the potential risks and harms involved with taking these substances, and giving harm reduction advice to those who intend to use them. Just last week, Swansea police embarked on a roadshow of local schools to highlight the problem to years 7 and 8. The loudest message, however, must be that legal does not mean safe. I have heard stories of vulnerable people, perhaps in debt to a dealer, being used as guinea pigs to test the potency of a new batch—the term “Russian roulette” comes to mind. I have also heard of heroin dealers who are so concerned about losing customers to these new substances that they offer former addicts freebies to entice them back.

At present, substances are banned on a case-by-case basis, but with so many different versions being produced, a blanket ban is essential. Since the Republic of Ireland legislated to introduce a similar ban, the indications are that the problem has dramatically reduced. In my constituency, I have had meetings with and briefings from the police, whose hands are tied by the legality of the drugs, and trading standards, which is often the only agency that is able effectively to police the sale of these horrendous substances. There is an increase in the number of prosecutions, but analysing the products is a time-consuming and costly process. The city and county of Swansea are leading the way with good practice, as are South Wales police, but given that they have one hand tied behind their backs, they are finding the job difficult.

I urge the House to come together as one to ensure that these sickening and fatal substances are removed from our society once and for all. As a politician, I am extremely concerned about them, but as a mother, I am terrified.

10.26 pm

Owen Thompson (Midlothian) (SNP): I welcome the opportunity to speak in the debate. I join my hon. Friend the Member for Glasgow North East (Anne McLaughlin) in supporting the Bill, but I also have reservations and concerns, which I will cover in my remarks.

In Midlothian, as in constituencies throughout the country, we have seen the tragedy that legal highs can bring. Only this year a young man in Gorebridge died after injecting a new psychoactive substance, and it was not quick—it took him seven weeks to die. Despite several operations and a huge effort from medical staff, he eventually died from septicaemia, so death is not always immediate. Despite such tragic and unnecessary deaths, however, there is still a legal high retailer right in the centre of the county town of Dalkeith in Midlothian, so the risk of more unnecessary deaths continues. I praise those in my constituency who have long campaigned against this retailer and the dangers such substances present. The campaign is supported by the local press, through *The Midlothian Advertiser*, local MSPs Christine Graham and Colin Beattie, Midlothian Council, particularly Councillor Margot Russell, and the safer communities board, which has worked with partners to address the dangers presented by NPSs in every possible way.

Although I welcome the Bill and have no doubt that it is necessary, we can and must do much more to address the issue as a whole. Organisations have raised their concern that illegal dealing networks might be boosted by the closure of so-called head shops, so the Bill as it stands might not achieve its aims and could even have serious unintended consequences. I therefore agree that we need to thrash out the detail in Committee.

It is not often that I agree with the House of Lords, but I noted with interest a few of the points made in the debates there, especially regarding the notion that while the aims of the Bill are clear, the underpinning legislation—the Misuse of Drugs Act 1971—probably needs to be reviewed. If we do not take that chance now, it will be a missed opportunity. The hon. Member for Central Suffolk and North Ipswich (Dr Poulter) said something similar. Although I am disappointed that that proposal did not receive the support in the Lords that it warranted, I am grateful that it received such attention. Perhaps that could be considered during the Bill's passage.

We certainly should do what we can do now, but if the Bill passes, it should come into action alongside a robust and solid plan that focuses on educating our youngsters not just about NPSs, but about all drugs—legal or otherwise. To achieve the necessary level of awareness, we will need far-reaching drugs education as much as the Bill.

Research by the Angelus Foundation, which I believe is the only dedicated charity looking at and combating legal highs, was established by a mum, Maryon Stewart, who lost her 21-year-old daughter to a NPS in 2009. It identified that

“currently only 15% of schools teach drugs and alcohol education for one hour or more per term”.

We need to look at the problem in much more detail, and I very much encourage more emphasis on education. While this Bill represents some progress, it is not enough. We must do more to inform teenagers in all our communities about legal highs and other drugs. We also need to get effective preventive messages to young people through all kinds of social media. Let us address young people through the ways they access information.

I want to make clear the challenges surrounding the identification and exclusion of substances. It is right that the approach should be robust and preventive, but we must consider the impacts for medical and scientific research and give careful consideration in our approach to which substances should be banned. This, of course, must be balanced with the need to keep up to date with the ever-changing chemical compounds of the substances, as other Members have mentioned. The other huge challenge is the time gap between a new drug becoming available and an opportunity for the Government to react against it. We must ensure that sufficient resources are in place to deal with these challenges, so I ask the Government to outline clearer details about that as the Bill goes through its next stages.

10.32 pm

Christian Matheson (City of Chester) (Lab): I warmly welcome the Bill, and I can say with a fair degree of confidence that many of my Chester constituents will share that feeling. I pay tribute to the Minister for Policing, Crime and Criminal Justice who has taken on this issue with his usual no-nonsense approach, which is to be applauded.

Members who know the city of Chester will know it as an historic city with great tourist attractions—the hon. Members for Winchester (Steve Brine) and for York Outer (Julian Sturdy) spoke in similar terms earlier—but one that has been blighted by a large usage of legal highs in the city centre. On a Friday a couple of weeks ago, I was on a walking tour around my constituency. I was on the road in a double row of shopping streets known historically as the world's first shopping mall when we were disturbed by a paramedic and a police officer racing up with their blue lights on to attend an emergency. A young gentleman was splayed, arms akimbo, completely unconscious on the road, not 30 yards away from a legal high shop. It took no amount of medical knowledge to understand what had happened.

The local council in western Chester is seeking to implement a public space protection order, and the Cheshire police have recently introduced community prevention notices on three shops in Chester that have been selling these legal highs, asking them to desist from doing so. Members would be right to ask why, if those measures are in place, we need the Bill. Well, the Bill will put us on the front foot and enable us to tackle rather than just chase after the problems, giving us for the first time a proactive approach to combating them.

Members have raised questions about the advisability of forcing legal highs underground. With his permission, I should like to quote my constituent, Daniel Schott. He writes and blogs about life in Chester, and he is a recovering legal highs addict who is currently looking for work. I believe that in talking about his own difficulties and putting his own frailties on the line to prevent others from falling into the trap into which he has fallen, he has adopted a very brave approach.

[*Christian Matheson*]

Daniel said that a major part of the problem was the fact that the drugs were so accessible, because the shops were open from 10 am until to 5.30 pm every day.

“It just spiralled out of control really”,

he said.

“We didn’t think it was harmless, we thought it was the Holy Grail because I could walk into the shop and pay on Switch. If I was smoking weed then I had to find a dealer. He might have some he might not, then we have to meet up, wait down a dark alley somewhere or wherever you get this sort of stuff from. This isn’t like a weed dealer. You can go from 10 am in the morning and pay by Switch.”

We may be forcing the supply of legal highs underground, but we are certainly making it a whole lot harder and a whole lot less normal for ordinary people to become involved with these drugs. That is why it is important to recognise that, whatever the complications, this is absolutely the right thing to do. I pay tribute again to my constituent Mr Schott for the way in which he has shared his experiences. He has urged everyone to back the Bill because he found himself in such a desperate circumstance.

In the spirit of cross-party consensus, I want to introduce a note of party-political criticism—criticism, that is, of the previous administration of Cheshire West and Chester council, which, under the terms of the public health contract, put the local drug and alcohol addiction clinic out to tender when it did not need to do so, and refused to allow the current NHS provider, Cheshire and Wirral Partnership NHS Foundation Trust, to go beyond the initial stage of bidding. That led to a hollowed-out and greatly diminished drug and alcohol service in Chester.

Members on both sides of the House have talked of the importance of education, but I do not want us to criminalise people with addictions. Addiction is a health problem, and should be dealt with through health policy. It is a shame that the provision for drug and alcohol support in Chester has been so diminished. I hope that at some point we shall be able to rebuild it, and that, as well as dealing with the criminal matters to which the Minister referred, we shall be able to implement a health policy along with the education policy that other Members have described. Chester is a small, historic city, which has been blighted by the three shops that are selling these products.

Mike Penning: I apologise for intervening—I know that my colleagues would like to go home—but I think that the issue of head shops is very important. When I announced this policy, one of the first newspapers that rang me was one in Falkirk. This is so moving that I think that the House should know about it. I was told that yesterday a gentleman and a 16-year-old girl—I shall not mention any names—went to a head shop and bought what they thought was a safe, legal product for a bit of fun. I do not know whether they paid with a credit card. The gentleman took the drug and died within two minutes. The girl was critically ill, and we do not know what the long-term effects will be. We know about the 129 people who died last year, and we have the other figures about people who have died, but we do not have figures that would tell us how many lives had been destroyed and how many people have lost their loved ones.

Christian Matheson: I absolutely understand the Minister’s point. As I said earlier, I believe that the Bill will put us on the front foot rather than chasing after the problem, and I welcome it. I am sure that a large proportion of my constituents will support it as well, because so many of them have seen at first hand, around the city centre, the effects of legal highs on people who are addicted to them and seriously damaged by them, and who are often found sprawled semi-conscious or unconscious, or being treated by paramedics.

10.39 pm

Gavin Robinson (Belfast East) (DUP): I am pleased to have an opportunity to participate in this debate. It is important to focus on why we need a novel piece of legislation like this. It is because the traditional, general classification of illegal substances does not suit circumstances in which natural compounds do not maintain their composition and, more than that, there is an easy ability to alter the chemical composition of these legal highs. Traditional classification could be achieved, but so could a slight alteration creating a different product that therefore falls foul of the legislation. That, of course, is the intended purpose.

As has been fairly reflected throughout the House this evening, the legal highs that are available are not only dangerous but can cause catastrophic consequences not only for the young people who use them, but for their wider family and the communities in which they live. We know of deaths and we know of tragedies within our own constituencies. When I was Lord Mayor of Belfast I had the opportunity to go out with FASA. It was referred to by my hon. Friend the Member for Strangford (Jim Shannon), but *Hansard* could not decipher his dialect. FASA is the forum for alcohol and substance abuse. It has been involved in significant amounts of research within the city of Belfast on legal highs. Through it, I had the pleasure of meeting people who have been affected and were attracted by a product which is marketed particularly for young people. Many names have been mentioned: china white in Belfast, pink panther in Belfast, magic dragon in Belfast, with cartoon characters and colourful print, designed and marketed so that young people find them attractive.

I was then introduced by FASA to young people—sorry, by hardened drug users. This is important. The hon. and learned Member for Sleaford and North Hykeham (Stephen Phillips) got it wrong when he said we do not want to be pushing the sale of legal highs towards those who sell illicit drugs—currently classified as A and B drugs. This is where there was a mistake. When I met the hardened drug users, they said, “We wouldn’t touch that stuff. We wouldn’t touch legal highs with a bargepole.” We have stuff in Belfast that is advertised as 10, 15 or 20 times the strength of opiates, yet it is classified as a legal high. That is one of the significant difficulties. Those who are used to using illegal class A or B drugs would not touch this stuff at all because of the impact on them and, more importantly, on young people who are lured into believing that these are a safer option.

It is only fair to say to the Minister that there is a difficulty with the definition in the legislation, because there has been a difficulty in implementing a similar definition in the courts in the Republic of Ireland. The Minister was treated unfairly at the start of the debate about the Republic of Ireland experience. As somebody

who lives just over the border, 100 miles away from Dublin, I travel there quite regularly. Anyone who knows Dublin or who arrives at Connolly station will know that the street that takes them from there to O'Connell street was a pound shop alley 10 years ago and a head shop alley five years ago. It was not an attractive street to walk down. I was there three weeks ago, and there is not one head shop on that street. That is the marked improvement there has been in the Republic of Ireland, but it cannot gain convictions because the definition is too onerous. At any given stage with each individual—with their own make-up and the alternate make-up of the legal high—it is difficult to prove that that product would have had a psychological impact on them. The Minister is aware of those difficulties.

Clause 4 addresses production. I know what is intended by the clause when it says that “the person” must either intend

“to consume the psychoactive substance”

or know or be “reckless as to whether” it is likely to be consumed by “other persons”. Many hon. Members throughout the debate have referred to standard household products that are freely available and freely manufactured or produced. Those are not made for human consumption, but someone could be reckless if they did not acknowledge that they might be consumed by individuals. I am thinking of air fresheners, pot pourri, deodorants and superglue. We all know that such items were abused by individuals 10 or 15 years ago. Glue was a particular case in point. There have also been deaths associated with aerosols and deodorisers. It is important for the Minister to take the opportunity to state explicitly, in our forthcoming discussions as well as in the Bill as it stands, that the production and manufacture cannot be reckless.

Mike Penning: This is why we have given such wide-ranging powers to trading standards in the legislation. When we had the glue problem, we addressed it through trading standards legislation, which is why we no longer have the terrible problem that we had on our streets just a few years ago.

Gavin Robinson: I am grateful to the Minister.

Before I touch on our experience in Belfast, I want to mention one quirky concern that has been raised by the Association of English Cathedrals. It fears that incense might no longer be able to be used in worship. I am not sure whether it needs to be exempted from the legislation. Perhaps the Minister will clarify that.

Mike Penning: Let's just knock this one on the head once and for all. I have written to all the bishops to tell them that incense in churches will be exempt. Done. Finished. No problem.

Gavin Robinson: Thank you very much, Minister. I am sure that the bishops will be delighted. That is a positive note.

I started by describing my involvement in this issue when I was Lord Mayor of Belfast—

Jim Shannon: My hon. Friend is far too modest to tell the House that he was involved in the legislative change in Belfast City Council that set a precedent for the whole of Northern Ireland. Will he acknowledge

that that legislative change in Belfast could set a precedent for the rest of the United Kingdom of Great Britain and Northern Ireland?

Gavin Robinson: I am grateful to my hon. Friend, although he did not give me the opportunity to be modest or otherwise. But we will get there.

Rather than describing the legislative change, I want to outline the approach that Belfast has taken to legal highs. I think that would be valuable for the Ministers present here tonight, and for the hon. Members for City of Chester (Christian Matheson), for Swansea East (Carolyn Harris) and for Winchester (Steve Brine), as well as for the hon. Member for Bassetlaw (John Mann) and his Bing Bong shop, to which he has been referring all evening.

Because of my experience as Lord Mayor, I tabled a motion and got involved in action on this issue with our town solicitor, John Walsh, who was supported by the Attorney General of Northern Ireland. I have heard numerous colleagues saying that their councils have been frustrated because they have been unable to pursue or to make significant achievements on head shops in their constituencies. We have made such achievements in Belfast, however. We went down the trading standards route and we tackled the shops on the basis that they were selling products that were harmful to the public and that were being sold for human consumption. The Attorney General and the town solicitor for Belfast went to the four or five head shops in the city, all of which were concentrated in an area of seedy sex shops. The sale of legal highs was associated with that world. Not one of those shops now sells legal highs. That is a success. Two of them refused to abide by confiscation and destruction orders, and that is how we got the High Court to approve the necessary actions in Belfast.

So there are steps that local authorities can take today, with or without this new legislation, and I assume that if they do so, they will be able to use the same legislation that we did. We seized criminal assets without the assistance of this Bill, which was crucial. Although two of the shops refused to comply with the confiscation and destruction orders, the courts finally upheld the ruling that legal highs may no longer be sold in head shops in Belfast. Those shops have since closed.

The Government are to be commended for the speed with which they are proceeding with this Bill, and we must now consider how best we can hone it. We must consider issues relating to production, and to whether individual possession should be criminalised. Those matters can be debated in Committee. In the meantime, however, hon. Members can make changes today. They can remove this dreadful scourge from society. Legal highs are destroying young lives, destroying families and destroying communities, and it is important for all of us to bring their proliferation to an end.

10.49 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I will be as quick as I can, Mr Deputy Speaker. Like my colleagues, I support the Second Reading of this Bill, but not without a degree of hesitation and of sympathy for the arguments contained in the reasoned amendment. As a member of the Home Affairs Committee, I would like to thank all those who

[*Stuart C. McDonald*]

submitted written evidence or gave oral evidence to our short inquiry, and the staff and the former patient of the Club Drug clinic we visited for their constructive and thoughtful criticisms of the Bill. It is fair to say that there was broad, but not unanimous, support for the overarching aims and approach of the legislation.

As the Minister said at the outset, the strategy proposed also had backing from a Scottish Government expert review group and from a report by the Welsh Assembly Health and Social Care Committee. Given that consensus, I agree with my hon. Friend the Member for Glasgow North East (Anne McLaughlin) that it is surprising and a little frustrating—

Mr Burrowes: I believe the Chair of the Home Affairs Committee wanted to make it clear that we know people are waiting for our report and it will be out on Friday in all good shops—and, no doubt, in the Vote Office.

Stuart C. McDonald: Absolutely. I do not intend to give away any of our conclusions or the recommendations we are going to be making in that report. I am merely referring to evidence that was given in oral sessions or in the written evidence which is freely available.

It is frustrating that we are so far into the legislative process and yet some fundamental questions are still to be resolved. Of course, nothing could be more fundamental than the definition of “psychoactive substance” itself. Addressing that will be the first and most important task of the Public Bill Committee, and it will have to assess whether the definition currently proposed is preferable to that put forward by the ACMD.

A second fundamental problem was highlighted by the evidence provided by both Police Scotland and the Scottish Government on how the current definition of a “psychoactive substance” will require evidence from qualified experts with experience of working with NPSs in order to be able to identify the substance and prove its psychoactivity. Establishing that knowledge base against the background of the fast-paced evolution of psychoactive substances would be difficult, and a constant requirement for expert evidence in court would be very costly. Some of the contradictory reports from Ireland suggest similar problems, and again serious scrutiny of these issues is still required.

Perhaps the most important thing to say about this legislation—we have appreciated this during our inquiry—is, as another hon. Member said, that we cannot see this Bill as a silver bullet. Of far more significance will be the strategies that must be put in place to prevent harm through education and awareness raising, and to intervene where individuals are at risk—that includes the risk that some, but far from all, psychoactive substance users will move to controlled substances or to unregulated dealers. We also need to reduce harm. It is only fair to say that there is a huge distance to travel before we can say that this is being done as well as it must be done. Perhaps in Committee we will be able to consider making information on these matters an express part of the review requirement under clause 57.

In short, this Bill is not a silver bullet—indeed, we could shoot ourselves in the foot if we are not careful to get this right. If the Bill is scrutinised carefully and amended in the light of the evidence, it could be a useful first step in tackling the dangers that many Members

have spoken about and that are posed by new psychoactive substances, but the Government need to address the legitimate questions that have been asked tonight. They include questions about the definition, the problems with clause 8, the issue of purchasing for friends, the contradictory evidence from Ireland and the potential for displacement. I wish the Bill Committee well in sorting it all out.

10.53 pm

Andrew Gwynne (Denton and Reddish) (Lab): First, let me thank right hon. and hon. Members for contributing to this good debate. I wish to thank the hon. Members for Winchester (Steve Brine), for Glasgow North East (Anne McLaughlin) and for Central Suffolk and North Ipswich (Dr Poulter), the right hon. Member for North Norfolk (Norman Lamb), the hon. Members for York Outer (Julian Sturdy), for Enfield, Southgate (Mr Burrowes), for Pendle (Andrew Stephenson), for Midlothian (Owen Thompson), for Belfast East (Gavin Robinson) and for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald). I also thank my hon. Friends the Members for Newport West (Paul Flynn), for Bassetlaw (John Mann), for Swansea East (Carolyn Harris) and for City of Chester (Christian Matheson) for their contributions.

Before I start my contribution, I wish to echo the Minister’s words in opening by congratulating the work of my right hon. Friend the Opposition Chief Whip, who has long championed this campaign. I am pleased to see her in her place. May I also admit that I was very pleased to hear the Minister’s assurance on the issue of incense? As someone who has served as a thurifer, I do like the odd whiff of incense, so I am quite happy with what I heard in that regard.

I am not a member of the shadow Home Office team, but I am a member of the shadow Health team. As a number of Members have said, this Bill is as much to do with public health as it is to do with home affairs. I commend my own party for recognising the importance of the public health element of the Bill, as we do not want the Bill to remain the sole preserve of the Home Secretary. It is regrettable that we have to resort to criminal sanctions to control the flow of these substances, but a Government must do many things that perhaps might be considered regrettable.

With my public health hat on, I will begin by raising the point that local government is just not getting enough support from the Home Office. Local authorities spend about a quarter of their health budget on drugs and alcohol misuse. I was very concerned to hear my hon. Friend the Member for City of Chester talk about how the tendering of the service under the previous administration in Cheshire West and Chester has led to a worsening service for those involved in drug and alcohol misuse. Across England, about £760 million a year is spent on drug and alcohol misuse.

I was disappointed that the Government rejected Labour’s amendments to this Bill in the other place. The amendments would have put a statutory duty on the Secretary of State to help schools educate children about the dangers of these substances. Some very powerful points were made by Members across the House, and across the various parties, on the importance of education and of raising awareness among young people. This legislation will have a profound effect on public attitudes towards these substances, but only with the appropriate education and public information strategies.

What has not been fully understood by those Members who are not as supportive of this Bill as I would wish is that it is as much about the messages that are sent out that these drugs will not be legal and that they are not safe as it is about the actual enforcement of the law. In many ways, to use the same logic, it is similar to the recent legislation on smoking in cars with children. Many critics of that legislation say that it is incredibly difficult to enforce, but it is as much about the public health messages that are sent out that that behaviour is no longer acceptable. That aspect of this Bill should not be misunderstood. It is as much about the message that is sent out that these products are no longer legal and they are not safe. That is what is important. Young people think that these substances are legitimate and safe simply because they can buy them on the high street. If only the supply side of these substances is to be tackled, it would be appropriate for there to be an obligation on the part of the Government to provide public education on the nature of these drugs.

Briefly, let me discuss the issue of medical research, which my hon. Friend the Member for West Ham (Lyn Brown) mentioned. The current legal framework impedes legitimate research due to the requirement of a schedule 1 drug licence, which is very expensive. That type of licence also takes a considerable amount of time to set up, which undoubtedly deters scientists and manufacturers from getting involved. It also massively hikes up the price of the drugs, and simple market forces will dictate that other areas of research will be more profitable, and even possible.

Forty eight years after the prohibition of LSD, psychedelic drugs remain more legally restricted than heroin and cocaine, which are schedule 2, class A. That puts a stop to all research. I am concerned that the vague definition of psychoactive substances, with several common sense exemptions, will impede legitimate research. Would it not be a tragedy if the United Kingdom, one of the leading research nations in the world, avoided finding a cure for some awful psychiatric disorder due to our failure to include the appropriate exemptions for scientists?

I also want to raise the issue of stop and search. I wonder what would constitute reasonable suspicion for the possession of legal highs with intent to supply. Likewise, how is a police officer to identify the source of somebody's ecstatic state? Is it from real ecstasy, or caused by an artificial substitute with similar psychoactive effects? Is the person to be taken into custody whilst a full chemical analysis is performed? Some clarity on these points will be needed in Committee.

Despite the unanswered questions, the Opposition will support the principles of the Bill. We committed to banning legal highs before the last election, and we maintain that commitment. The preponderance of evidence suggests that it will be effective in reducing the usage of psychoactive substances and we need only to look to the Republic of Ireland to see the effect it can have. That point was well made in the opening speeches and in contributions from other Members, but most powerfully by the hon. Member for Belfast East, who spoke about his experience visiting Dublin and seeing the difference that the law change has made south of the border. There has been a dramatic reduction in the number of hospital admissions as a result of the use of the newly outlawed psychoactive substances, and the near elimination of the dodgy shops that sell them.

I also think that a blanket ban is the only way to deal with the problem. As I mentioned earlier, the main issue we face with psychoactive substances is their legitimisation, whether their legality is real or merely purported. The nuance in the four-decade-old law controlling psychoactive substances is clearly insufficient for its modern purpose, and I think we all agree on that.

There are some who argue that the criminalisation of supply will simply move the trade to the unregulated black market, but I do not accept that. These substances are entirely unregulated already. There is no incentive for suppliers to attempt to subject their products to regulation for the very reason that it would alert the forensic early warning system to the presence of a new drug on the street, leading to an expedited prohibition.

We therefore lend our qualified support to the Bill. We recognise the need to control the production and supply of these substances, but we also recognise the need to educate young people on the real nature of such drugs. We want to improve the Bill. We will not oppose it tonight, as we support its aims and it is Labour party policy, but in Committee we will make serious amendments on some of the points we have raised tonight.

11.2 pm

The Parliamentary Under-Secretary of State for Justice (Andrew Selous): We have had an excellent debate this evening and I am grateful to all Members who have taken part. The hon. Member for West Ham (Lyn Brown), who speaks for the official Opposition, gets it and I am grateful for her support. She pressed us on the issue of education and Public Health England is full square and centre in trying to achieve what we all want to see.

My hon. Friend the Member for Winchester (Steve Brine), in an outstanding speech, gave us his strong support, for which I am extremely grateful. He told the tragic story of a young female army cadet who lost her life to NPSs at a festival in his constituency and quite rightly said that the music industry should be more responsible. He told us that there were 16 head shops in Hampshire and mentioned the impact on homeless people, which we should not forget.

The hon. Member for Glasgow North East (Anne McLaughlin) spoke for the Scottish National party with an excellent speech. She said that she would not name individual NPS drugs and I support her in that. I prefer the term "lethal highs", as I think it is more accurate. Of the 129 deaths in 2014, 62—nearly half—were in Scotland, so it is quite right that there is strong interest and support from the SNP Benches on these matters. She also told us the tragic story of a young woman about to go to medical school who then spent four decades in supported accommodation because of an hallucinogen, a type of NPS, that she had taken. I am grateful for the support of my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter), who is a doctor and former Health Minister. He said that shops selling NPSs legitimise them—I believe that he is right—and he will be aware of the important role of Public Health England and its equivalent in the devolved Administrations in the education piece, to which he rightly drew attention.

The right hon. Member for North Norfolk (Norman Lamb) made an important point about importation. The Bill tackles the trade in psychoactive substances,

[*Andrew Selous*]

whatever form it takes, including importation. Removing importation for personal use from the measure would open significant loopholes. Someone could import substantial quantities claiming it was for personal use, making it impossible for the Border Force to look behind each and every importation to check whether it was for personal use or not. It must be able to seize or require that people forfeit all psychoactive substances at the border. The right hon. Gentleman's former colleague, Lynne Featherstone, said:

"I will be working right up until the dissolution of Parliament to ensure we have done as much as we possibly can to pave the way for a general ban. This will mean the next government can act quickly to clamp down on this reckless trade."

The right hon. Gentleman was a little vague about his manifesto. I have done a bit of research, and the Lib Dem manifesto said that the party would

"clamp down on those who produce and sell unregulated chemical highs".

My hon. Friend the Member for York Outer (Julian Sturdy) told us about the amount of NPSs sold on York's tourist-filled high street for as little as £7. He told us about a constituent who attempted suicide, and about the group, York against Legal Highs. I am grateful to him for drawing that group to our attention, and I commend it on the good work that it does in his constituency.

The hon. Member for Newport West (Paul Flynn) has indeed been consistent on this issue, and takes a fundamentally different view from the majority of speakers in the debate. My hon. Friend the Member for Enfield, Southgate (Mr Burrowes) has pushed for action on this issue for many years. He is a practising criminal solicitor, so we should listen carefully to him. He said that the Bill would call time on head shops, and he is right about that. I thank him for his support.

The hon. Member for Bassetlaw (John Mann) has a proud record of standing up consistently and in a no-nonsense manner on this serious issue, and I thank him for his support. He drew our attention to the fact that it is younger groups of users who are being drawn to these terrible substances. I will not give publicity to the head shop that he mentioned in Worksop, but I can tell him that the Bill sounds its death knell. He is a strong supporter of central parts of the Bill, and he told us that ex-heroin users say that we need to act.

My hon. Friend the Member for Pendle (Andrew Stephenson), too, speaks from good, practical experience, because like me, he is a Community First responder. I commend him on the practical action that he has taken. He told us about the problems that his police force experiences in tackling NPSs as a result of a lack of legislation—something the Bill will deal with. The hon. Member for Swansea East (Carolyn Harris)—again, in a powerful speech—told us that her local hospital had admitted 78 people to accident and emergency for taking NPSs between April and August. She also told us that the police were having to educate children in years 7 and 8 in her local schools—further reason why we have to act.

The hon. Member for Midlothian (Owen Thompson) told us about a young man who died after several weeks and a number of operations after taking NPSs. The cost

to the health service of the issue that we are discussing is huge. He, too, wanted more education, and my right hon. Friend the Minister for Policing, Crime and Criminal Justice absolutely gets that, and we will make sure that it happens in the Bill.

The hon. Member for City of Chester (Christian Matheson) said that NPSs blight his historic city centre, and spoke about the fact that the ease of paying for NPSs by debit card sends an appalling message. He is absolutely right, and he told us that his constituents support the Bill. The hon. Member for Belfast East (Gavin Robinson), a distinguished former Lord Mayor of his city, has taken practical action at local authority level, and I commend him for doing so. I commend Lincoln and Lambeth—other local authorities that have acted in a similar manner. I thank the hon. Gentleman for his support for the blanket ban. Interestingly, he told us that class A drug users in his constituency told him that they would not touch NPSs because they were far too dangerous which, again, should spur us to action.

Finally, I can tell the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) that we will continue to listen to the Home Affairs Committee. We have listened to it, we respect it greatly and we will continue to listen to it as the Bill goes into Committee.

I have spoken already of the 129 deaths in 2014. The number of substances has increased exponentially. There were 24 new substances in 2009, 41 in 2010, 49 in 2011, 74 in 2012, 81 in 2013, and in 2014 101 brand-new substances. The old method of trying to ban each individual substance has not worked, which is why the blanket ban approach must be taken. We should listen to the wise words of Professor Paul Hayes, former chief executive of the National Treatment Agency, who said in his evidence:

"Closing down the visible points of sale will tend to deter novice users and, just as importantly, will prevent the normalisation of NPS use which the presence of open sale promotes."

Over a third of NPSs are bought from shops and it is estimated that there are 335 UK head shops, which is appalling.

As the Prisons Minister, I want to end by talking about the terrible impact of psychoactive substances in prisons. I saw a report last week from a prison where five prison officers had been sent to accident and emergency as a result of an NPS incident. Three of them had been bitten. No public servant should have to put up with such behaviour in the course of their duty. It is appalling. That is another extremely important reason why we need this Bill. Within prisons the harm is magnified. Officers and prisoners die or are badly injured, as I just described. Prisoners and their families are bullied, they get into debt and they are used as guinea pigs by other prisoners. There is a trail of human misery caused by new psychoactive substances in prisons. That is the reason, among all others, why we need the Bill. I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time.

PSYCHOACTIVE SUBSTANCES BILL [LORDS] (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Psychoactive Substances Bill [Lords]:

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 Thursday 29 October 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 three hours after the commencement of the proceedings.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion four hours after the commencement of proceedings on Consideration.

(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 any message from the Lords) may be programmed.—(*Margot James.*)

Question agreed to.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

LEGAL AID AND ADVICE

That the Civil Legal Aid (Merits Criteria) (Amendment) Regulations 2015 (S.I., 2015, No. 1414), dated 23 June 2015, a copy of which was laid before this House on 25 June, be approved.—(*Margot James.*)

Question agreed to.

Motion made, and question put forthwith (Standing Order No. 118(6)),

LOCAL GOVERNMENT

That the draft Byelaws (Alternative Procedure) (England) Regulations 2015, which were laid before this House on 21 July, be approved.—(*Margot James.*)

Question agreed to.

Heathrow: Noise Mitigation

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

11.12 pm

Dr Phillip Lee (Bracknell) (Con): I applied for the debate this evening so that I could outline the adverse impact that recent changes to flight paths have had on my constituency. I also want to suggest a number of solutions that I believe should be introduced to mitigate the airplane noise impact for my constituents and the constituents of other right hon. and hon. Members whose constituencies are close to Heathrow.

Last year NATS decided to consolidate flight paths to the north of my constituency, but failed to notify the communities affected, Heathrow airport or me. It took a year's worth of complaints from local people for NATS finally to admit that it had made changes to the so-called Compton route. Its consolidation of the Compton route is supposedly for safety reasons, although in my opinion NATS has failed to fully explain its decision. I would like to know what the reasons are, and if they are not credible, the Compton route should revert to its former setting.

Late last week Heathrow published its analysis of flight path data over my constituency. It asserts that things are broadly the same as before and that my constituents and I are misled. However, by looking closely at the published data it is possible to deduce that Sandhurst and Crowthorne in my constituency have a higher concentration of low-flying aircraft. My constituents, such as Ms Claire Simpson who lives in Crowthorne and Ms Lisa Davison in Sandhurst, are apparently unable to hear themselves speak in their gardens, such is the deluge of low-flying aircraft. This is unacceptable around 15 miles from Heathrow, particularly for residents not previously affected.

John Redwood (Wokingham) (Con): I fully support my hon. Friend. There has been a major change. We now have a motorway in the sky with much lower planes flying far more persistently. All we ask is to go back to where we were before the trials.

Dr Lee: I totally agree with my right hon. Friend.

Heathrow is very forthcoming about the effect that the changes to the Compton route have had. Indeed, it would like to see the change reversed too. However, Heathrow failed to acknowledge that the changes to the Compton route have also pushed arrivals 1 km downwards to accommodate departures. These are having a huge noise impact, particularly when pilots are using limited thrust on take-off to save on fuel. If more thrust were used on take-off, aircraft would be at the highest point of their allocated altitude when over my constituency. I would appreciate the Minister's suggestions as to how his Department could deliver this change.

Dr Tania Mathias (Twickenham) (Con): I applaud my hon. Friend for securing this debate. The problem for Teddington Action Group is that despite the trials there are increasing flights on the route, they are more concentrated, they are flying lower, and there are louder aircraft—the A380s. Eleven minutes ago I got tweets saying that already tonight there is noise over Teddington. My concern is that regardless of the trials this cannot be mitigated and is already increasing.

Dr Lee: I would argue that it can be mitigated—there are different things that I will come to—but I recognise that the frequency of flights has increased. The types of aircraft are important in terms of where they fly and how high they are in the sky.

Dealing with arrivals will require more action. I was surprised to learn through correspondence with the Minister that NATS prioritises noise mitigation only for flight path designs up to 4,000 feet. The Minister goes on to say in the next sentence of his letter that flight path designs up to 7,000 feet are being considered too. Which measure does he favour? Seven thousand feet would be better for my constituents.

To further deal with noise from arrivals, I would like to see a clear definition of the continuous descent approach that would require a greater adherence to the 3° path from 8,000 feet down and not just at 4,000 feet, when NATS at Heathrow takes over. This would raise the height of planes above my constituency.

Ruth Cadbury (Brentford and Isleworth) (Lab): I very much appreciate the hon. Gentleman's introducing this debate. My constituency is also significantly affected by noise from Heathrow. I welcome the opportunity to hear what happens in his constituency when flight paths are changed. Is he aware that in my constituency there can be no variation of landing paths because all planes are locked into the landing arrangements at Heathrow and for 70% of the time planes are flying over a built-up area all the way from Kew to the runway?

Dr Lee: Clearly, for the constituencies close to the airport, mitigating noise becomes difficult. The glide approach, with an aircraft using engines less, would be quieter, even in the hon. Lady's constituency. Some changes can be made. I am realistic enough to know that the constituencies in close proximity to Heathrow will be impacted to some degree, but the impact could be less if we gave some consideration to these suggestions.

Jim Shannon (Strangford) (DUP): Connectivity is very important for the whole of the United Kingdom, not just for Heathrow but for Belfast—Aldergrove—and Londonderry. The importance of having these connections and the benefit to the economy is great. Let me say for the record that my party is fully committed to the expansion of Heathrow. Heathrow has revealed some methods that can go a long way towards addressing the issues of noise for people who live in the area. Perhaps we can hear some of the hon. Gentleman's ideas on how to reduce the noise in these areas.

Dr Lee: As the hon. Gentleman knows, I will be passing through Belfast airport soon, and I shall be able to admire the country that he has the privilege to represent a part of.

As I said, I would like to see a clear definition of the continuous descent approach that would require a greater adherence to the 3° path from 8,000 feet down and not just at 4,000 feet, when NATS at Heathrow takes over. This would raise the height of planes above the constituency. Planes are noisiest when there is a faster level of negative vertical speed. Furthermore, I have concerns about arrivals that have not been stacked or that come out of the Ockham or Biggin stack at 8,000 feet and have to descend to about 4,000 feet for their final approach. If NATS were

mandated to take noise mitigation seriously, that would become much less of an issue for residents on the ground.

Another area with scope for improvement is the way in which certain noisy aircraft are dealt with. Has the Department for Transport considered banning such aircraft from taking off and landing between 9.30 pm and 7.30 am? The retrofitting of noise-reducing devices to Airbus A320s is being actively encouraged by Heathrow, but about 20% of A320s operating at Heathrow have yet to have them installed. Will the Department issue guidance on this? One airline operating a few A320s without the retrofit can have a huge noise impact.

With old planes, as they get sold on and have a life of 30 years or more, a ban might be the only way to actually get them retired from service. That is particularly applicable to new, low-cost, long-haul carriers. In addition, aircraft manufacturers could do a great deal more: no manufacturer offers streamlining for its landing gears, for example. Manufacturers could also modify their advice for airlines on operating techniques to reduce noise, including additional use of speed brakes located on the upper side of aircraft, which, if used instead of flaps, would further reduce noise.

I very much hope that the Minister will be able to bring about a resolution to at least some of the problems I have outlined. It is quite easy, as Members can tell, to get bogged down in the detail of the issue, but the best solution most certainly involves a far more robust mandate for NATS or, perhaps, the Civil Aviation Authority.

I have long been a proponent of Heathrow expansion, primarily based on the economic benefits it would bring for my constituency of Bracknell and the Thames valley region, and on its wider implications for the UK's long-term prosperity. Heathrow expansion offers the best prospects for stimulating the local economy by supporting and creating jobs. An expanded Heathrow would also play an important role in the continued economic success of the Thames valley, ensuring that it retained its position as a hub of innovation, productivity and prosperity.

I am determined, however, that current usage of Heathrow airport, and any future expansion, should not come at the expense of the health and wellbeing of local communities. In particular, when Heathrow is on easterly operations, some residents in the Thames valley can be blighted by aircraft noise for up to 19 hours a day. That has happened a lot recently.

Ruth Cadbury *rose—*

Dr Lee: If the hon. Lady will forgive me, I will make progress.

As outlined earlier, the situation has been further exacerbated by the changes implemented by NATS, which narrowed the Compton departure route corridor, resulting in greater concentration of aircraft activity over densely populated areas in my constituency.

Over the past year, I have held regular meetings with Heathrow executives, held a public constituency meeting following NATS flight trials, and made representations to Heathrow Airport Ltd, NATS and the CAA. During this time, it has become clear to me that much more attention needs to be paid to the mitigation of noise and that a relevant body should be made statutorily

responsible for its reduction. NATS, which controls the airspace around Heathrow, currently has no responsibility for mitigating aircraft noise that could affect hundreds of thousands of people.

As I have said, there are many issues at play, including old aircraft and poor piloting, but in the short term NATS could do the most to alleviate the issue, particularly around Heathrow, where it vectors the aircraft much too far from the airport, which subjects many more communities than necessary to excessive noise.

As I have outlined, there are solutions to mitigating noise around Heathrow. The Government should seriously consider them, as I believe that the UK's future as a trading nation and tourist destination depends on our ability to meet the increasing demand for airport capacity. For the good of the country, we have to move forward and build the airport capacity that Britain needs. Over the coming years, I will continue to campaign on behalf of my constituency to ensure that Heathrow can increase its capacity. But rest assured that I will also campaign vigorously to mitigate the impact of excessive noise on my constituents' lives.

11.24 pm

John Howell (Henley) (Con): First, I thank my hon. Friend the Member for Bracknell (Dr Lee) for securing this important debate. It is a pleasure to participate briefly in it. Although Henley-on-Thames is a little further up the River Thames than his constituency, it is also very badly blighted by noise pollution from aircraft, particularly those on easterly operations, which appear to do the equivalent of a handbrake turn over Henley, with all the attendant noise that brings.

I invited Heathrow, NATS and others to a public meeting to look at this problem. They willingly attended it, for which I am very grateful to them. However, their solution was that everything depended on the air patterns—whether aircraft were on a westerly or easterly approach. I can understand the logic of that, but it does not answer the whole question.

The fact that the landing routes have changed is a big contributor to the difficulties my constituents face. It affects the whole of Henley. Emails from my constituents say that they are woken up early in the morning, particularly with the old 747s that are among the noisiest aircraft in the skies, and late at night. It is necessary to do something about that. I approve of what my hon. Friend has said about steepness of the descent. That would keep aircraft significantly higher as they come in to land over my constituency, which would be a major improvement. Something needs to be done about older aircraft, because when the big 747s come in they are powered in such a way—I do not know whether the pilots do it deliberately, but they certainly seem to—that it creates an enormous noise.

Like my hon. Friend, I am looking forward to the results of the inquiry into the future of Heathrow. We need the capacity and we need to build something there, but if we are going to do so, we must solve the mitigation problem first.

11.26 pm

John Redwood (Wokingham) (Con): I fully support my two hon. Friends the Members for Bracknell (Dr Lee) and for Henley (John Howell). Like them, my constituency is newly blighted by the change in operating procedures.

I beg the Minister to tell NATS that it must go back to the system it operated before the trials of about a year ago.

My constituents feel very misled. They were told there would be trials. The trials were unacceptable, and when we complained, we were told they had been cancelled. However, instead of going back to what we had before—people could live with that and had bought their houses on that basis—we have had a new concentrated motorway in the skies, with more, lower and noisier planes day after day, in a way that is completely unacceptable.

I expected to support the expansion of Heathrow, but I do not see how I can possibly do so unless the airport understands that this is a huge mistake, and unless it and NATS between them put it right and go back to how it was before. They want our trust and support, but they have to earn it. They have just shattered that trust very badly by how they have behaved, because not only have they made such a change, but they implied for quite a long time that there were no changes. They said it was all in the mind, that we were dreaming it, and that we were going out at six in the morning to look at the skies and realising, when we saw planes, how noisy they were. It is not like that: this is a fundamental change in what they are doing. It was not scripted, advertised or consulted on. It has damaged the lives of my constituents, who feel they are owed an apology and that things should be switched back, which might start to restore some trust with the local community.

So far, this is a disgrace, and we are looking to the Minister to put it right, because he, like my hon. Friends and me, needs public support. We have just got their votes in the general election, and they now expect us to do our job, which is to tell NATS that this is not acceptable and that it must do what it used to do.

11.29 pm

Dr Tania Mathias (Twickenham) (Con): I wish to put on record that, despite what my hon. Friends the Members for Bracknell (Dr Lee) and for Henley (John Howell) and my right hon. Friend the Member for Wokingham (John Redwood) have said, such is the experience closer to Heathrow for Twickenham, Teddington and Hampton, I do not believe there can be mitigation, regardless of the new trials. It is only because of the Teddington action group that a report was produced on 15 October showing the trend even without the trials. The trend is about 83 dB for A380s. As my medical colleague, my hon. Friend the Member for Bracknell, will know, 57 dB causes medical problems. There is no mitigation for 83 dB. There cannot be mitigation when aircraft are flying at 1,413 feet. There is no mitigation when most of the noise pollution at a medically dangerous level is happening before 8 o'clock in the morning and after 8 o'clock at night. I am assured by my residents that it is happening right now.

I believe in the aircraft industry, but I am sorry to say that I do not believe in Heathrow or in the third runway. We must remember that the chief executive will not rule out a fourth runway or night flights. That is not acceptable. As talented as the Minister is, he cannot mitigate the effects for my constituents.

11.30 pm

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): I congratulate my hon. Friend the Member for Bracknell (Dr Lee) on securing this

[*Mr Robert Goodwill*]

debate on the mitigation of noise around Heathrow airport. I thank other colleagues for their contributions and for the way in which they have described the problems that aircraft in the air cause for people on the ground.

I assure the House that the Government are acutely aware that noise is a major environmental concern around airports, and especially for the communities surrounding Heathrow. I remind the House that, as is set out in the aviation policy framework that was published in 2013, our overall policy is to limit and, when possible, reduce the number of people in the UK who are significantly affected by aircraft noise. That remains our overarching policy, and the aviation industry is fully aware of it.

Ruth Cadbury: Is the Minister aware that 300,000 people who are not currently overflowed by flights into Heathrow will be affected severely if runway three goes ahead? The third of my constituency that is not currently overflowed by landing paths into Heathrow will be directly underneath the new flightpaths. Those people did not know that they would be living in such a noisy environment when they bought their homes. Does the Minister agree that that is not fair and that runway three should not be imposed on those 300,000 people in London and beyond?

Mr Goodwill: May I reassure the hon. Lady that although the Airports Commission has made its report, the Government are yet to make a decision on it? We hope to do so by the end of the year.

Jeremy Quin (Horsham) (Con): I will spare the Minister a lecture from the perspective of those who live around Gatwick because I know that he is in an invidious position as he considers the Davies commission's report. However, I want to put it on record that the concerns that have been expressed by my hon. Friends in this debate also apply to Gatwick airport.

Mr Goodwill: I am well aware that the vectoring trials at Gatwick, which involved performance-based navigation—the accurate navigation that is now available—provoked a lot of concerns similar to those regarding Heathrow that we have heard about. One of the problems seems to be that although the ability to fly aircraft more accurately limits the number of people who are affected, those who are affected often experience a greater incidence of aircraft. There is a debate to be had about whether we should fly accurately down navigation lanes and limit the number of people who are affected, or go back to the situation that we had in the past when, because aircraft could not navigate as accurately, the planes flying out of the airports were more dispersed and noise was spread around.

Dr Mathias: Will the Minister give way?

Mr Goodwill: I ought to make some progress as time is fairly limited and I want to answer some of the points that have been made in the debate.

In the case of Heathrow, the airport, the CAA, the airlines and NATS are aware that noise is a significant concern for the communities around the airport that needs to be acted on. Heathrow is taking steps to cut back and mitigate its noise impact. Under the European

Union's environmental noise directive, it is required to produce a noise action plan that sets out its intentions to mitigate noise.

The House will be interested to know that last year the airport published its "Blueprint for noise reduction", setting out 10 practical steps that it is taking to mitigate noise in 2015. Earlier this year the airport also established the Heathrow community noise forum, which is made up of representatives from local authorities around Heathrow—including that in the constituency of my hon. Friend the Member for Bracknell—as well as representatives from NATS, British Airways, the Department for Transport and the CAA. One of its principal aims is to help to build trust with local communities—I know that that trust has been tested—by keeping them informed of developments, and seeking to improve the overall level of understanding about Heathrow's operations and airspace. That good initiative by the airport will bring about real benefits.

Under powers set out in the Civil Aviation Act 1982, the Government set noise controls at Heathrow, including restrictions on the number of flights allowed during the night, and specified the routes that departing aircraft need to follow. The controls also cover minimum height levels and maximum noise limits that departing aircraft must adhere to at certain points near the airport. Communities can be affected by noise disturbance from either arriving or departing aircraft—or indeed both—but, as I will set out, it is more difficult to lay down limits for arrival aircraft.

The routes used by aircraft and the height at which they fly are significant factors that affect the noise experienced by people on the ground. The departure trials last year at Heathrow and Gatwick, and the public response to them, as indicated by the number of complaints received, clearly show that people notice changes in airspace use and—as my inbox would attest—are quick to make their feelings known.

The Government understand communities' concerns and are considering how the airspace change process can be improved. The CAA is also aware of concerns about the airspace change process and is carrying out an independent review into whether that can be improved. I assure the House that those trials ended last year, and the information gained is vital to increase our knowledge for future airspace change driven by the CAA's future airspace strategy.

Changes to the UK's airspace structure are required, which we must accept while we are seeking to address the impact of such changes as much as practicable. Aviation is a success story, and the public like the opportunity that it affords for holidays or to meet family and friends living far away, as well as for business travel, which is vital for our economy. However, the basic structure of UK airspace was developed more than 40 years ago, since when there has been a dramatic increase in demand for flights. The future airspace strategy is critical to ensuring that the industry is efficient and able to minimise its overall environmental impact.

Ruth Cadbury: When considering the implications and impact of aviation on communities affected by noisy environments, will the Minister also consider the impact of sleep deprivation and that on children's learning in schools when their classrooms are overflowed every 60 to 90 seconds?

Mr Goodwill: I am aware of the problems. Indeed, I visited two schools in the hon. Lady's constituency with her predecessor and saw the problems at first hand. Although double glazing can help in winter, in summer windows need to be opened and children in the playground can be affected. I appreciate the impact that noise can have on people on the ground, and the Airports Commission report sets out a number of suggestions, including a ban on night flights.

We are discussing the noise of aircraft that arrive in the early hours, particularly the early flight from Hong Kong. It is all very well saying to people that aircraft are quieter than ever before, but the flight either wakes someone up or it does not, and if they are woken up, they stay awake. I understand that many people are sensitised to noise because of the length of time that they have been subjected to it.

The plan is to modernise UK airspace and to deliver our contribution to the European Commission's single European sky by 2030. That ambitious plan is designed around the use of modern technology, including more precision-based navigation. This technology has the potential to bring about significant benefits: for the industry through greater efficiency, safety and resilience; for the environment through fewer emissions; and for passengers through quick journeys and fewer delays. The technology also gives the aviation industry an opportunity to deliver improvements to communities near airports. More precise navigation means that planes can be directed away from populated areas and can ascend quicker, which means less noise for people on the ground, but that can happen only with modernisation. Without that, none of the benefits will be possible. Of course, modernisation brings challenges too, which is why it is important that the Government listen to the concerns of communities so that they can share the benefits when possible. The CAA, NATS and the wider industry also need to listen to communities and to ensure that they can have a say in changes that will affect them.

As is set out in our aviation policy framework, the Government believe that in most circumstances it is desirable to concentrate aircraft along the fewest possible number of routes in the vicinity of airports, and that these routes should avoid densely populated areas as

much as possible. However, the aviation policy framework goes on to add that in certain circumstances, such as when there is intensive use of certain routes, and following engagement with local communities, it may be appropriate to explore options for respite. Such engagement is crucial for delivering results that work for communities and the aviation industry.

I now turn to how Heathrow's operations impact on the constituency of my hon. Friend the Member for Bracknell. I understand that he has already had communications with Heathrow Airport Holdings Ltd about this matter. As he is no doubt aware, his constituency will be impacted by noise from both arriving and departing aircraft from Heathrow. I understand that noise from arrival aircraft is the primary concern for residents in his constituency.

For safety reasons, and to ensure safe separation between incoming flights, there are no set routes or heights for arrival aircraft before they join the final approach path. This can result in a large spread of arrival tracks, which can vary from day to day and are dependent on such issues as how busy the schedule is and wind direction. There are, however, techniques that can be deployed to mitigate some of the noise impacts. These include continuous descent approach, whereby aircraft adopt a steady angle of approach. This reduces the noise impact on residents living further away from the airport.

The Government want to maximise the benefits of a strong aviation sector. This is good for the economy and for bringing not only investment and employment to the UK, but wider benefits to society and individuals. However, the Government recognise that that needs to be balanced against the costs to the local environment that more flights bring, with noise being the prime example.

I once again thank my hon. Friend for securing this debate on such an important subject, which I know is close to his heart, as indeed it is for many of his constituents and residents living across the south-east.

11.42 pm

House adjourned without Question put (Standing Order No. 9(7)).

Westminster Hall

Monday 19 October 2015

[ANDREW PERCY *in the Chair*]

Immigration

4.30 pm

Andrew Percy (in the Chair): Mr Speaker has agreed that for this debate, members of the public may use handheld electronic devices in the Public Gallery provided that they are silent. Photos, however, must not be taken.

Paul Scully (Sutton and Cheam) (Con): I beg to move,

That this House has considered the e-petition relating to immigration.

It is a privilege, an honour and a pleasure to serve under your chairmanship, Mr Percy. Given the petition before us, the members of the Petitions Committee wanted to ensure that we addressed immigration fully, despite the fact that we have already had a number of immigration debates in the House—not least last week, on Second Reading of the Immigration Bill, which allows us to go further in tackling mass uncontrolled immigration. As a Committee, we thought it important that, although some of the petition's wording was not quite what many Members would support, we did not just brush these issues under the carpet. We must tackle immigration in a responsible way, in a full and frank debate, to ensure that we can get the resolution and result that we all want: measured, controlled immigration.

This is a really serious issue. We wanted to ensure that we reflected the concerns of the population as a whole. I know from going around my constituency of Sutton and Cheam that immigration probably became the No. 1 issue during the election campaign—its last month in particular. That is reflected in opinion polls. It was Ipsos MORI, I believe, that recently came up with immigration as the No. 1 issue for people at the moment.

There are a number of areas in the petition, and I will take them in turn. One point is that there is a belief among the 198,000 who have signed the petition to date that many people are trying to convert the UK into a Muslim country. I do not particularly subscribe to that view. I can understand people's fears given some of the headlines in the tabloid press and some of the comments on Twitter, Facebook and other parts of the internet, but we need to look at the situation as a whole.

Given such headlines and the reality of what is happening in places such as Syria and Iraq, and that we see people from the UK travelling to Syria to join ISIS, it is not surprising—indeed, it is very welcome—that my right hon. Friend the Prime Minister has come up with his statement on countering extremism. We are looking at taking tougher action against individuals. We are going to ensure that there can be extremism disruption orders on individuals who foment and preach hatred and encourage people to decide to remove themselves from their families and travel to those foreign areas to fight alongside people who, frankly, have a disgusting doctrine and no sense of respect for human life at all.

There is tougher action on premises as well: any premises that are hosting such extremism can be closed down. We are giving Ofcom more powers so that it will be able to close down TV and radio stations that are repeating those sorts of messages. We are reviewing schools and other public institutions—colleges and the like—where radicalism and extremism might be fomented. It is also important, and I welcome the fact, that my right hon. Friend the Home Secretary is having a review of sharia law in the UK. That review is a very important cornerstone of our counter-extremism policy.

I can understand people's views in certain parts of the country where multiculturalism may have failed and stalled somewhat, sometimes because of the fact that so many people are coming into one area. We can look at Tower Hamlets and parts of the north, for example, where extreme groups have actually built up no-go areas for white British people. It was quickly stamped down on in Tower Hamlets, which was welcome. Vigilante gangs were walking around that area picking on people just minding their own business. That sort of thing has no business in the UK at all. However, only a tiny minority of people are committing such actions. We need to do more to stamp such behaviour out, hence the counter-extremism.

I will give one quick example of where community cohesion slightly breaks down, on a small scale, in my constituency of Sutton and Cheam. In the lead-up to my election, there was a controversial planning application for a small mosque on Green Lane in Worcester Park. I objected to it, as did a number of people, purely and simply because it was in totally the wrong place. There was no parking around and it would have been on a really busy junction that was already at capacity. It was rejected by the planning committee for that reason. However, it was conflated into anti-Muslim feeling among a few people around that area; the two issues got conflated.

There is an Ahmadiyya mosque nearby, in Morden. It is the biggest mosque in Europe; about 15,000 people worship there. A lot of residents in Worcester Park who do not particularly know the ins and outs of Islam thought, "Why do you want this small mosque on the corner of Green Lane? Why can't people go to the massive mosque round the corner?" They did not understand that Ahmadiyya are one group that actually unites the Sunnis and the Shi'as, who both dismiss Ahmadi Muslims as not being of the faith, as apostate. Sending Sunnis and Shi'as to that mosque would be like sending someone from the Church of England faith to a Mormon church, frankly, given the different doctrine that they perceive the Ahmadiyya to have, even though in many cases that is just not the reality at all.

The mosque in Morden recently suffered a fire, which destroyed a lot of its administration offices—back offices. Fortunately, the mosque itself was not damaged. It happened on the day after Eid; if it had been the day of Eid, there would have been 10,000 to 15,000 people in the building. As it happened, there were, I think, 10—there were no injuries and certainly no fatalities. However, 70 firefighters put out that fire.

The police and a number of community leaders organised a number of community events to try to calm the situation down, because it was not clear at the beginning whether it was a race hate or religious hate crime. We believe that, fortunately, it was not such a crime. It was a couple of teenagers, one of whom has been given bail

[Paul Scully]

and is coming back in the new year; we are hoping that it was nothing quite as sinister. None the less, the fact that people had to go round the community and set people's minds at rest shows the unease that there is sometimes and the awkwardness when it comes to keeping a cohesive community.

Mrs Anne Main (St Albans) (Con): We also had an incident just before the election in my constituency, where stickers appeared on lampposts—I gather that this happened nationwide—saying “Voting is shirk”, implying that Muslim people should not vote. My religious community quickly took those down, so that was not representative. Again, it is a small group, trying to stir up trouble.

Paul Scully: I thank my hon. Friend for that example. As she rightly says, situations around the country are sometimes exacerbated by a breakdown of community cohesion but are in no way reflective of the population, whether the Muslim or the indigenous British population—the Church of England population. Actually, I will correct myself. It is really important that, in describing the Muslim population, we do not bring together religion and ethnicity or race, because Muslims are not limited to Pakistanis, Bangladeshis or Arabs. There are a number of British-born Muslims. There are a number of people who have converted. There are a number of American Muslims and African Muslims. Muslims are represented in countries right across the world. It is important that we make that distinction even though, as I have demonstrated, it is easy to bring the two together by accident.

To return to my example, the final piece of the jigsaw in Worcester Park was a third group of Ismaili Muslims who bought a pub, not far from the controversial planning application site, called the Worcester Park Tavern, where they wanted to build a community centre. There were some issues surrounding the proposal—purely from a planning perspective, to do with things such as parking and traffic. However, because of the other two mosques, a lot of people in Worcester Park were whipped up—I felt that there was a bit of an undercurrent—into opposing the application because they were anti any Muslim group taking over the pub. In reality, however, Ismaili Muslims do not pray in the same way, and a number of them drink alcohol; they are a very different group.

Peter Grant (Glenrothes) (SNP): Does the hon. Gentleman intend during his allotted time to refer to the majority of immigrants to the United Kingdom who are not Muslims? Does he intend to use the opportunity to talk about the positive benefits that migration gives and will continue to give to the United Kingdom, rather than playing into the hands of the xenophobes by constantly talking about the problems caused in some communities?

Paul Scully: Absolutely I do. I am trying to set the scene by reflecting some of the concerns, which are the reason why 198,000 people have felt the need to sign a petition. We must bear in mind that the reference to Muslims is only one part of the petition; there are references to a number of concerns about immigration, such as benefits. I will come to those, but first I will finish describing the example that I was giving.

The Ismailis in the area decided not to take that planning application any further because they felt that if they were not wanted in that area, they would go somewhere else. That is to the detriment of Worcester Park, because the members of the Ismaili community around the area, whom I know personally, play a positive role in society. They are successful businessmen, and successful in their various other fields. They play an active role in their communities through charity and philanthropic work, and they have fantastic support networks.

To pick up on what the hon. Member for Glenrothes (Peter Grant) said, that is the case for so many people who follow the Muslim faith in this country. Their religion dictates that they should be charitable and philanthropic, and that they should look out for people more vulnerable than themselves. Looking wider than that, many immigrants, especially from the Arab world and Asia, share the values to do with the importance and benefit of a fantastic education, the need for hard work, the need to succeed and look after their families, and the need to build up support networks. I absolutely echo what the hon. Gentleman has said. Immigrants from a number of different backgrounds play a hugely positive role—not only economically, but culturally—here in the UK.

I want to cover the statement in the petition:

“Foreign citizens are taking all our benefits, costing the government millions!”

There is no doubt that a number of people who have come into the country claim benefits—either out-of-work benefits or, more likely, in-work benefits. People tend to come to this country to get on; they do not come for the fun of it. They do not move halfway across the world simply to do nothing in the UK. Often, they want to take a job, look after their families and make the most of the opportunities that the UK has to offer.

In the UK, immigrants from within the EU often get the same level of benefits as they would in their home countries, although that is something that we, as a Government, are trying to change. To most people from outside the EU, we do not make available recourse to public funds, and rightly so. Since April this year, we have introduced an NHS surcharge of £200 for each year of an immigrant's visa, because NHS tourism becomes less likely if people understand that there is a cost attached to coming over here for healthcare.

Those facts do not stop people holding the view, which I have heard from some of those I have spoken to on the doorstep, that many immigrants come into the country just to claim benefits. They do not want to work; they just want to claim benefits. Sometimes, the same people also told me, “They are taking all our jobs.” It is a kind of Schrödinger's immigrant, and we cannot have it both ways; there cannot be lazy people taking all our jobs. I do not know whether hon. Members saw the viral spoof Donald Trump quote the other day:

“I'm sorry Clinton, but my ancestors didn't make their way to this great country to have immigrants come in and take their jobs!!!”

Although that quote was a spoof, it reflects some of the arguments that we hear around the country, which is why it is incumbent on us as politicians to make the case that some immigration is very good for the country, both economically and culturally, but that we need to address mass, uncontrolled immigration full on.

I have met, as I am sure have many of my colleagues in the Chamber, people in the construction industry and the trades—carpenters, plumbers, electricians—who find the situation incredibly difficult because they feel that they are being undercut by European workers or workers from further afield. I absolutely understand their concerns, but we must also understand that we, as people who use those trades, take such workers on. I have employed a Polish plasterer, and I know colleagues who have used Romanian builders. Why do we do so? Because they are cheap. If their work is good and they can undercut the market, that represents open competition, which I absolutely subscribe to as a free-market Conservative.

One thing that drives people to the UK is the fact that we have the fastest growing economy in the developed world and in Europe. Yorkshire created more jobs than France last year, and the UK has created more jobs over the past few years than the whole of Europe. While our economy is doing okay—better than it has been over the past few years—and there is double-digit unemployment in several southern European countries, it is no surprise that people are attracted by the UK and that they come here to better their lives and those of their families.

There are two ways to tackle that. Either we can tank our economy—I do not believe that anyone here would subscribe to that solution—or we can make our immigration policy less attractive to unskilled economic migrants or people with skills that we do not particularly want to attract. That will allow us to concentrate on attracting the very best skilled workers and migrant entrepreneurs to the country.

The final point that I will cover from the petition is the mention of footage showing foreigners desecrating British soldiers' graves. I am not sure why that was put in the petition. There is some footage showing people kicking over the graves of a number of soldiers, not all of them British, in Benghazi, Libya, two or three years ago. It is a shame that, because we sometimes shy away from talking fully and frankly about immigration, such issues can be conflated into what amounts, often, to a non-sequitur. It is important that we concentrate on the policies that the Government are introducing and those that we need to go further and introduce.

My own background is one of the big drivers for me when I think about immigration. As many Members know, my father was born in Rangoon in Burma. My grandfather worked as a port commissioner and was in charge of scuttling the docks in Rangoon before the Japanese came in. During that time, my grandmother and my two aunts were refugees at a camp in India and, by chance, they managed to find my grandfather in a fort in India.

My father came over here when he was 18. He finished his apprenticeship on the Glasgow docks. The docks, either in Rangoon or in Glasgow, gave him the welcoming present of asbestos inhalation, which unfortunately killed him 25 years ago. None the less, when my father came here, he made a real success of himself. He came with no money but with a great education from a Jesuit school in Amritsar. He worked incredibly hard, instilling in me the importance of a good education, and the need for hard work and family, which set me in good stead. When I look at my Burmese family, I see the support network that they have built around them. They do not look to the state to look after their own. My grandmother

was a real matriarch and looked after a number of our extended family well into their old age. We can spread those values across the nation and we must herald some of the values that they hold dear.

I mentioned the fact that immigration is good because many of those people do jobs that others simply do not want to do. Of the NHS, 11% is staffed by people from abroad and 26% of NHS doctors are from abroad. The curry industry in an amazing industry that most people like, whether they are British or first-generation immigrants to the country. A lot of people enjoy their curry. I had tandoori chicken, which was served up by the café in Parliament, a little earlier on. It is our national dish. I know that my hon. Friend the Member for St Albans (Mrs Main) has some strong views on that, as do I as Chair of the all-party parliamentary group on the British curry catering industry. I have that role because the curry catering industry is a massive industry for the country, although it is struggling at the moment, partly because of some unintended consequences of our immigration policy, which we will perhaps hear more about later. I mentioned that there are jobs that people do not want to do. We have an ageing population so we need to bring people in. We need skilled people to come in to do those jobs so that we can create the wealth that helps to pay for pensions, freedom passes, our health service and all the services that older, retired people rely on, as we all do.

I will give one example of a migrant entrepreneur. A friend of mine and the Minister—a chap called Atul Pathak—came over here when he was young with very little money. He worked hard day in, day out in Southall on some pretty arduous jobs. Over the past few years he has gone from the ground floor of the hospitality industry to becoming McDonald's largest franchisee, running 26 restaurants around London and turning over £50 million. He employs 2,000 people and has given 450 of those the opportunity to gain GCSEs in English and maths. He has provided a number of apprenticeships and some of his staff now have degrees in hospitality. He has helped to bring on thousands of people to follow something that was a job through to being a really satisfying career. He is a fantastic example and does a huge amount of charitable work. A lot of entrepreneurs who have come here from other countries come with a slightly different philanthropic view from ours as businesspeople in the United Kingdom. They are far more active in the charity environment. It is really important that we learn those lessons and share them.

I have talked about the fact that immigration is good for culture, which is important, but let me turn for a second to the fact that mass, uncontrolled immigration is bad. There are tensions when too many people come into the country, like the 2.5 million people—twice the population of Birmingham—who came in under the last Labour Government. That provided a big shock to our infrastructure, including to hospital beds, school places and housing, which are all issues that we are now having to tackle. There are various community tensions in certain areas—I mentioned Tower Hamlets and other towns—so we need to control numbers.

I am pleased that the policy of the previous Government, which we are carrying on now, has started to address the issue. It is like turning an ocean liner around: it cannot all be done particularly quickly. None the less,

[Paul Scully]

we have been slashing student fraud. We have struck off nearly 900 bogus colleges and made access to welfare and housing tougher, but there is plenty more to do. I am glad that the Immigration Bill will make it far harder for illegal immigrants to work and access public services, and far easier for us to remove people who should not be here.

The one area in which we need to go further is the European Union. The Prime Minister is trying his hardest to renegotiate a number of terms with the EU, especially regarding freedom of movement. My opinion is that we need to leave the EU. That would ultimately give us far more flexibility to control our own borders, which are strong. Bear in mind the fact that we have the channel; there is sea between us and the rest of Europe. There are tensions in the some of the central and eastern European countries, where we hear about border issues every day. We have a sea and a strong border, which we could do something about if we had the policies in place to do so. Leaving the EU would give us more flexibility to control our borders and tackle some of the unintended consequences of immigration from outside the EU. Things such as the curry industry—bringing curry chefs over—might benefit.

In conclusion, I want quickly to talk about refugees because we are in the middle of a full-blown crisis. We do not want to go back to the position of the early 2000s, when all the talk about immigration was of bogus asylum seekers. We need a situation where we can have strong borders, bring in the people we want and also fulfil our moral obligation—we have a rich history in this—of bringing in the refugees who are most in fear of their lives, so that they feel welcome.

We must have a welcoming environment for legal migrants and refugees, and a hostile environment for illegal immigrants. That needs to be distinct so we do not conflate two issues, but it is a difficult situation to turn around. I fully support the Government's plans for immigration and the Immigration Bill. Now that we have a majority Conservative Government, we can do things that we could not necessarily do under a coalition Government. I look forward to the Minister's response on how immigration policy will develop over the next couple of years.

4.58 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): I congratulate the hon. Member for Sutton and Cheam (Paul Scully) on a rather broader contribution than the wording of the petition suggests. I wanted to take part in the debate for two reasons. First, I believe that immigration should be debated and that people's anxieties and concerns should be heard. If we are not willing to do that, we will create further problems and pressures in society. I received a fair amount of vitriolic abuse for remarks I made in the local press about this petition. I understand that it was picked up by a national newspaper. In those comments to the local press, I expressed some concern about the wording of the petition and about any automatic tendency to debate petitions simply because of numbers. I went so far as to say that I think there is a risk that we could end up legitimising bigotry. Members will not be surprised to hear that that did not go down terribly well, but I draw their attention to the wording of the petition, which begins:

“The UK government need to prevent immigrants from entering the UK immediately! We MUST close all borders, and prevent more immigrants from entering Britain. Foreign citizens are taking all our benefits, costing the government millions! Many of them are trying to change UK into a Muslim country!”

The petition goes on to make the references to graves that the hon. Gentleman mentioned.

Mrs Main: The hon. Gentleman highlights the capitals, but I draw attention to the shouty exclamation marks that punctuate those sentences.

Steve McCabe: The hon. Lady is right. I make it clear that I do not consider people who are concerned about immigration, or who object to it, to be bigots, but I have a problem with the petition. Some of the people who contacted me had a legitimate right—they were not constituents, by and large—to say that they did not like what they had read in the press, whether or not it was what I had actually said. I understand that. The vile nature of some of the other people's comments probably justifies what I said about them—in fact, what I said about them was probably mild compared with what I read from them.

I will pick up on what a couple of people said. A Mr David Harrington, who I understand owns or works for PressLine, a marketing consultancy, extended my criticism to say that I had accused all signatories of being of a racist tendency, which is quite worrying if he runs a marketing consultancy. That may have been what Mr Harrington heard, but never did I say it. The danger of petitions that deliberately set out to pander to people's fears is that people end up reading things that are not there and hearing things that have never been said.

Mr Harrington, a bit like the hon. Member for Sutton and Cheam, advised me that it was Labour that had opened the floodgates to mass migration. Members may not be surprised to hear that I do not entirely share that view, but people have legitimate concerns. We all know that there is pressure on some of our services at the moment and that people fear such pressure. There is pressure on health services and on access to school places. Certainly as far as European migration is concerned, I have more faith in the Prime Minister than it appears the hon. Gentleman has, because I do not want to plan to leave the European Union; I want the Prime Minister to succeed in his negotiations. I hope that one of the things the Prime Minister will seriously consider trying to negotiate is a migration fund so that, where we have a significant influx of people into a particular part of the country from Europe, we can draw on it if the influx is putting pressure on our services. That would be a welcome and useful proposal, as has been made clear in my extensive consultations with my constituents on immigration.

There is clearly an issue in relation to the benefits system. The vast majority of immigrants come to work, so we should not be entirely concerned when the petition says that foreigners are “taking all our benefits”, but it is reasonable to ask questions about benefits. For example, most people would recognise that it is absurd that people who do not have children resident in this country are able to claim child benefit. That is a reasonable point. I am not sure that I support the idea of transferable benefits. It is probably also legitimate to say that there should be a reasonable qualifying period for accessing benefits.

The hon. Gentleman drew on the example of curry shops. The balti business is very big in the Birmingham area. The issue is not about whether one should have to bring over a chef from the Indian subcontinent in this day and age. It would be better to put a bit more support and funding into our sixth form colleges and further education colleges so that they are not at risk of collapsing. If we cannot train people as balti chefs and curry chefs in this day and age, there is something badly wrong with our skills training in this country.

I recommend to the hon. Gentleman that, as was Labour policy at the last election—the Chancellor is now keen on some bits of Labour policy—where an employer asks for a visa to bring someone into this country because they argue that they genuinely cannot fill the skills gap, and where it is practical to create an apprenticeship, we should say, “You can have the visa, provided that there is an apprenticeship to train someone from here for the future.” That would be a useful and practical way of addressing that particular problem.

The Government’s targets need a bit of realism. I liked a lot of what the hon. Gentleman was trying to say—he was trying to be fairly balanced—but then I heard him say, “Oh, the last Labour Government let 2.5 million people into the country.” Where has that figure come from? How many of those people are permanent residents of the UK? How many of them does he know anything about? The reality is that that figure has been conjured up for propaganda purposes, just as the Government’s target to reduce immigration is now becoming a straitjacket for the Home Secretary. It would probably be better if the Government were to set out clear principles for the areas of concern on immigration so that people across the country can work together. That would be more fruitful than setting unachievable targets that lead to further disillusionment, which would be a mistake.

Of course, including refugees in the target, thereby confusing refugees with conventional economic migrants, is a dreadful mistake. I hope the Minister, who is responsible for refugees, will take advantage of this debate to tell us a bit more about what is happening with the Syrian refugees. How many orphaned and abandoned children can we reasonably expect to have been resettled in this country come Christmas? An answer to that question would be helpful, and it would also be helpful if he made it clear that he sees a clear distinction between refugees and economic migrants and that he is willing to consider not mixing the two in the numbers.

It is preposterous that this country wants to make it hard for high-value students to come to our universities. I do not know why we should discourage people who pay good money to come to our universities, and who help to subsidise our own students. Such students will not stop going to university; they will just go to Australia, Canada or the United States. The losers will be our universities and research programmes. It is a dreadful mistake to include students in our immigration targets, and the Minister will have no difficulty getting support from the Labour party, and maybe from other Opposition parties, if he were to come clean and make that distinction. Students are not coming here to settle permanently. They are people who come here for a time-limited period and who we actually want to come here.

This petition is misleading in a number of ways. It ignores the fact that the number of permanent visas being awarded is currently down by about 15%; it ignores

the fact that many of our most welcome immigrants come on fixed five-year work permits; and it does not take account of what they come to do or where they come from. We are talking about doctors, nurses, scientists, social care workers, digital engineers—the very people the hon. Member for Sutton and Cheam wants to come here to help, support and invigorate businesses, and to start businesses—and they are coming from places such as India, Australia, the USA, the Philippines, Canada and New Zealand. They are the main countries that we are taking immigrants from at present, which is hardly the picture conjured up by this particular petition.

Of course, the petition also ignores what the impact would be on our agriculture and hospitality sectors, for example, if we were to end immigration immediately. The effect would be to close down those sectors. I do not know whether the person responsible for originating this petition thought about the implications of that, or whether the 190,000 or so people who were so keen to sign it have considered that, but I understand that closing our borders would mean that it would be quite difficult to leave the country as well as to enter it. As I have said, I have no problem with discussing and debating immigration. There are immigration issues that we should tackle. There are some where we could find quite a bit of cross-party consensus. However, I for one have no desire to have to go around telling my constituents, “I’m sorry. You’re not going on holiday after all this year, because we have decided to support a petition that says we are going to close our borders.” I do not think that things have got quite that bad in the UK.

I welcome the opportunity to debate this issue. There is a persuasive argument, I say to the hon. Member for Sutton and Cheam, to consider whether we should issue further guidelines on the wording of petitions. That might be helpful. That is no criticism of the hon. Gentleman or his Committee but there may be times when the current e-petition situation has unintended consequences.

Is it not reasonable to ask that we be given a bit more information about the person originating the petition? It is probably fair to know who they are, where they live, whether they are a registered British voter, for example, whether they have any party political association or any history in relation to a particular subject. It would not be unreasonable to know that. The idea of the e-petition system, of course, was to give a voice to the public and to ensure that we in this place did not ignore issues that matter.

Paul Scully: I will quickly answer that point. As the hon. Gentleman said, the Petitions Committee is a new Committee and we are developing and looking at reviewing our processes as we go through. This is the third debate that has arisen from an e-petition and we will always continue to review the system. We certainly know the people who are signing the petition, because we are in contact with them and informing them about the result of their signing the petition, whether it is just a Government response, whether we will have a debate such as this one or whether there will be some other action.

Steve McCabe: I am grateful for that intervention. My point is that we should know, not just the Petitions Committee. Indeed, all the other people who might be tempted to sign a petition should perhaps know in advance, as well. That would be quite useful.

Peter Grant: If we have a petition signed by a significant number of, presumably, genuine people that is based on utterly untrue statements, would it not be better to bring the petition in here and to allow the Government to tackle it head-on and say, “This petition is based on untrue statements”, rather than being seen to be stifling debate and not allowing it to be spoken about at all, because that would just allow untrue statements to gain currency?

Steve McCabe: I am grateful for that remark. In asking for stronger guidelines, I think we are asking for something similar. I acknowledge that the Petitions Committee is new and that we have started a process that will take time to settle down. However, if the abuse of it is such that we spend all our time discussing things that are nonsensical, untrue or misleading, that is not what anyone had in mind when the system started.

I am glad that we have had the opportunity to debate immigration. I really take issue with this petition. Its wording will not advance many of the arguments a great deal. At least we have the opportunity here to debate it. I hope that the Petitions Committee can consider ways in which it may be possible to tighten up the e-petitions system.

5.15 pm

Mrs Anne Main (St Albans) (Con): I say to the hon. Member for Birmingham, Selly Oak (Steve McCabe), who it is a delight to follow, that I agree with a lot of what he said; I would wear the vitriol that he has experienced with pride. I hope I will not upset him too much with some of the comments I might make about the previous Labour Government.

I declare an interest as chair of the all-party group on Bangladesh and as president of the Conservative Friends of Bangladesh—obviously, I have quite an interest in Bangladesh.

I am glad that the hon. Gentleman read out the wording of the petition. For anyone who has not read it, I should say that it contains a lot of exclamation marks; in my view, that creates a rather shouty tone. Like many hon. Members here today, during the election period I listened to people expressing concern that we have lost control of our borders. I heard from residents who said they were exasperated that we, as British citizens, could not fully control who came into our country, partly because of the right of EU nationals to travel freely to this country; and from residents who were also angry about illegal immigration—for example, those who break into our country on the back of lorries and who slip into a murky world of criminality and the black economy.

In this uncertain world, we as a country should be able to know who is coming across our borders and for what purpose. Illegal immigration and people traffickers do a disservice to all legal migrants and help fuel sentiments such as those expressed in this petition.

I want to regain strong control over immigration and I share the sentiment of my hon. Friend the Member for Sutton and Cheam (Paul Scully), who opened this debate: I am hugely in favour of the promised referendum on our membership of the EU. It is time we had the discussion and the debate. I will be campaigning to leave the EU. We will consider that issue in the next few months.

How can we hope to control our UK immigration numbers when 42% of our immigrants can walk straight in from the EU, regardless of family ties or skill set? We will listen to the debate on that issue as the months go by. Freedom of movement and of residence for people in the EU was established by the Maastricht treaty in 1992. Now, free movement has a much broader meaning than in the original wording of the treaty of Rome, which talked more about “workers” than about “persons”. The four pillars of the EU—free movement of goods, capital, services and people—seem to be non-negotiable. I welcome the fact that the Prime Minister is trying to negotiate them, but the president of the European Commission, Jean-Claude Juncker, said in January this year that regarding

“the end of the free circulation of workers, there can be no debate, dialogue or compromise. We can fight against abuses, but the EU won’t change the treaties to satisfy the whim of certain politicians.”

There is the rub: as long as Britain is a member of the EU, the EU will not countenance meaningful change that would mean Britain has the policy freedom to control its borders as it sees fit.

This petition asserts that immigrants are taking “all our benefits”, which is a highly alarmist statement. I share the view of the hon. Member for Birmingham, Selly Oak, who spoke before me, that there are areas that we need to look at. Under EU laws, there are areas we need to tighten up on, particularly the highly contentious area of child benefit. We have all talked about that issue; there are cross-party concerns about it. It is worth noting that the figures for 2013 showed that £31 million of British taxpayers’ money was sent abroad as child benefit to other European countries, and that two thirds of that money was sent to Poland.

The EU will fight to defend people’s ability to nominate the country in which they wish to claim their child benefit. However, the Prime Minister believes that it cannot be right to send benefits abroad to children who have never lived in this country and who may, for all we know, not even exist. It is no surprise that a Polish worker would prefer to nominate to receive UK child benefit when it is four times the amount that could be awarded in Poland. Yes, we are welcome to go to Poland and to make a similar claim over there, but it is highly unlikely that we would.

However, despite wanting to tackle the syphoning-off of British taxpayers’ money to Europe, I profoundly disagree with the wording of this petition. It conflates immigration pressures and personal faith. I want a sensible immigration policy that is creed and colour-blind; that welcomes workers to fill vacancies in this country that need filling; that welcomes students to enrich and support our top universities—on that I agree with the hon. Member for Birmingham, Selly Oak; that respects familial ties and, importantly, our Commonwealth connections; and that does not discriminate against an individual because of his or her personal faith, because to do otherwise would be to go down a hugely dangerous road. Surely the holocaust, which happened in the not-too-distant past, should have taught us a lesson about discrimination on the grounds of faith, which this petition seems to advocate.

In August, the latest net immigration figures were 312,000. As my hon. Friend the Member for Sutton and Cheam remarked in his well-balanced comments, 50% of respondents in an Ipsos MORI poll for *The Economist*

said that immigration was the biggest challenge this country faced. Not only was that the highest such percentage ever recorded, but it surpassed the figures for the economy and the NHS. There is no dispute, therefore, that we need to talk about immigration, but how we talk about it is important. As elected representatives we must discuss the matter, but this petition is not the answer.

The petition currently has 199,000 signatories, and I am pleased to say that only 189 of them are from St Albans—0.25% of its electorate. In contrast, more than 500 of my constituents wrote to me about banning foxhunting, so supporting the petition is not high on the St Albans agenda. My constituency has an approximately 10% ethnic minority make-up; the largest black and minority ethnic community is the Bangladeshi one, which at 2,500 represents 2.5% of the population. Christian denominations make up 57%, at 55,951 individuals, and the Muslim denomination is 4,653, which is 4.8%. When I am at our war memorial on 8 November, I will expect to see, as usual, religious leaders from my churches, synagogues and mosques all reading passages and prayers from their sacred texts.

In St Albans we welcome prayers for peace, and we recognise that Muslim soldiers too have fought alongside their brothers from all faiths in the defence of our country. When someone criticised the fact that excerpts were read by the leading imam from one of our mosques, I wrote back and said exactly that—that they should bear in mind that these people support our country regardless of, or because of, their faith, and we should not discriminate. More than 400,000 Muslims alone fought in the first world war on behalf of this country.

I do not believe that faith can be forced. I profess a Christian faith, and I have friends who share other faiths and friends who have no faith, including my husband—he has no faith at all. I do not believe, as the petition asserts, that our faith, however personal, is threatened by Muslims, nor do I accept that Muslims are trying to change the faith of this country. The fact that Muslim families have been shown to have a higher number of children and may bring them up in the faith might mean an increase in the number of people who profess that faith, but it might not. I do not think, however, that someone can rob you of your faith. If a person's faith comes from within it will not be threatened by another person's faith, only by another person's intolerance or oppression of that faith.

In many countries, religious minorities face oppression and we must speak out against that. We should not be fearful or foster or import intolerance into our country. One of this country's pillars of strength is that each man and woman has the ability freely to express their own faith, and I want nothing to do with any petition that suggests otherwise.

I do not dispute that we need a full and frank discussion about how we manage our immigration levels, but I do dispute why reasonable people would want to associate themselves with an ill-informed petition. What provokes nearly 200,000 people to agree with the aggressive, shouty and unpleasant sentiments expressed in the petition? I am sorry—this is the point where I might upset the hon. Member for Birmingham, Selly Oak—but a large part of the fault can be traced back to the previous Labour Government's failure to see the true impact of EU migration.

In 1997, net immigration to the UK was 48,000 and a 2003 Government report projected that additional future net migration would average between 5,000 and 13,000 a year. In one year alone—between 2003 and 2004, when the accession countries joined the EU—net migration to the UK jumped from 185,000 to 268,000. Net migration has been well over 200,000 per year since, with one exception: when it dropped to 177,000 in 2012.

Steve McCabe: On a minor point, does the hon. Lady accept that it was the recognition of that error with the original accession countries that led to the transitional controls that the same Government imposed for the next round of countries? That error was not ignored.

Mrs Main: I accept that it was not ignored. The hon. Gentleman anticipates my next comments. The modelling was based on the equal access of member states to the labour market, but other states had imposed transitional controls at that time and the UK and Ireland had, unfortunately, not. We learnt that hard lesson.

A former speechwriter for Labour, Mr Nether, wrote in 2009 that

“mass immigration was the way that the Government was going to make the UK truly multicultural.”

He went on to say that he remembered

“coming away from some discussions with the clear sense that the policy was intended—even if this wasn't its main purpose—to rub the Right's nose in diversity and render their arguments out of date.”

That is an incredibly unhelpful statement, but if Mr Nether was correct it is no wonder petitions such as this have found favour in communities that might feel duped and that we are not facing the ongoing effects of mass uncontrolled migration.

In response to local authority and community concerns, mentioned by the hon. Member for Birmingham, Selly Oak, the Communities and Local Government Committee looked into the matter. I served on the Committee in 2008, and we produced a report. At the time, the Committee was Labour dominated—obviously—and it also had a Labour Chair, Phyllis Starkey. It is worth noting the report's findings. We learned lessons, and we have to learn lessons now. The report's summary states:

“There is significant public anxiety about migration, some of which arises from practical concerns about its effect on local communities.”

The hon. Member for Birmingham, Selly Oak referred to that. It continues:

“On our visits we heard from settled residents”—

some of those settled residents were second and third generation from other countries—

“about many such concerns, including the limited English of new arrivals; the problems associated with Houses in Multiple Occupation (HMOs)... a perceived increase in anti-social behaviour; and pressures on public services. The practical concerns of settled residents about migration need to be addressed by central and local government for cohesion to be improved, and cannot simply be dismissed as expressions of racist or xenophobic sentiments.

Recent migration has placed pressures on local public services in areas that have experienced rapid inward migration, including pressures on schools, translation services, social care, English language teaching, policing and the NHS. These pressures are currently left unfunded by Government, because resource allocations are being made on the basis of flawed population data. Leaving local services with inadequate funding to cope with added pressures from migration is not only detrimental to the service provided to

[Mrs Main]

local communities; increased competition between groups for access to limited public resources can also negatively affect community cohesion.”

That happened, and I believe that the petition has come out of it. I think that the petition is wrong in its sentiments and language, but we cannot dispute those findings. We need to face into the situation—all of us. It will take a long time to turn it around.

In an effort to row back from that situation, the points-based immigration system was introduced. Our Government, elected on a mandate of trying to control immigration, say the same. We have, however, to be honest, in this Chamber and in this Parliament: we can control only outside-EU immigration. We are unable to control EU migration, so other areas must be particularly hit, including former Commonwealth countries. The bar is set extremely high, and it has an unfair and disproportionate effect on certain communities and industries.

My hon. Friend the Member for Sutton and Cheam mentioned the curry industry. What he said was absolutely right, but the Chinese food industry is affected as well. The curry industry is worth £4 billion and employs 100,000 people across many of our constituencies. The hon. Member for Birmingham, Selly Oak mentioned training up people. Yes, we can do that, but it seems rather perverse that a poor Polish immigrant can walk into this country and take up any vacancy they find in any industry, including the hospitality industry or a curry restaurant, even though they might not have the relevant skills, while a poor skilled Bangladeshi chef is not able to that because the bar is set so high.

My hon. Friends the Members for Sutton and Cheam, for Northampton South (David Mackintosh) and for Harrow East (Bob Blackman) and I returned two weeks ago from visiting a social action project in Bangladesh. Bangladesh is a very poor country and it will be enormously difficult for its people to jump the bar to get in and take up vacancies. Someone from the EU can walk in and, hopefully, get a job in any restaurant by virtue of their EU membership.

In response to public concern, we have made it our mandate to cut immigration to tens of thousands, but my own concern is that certain countries are discriminated against. People from those countries have families here and other ties to the UK. We should not just tinker with the margins of the figures by hitting only non-EU countries. We need to look at immigration as a whole and ask ourselves what we can, and cannot, realistically control.

I want to regain control of our borders so that the UK once again says welcome and gives refuge and asylum to those it wishes to come and shows the door to illegal immigrants. Yes, we need controlled immigration. Yes, we need a reasonable debate. However, we do not need nasty, small-minded xenophobia, which wording such as that in the petition encourages and feeds. The petition and its wording have got it wrong on so many levels. After we have considered it today, I suggest that we consign it to the dustbin, where it belongs.

I want a debate on immigration. I do not want a shouty, nasty, ill-informed petition that means we are then discussing whether people are trying to turn us into Muslims or grab our jobs or whether to stop this, that and the other. We need to say why we believe in

controlled immigration and explain how we can control it, recognising that we have control over only small amount. That leads to the big debate, which I look forward to having over the next few months, on whether we should throw the whole thing up in the air and say, “Do we want to be able to control our borders?” If being a member of the EU means that we cannot, that is part of the robust debate we should be having. I am pleased to have had the chance to put those comments on the record. I look forward to the vitriol, which I will wear with pride.

Andrew Percy (in the Chair): I am sure you will deal with it just fine.

5.31 pm

Peter Grant (Glenrothes) (SNP): This is one of those occasions when I am pleased to get the chance to speak but wish it was in significantly different circumstances. I agree that we need to have a rational debate about immigration, but it is impossible to have one based on the petition submitted to us. It is perfectly in order for anyone to ask for an immediate end to immigration and all borders to be closed immediately, as the petition does—although, as has been pointed out, a border cannot be closed only one way; immigration can only be stopped in both directions—but the rest of the petition is a series of statements, most of which are demonstrably untrue. They are inflammatory, xenophobic, Islamophobic and just about every kind of phobic that someone would care to avoid having to be involved in, and that is not how we should conduct a debate about immigration.

The debate on immigration has descended to that level because the kind of nonsense in the petition has been around for a long time and none of the major UK parties before we became a major UK party was prepared to deal with that in the way that they should, which is to stand up to it and tackle it head on, rather than allow it to become an argument about who can be tougher on immigration. I am bitterly disappointed that the Conservative party, the Labour party and the Liberal Democrats did not take the chance to stand up and say, “This demonisation of foreigners, immigrants and people because of their religion or creed is utterly wrong. It is un-British for those who believe that being British is a great thing to want to hold on to.” As a Christian, I believe that the attitudes shown in the petition are fundamentally un-Christian. I know for a fact from speaking to a great many friends who are followers of Islam that those narrow-minded, xenophobic ideas run counter to the philosophy and truth of Islam.

Steve McCabe: I know that one thing the Conservative party and the Scottish National party have in common is the desire to kick the Labour party, but does the hon. Gentleman not see any slight contradiction between on the one hand being accused of opening the floodgates and letting 2.5 million flow into the country and on the other being accused of demonising immigrants? Does he not think there may be a contradiction there?

Peter Grant: I think the contradiction is between the hon. Gentleman’s comments and the fundraising mugs that his party was selling during the election with the slogan, “Controls on immigration.” As soon as one starts to play the anti-immigration line in the context of

anti-immigration political parties—one such political party has been reduced to one Member in the House of Commons—we have lost the chance to have a proper debate about a serious issue that concerns a lot of people.

Belatedly, I need to declare an interest. In fact, we all need to declare an interest, because one day not that long ago, we were all immigrants. This place operates on alien immigrant principles that were introduced by a bunch of illegal immigrants called the Normans. If we all go back far enough—some of us do not have to go back far at all—we are all descended from immigrants. My great-grandparents were immigrants. My father-in-law is an immigrant. My dear departed godmother, Auntie Mary, was an immigrant. I have a brother and a sister who are immigrants—not a half-brother and half-sister or step-brother and step-sister. We have the same mum and dad. We were born a few miles apart, because a new hospital had been built by the time they came along.

Mrs Main: The hon. Gentleman may not be aware of the report, “Community Cohesion and Migration”—in fact, I suggest he reads it—that the Communities and Local Government Committee produced. It is the pace of immigration that concerns a lot of communities. Controlled immigration, as the hon. Member for Birmingham, Selly Oak (Steve McCabe) was saying, is what most communities say they want. They are not anti-immigrant; they want control.

Peter Grant: I am sorry if I am not making the point clearly enough, but by conducting the debate on the terms of UKIP and those even more extreme than UKIP, it allows people like the gentleman who started the petition to believe that they are in the ascendancy and on the front foot. I do not know anybody—it is certainly not the policy of the SNP—who thinks there should be utterly open, uncontrolled immigration into Scotland, and I would not imagine that any UK parties would want the same for England. One of the big problems is how the controls are defined. For example, the salary control prevents qualified nurses from getting into the country. How ridiculous is that? It has been pointed out that the controls that were set up supposedly to stop bogus students coming in to go to bogus universities seriously affected the financial viability of some of our great and most ancient seats of learning.

To finish the comments I was making on my links to immigration, my Auntie Mary was born in Scotland. She was an immigrant. My wee brother and wee sister were born in Scotland, and they are immigrants, because one lives in Ireland and one lives in Germany. Why is it that, as part of the demonisation process that is so built in that we do not even recognise it, when other people come here they are immigrants, but when we go there we insist on becoming expats? Some of the biggest and most concentrated immigrant communities that can be found anywhere are of British immigrants in parts of southern Spain, Portugal and France. If we allow the debate to be carried out in the terms expressed in the petition, we are inviting the far right and other countries to demonise and discriminate against British citizens in exactly the same way as some people would want us to discriminate against the citizens of other countries.

Among the other great disservices of the past few weeks is what I can only assume is a deliberate strategy of conflating the humanitarian refugee crisis with controls

or lack of controls over immigration. Those are two completely different issues. We are not required to take Syrian refugees or refugees from anywhere else because of our membership of the EU. That is not affected by our signing up or not signing up to Schengen or anything else. A fundamental requirement of international law is that we give proper succour to refugees if they come in fear for their lives. We allowed the Home Secretary to make a statement about the Syrian refugee crisis headed, “Immigration”, which was an utterly shocking piece of bad naming, misrepresenting the true situation in the Mediterranean. Where people want to come here because they are in fear for their lives, that is not immigration. I fully agree with the hon. Member for Birmingham, Selly Oak that it is utterly and totally wrong to include hopefully short-term or temporary succour to refugees in an immigration figure.

Paul Scully: Would the hon. Gentleman not agree that the Government’s approach to the Syrian refugee crisis, which concentrates our help on the camps and taking people from there, directly helps refugees? Taking more people who are landing on these shores by crossing the Mediterranean risks giving support to human traffickers, who are bringing economic migrants as well as refugees.

Peter Grant: I had not intended to get into a debate about refugees, because the debate is not about refugees—that is what I am trying to say—but the direction I approach the matter from is that 4.5 million people have fled Syria because they would have died had they stayed. The United Kingdom takes 20,000 people. Who do we morally think we can tell to take the other 4,480,000? There are not places roundabout Syria that are stable enough to take those kind of numbers. That is why I welcome the Government’s moves so far. I am on the side of the bishops. The Government have not gone nearly far enough, but let me repeat: the petition should not be allowed to be about refugees. This is about immigration, and the two have got to be kept utterly and completely separate.

I was as shocked and offended as anyone when I saw footage a few years ago of people desecrating war graves. The desecration of any grave or any site of religious or spiritual significance is a terrible thing. What was done in the footage was done to create disharmony and conflict and to set communities against one another. That is why the militants did it. As has been pointed out, the petitioner was incorrect in stating that British war graves were desecrated. There were some British war graves and there were war graves of other nationalities who fought alongside Britain when Britain most needed them. They gave their lives in the service of the values that so many of their countries share with the nations represented in this hall today. A lot of them died in the uniforms of countries from which citizens would not be allowed to come if the petitioner got his way and if some of the reforms that the Government have talked about were implemented.

Let us not forget that, whether we talk about immigration or foreigners who have no intention of coming here even temporarily, we are talking about people whose countries suffered desperately in the fight against Nazism and about people who have come to settle in the UK whose fathers, grandfathers and great-grandfathers fought, risked their lives and sometimes lost their lives fighting

[Peter Grant]

for exactly the same values that our people did. It is wrong to start driving barriers between people based on the country they were born in, on the language that they speak, on the colour of their skin, on the god they choose to worship, on the way in which they choose to worship their god, or on their belief that there may not be a god at all. To discriminate against people on any of those grounds is rightly unlawful. More importantly, it is indefensibly immoral. There are no circumstances in which it is acceptable to discriminate on such grounds.

Like the hon. Member for Birmingham, Selly Oak, I have been on the receiving end of some very unpleasant emails from my constituents. I have had about 100 emails asking for an anti-immigration debate since I got elected this year and I think 99 of them have come from the same place. I got hate mail almost handed over to the police some years ago. I wrote a letter to one of our local papers in response to what I saw as xenophobic comments about immigration and refugees. I pointed out that in a few weeks' time some of us would celebrate our patron saint. I was not referring to St Andrew, who comes a couple of weeks later. Being an adoptive Fifer, I am proud of the connection that we have with St Margaret.

I can understand and I share a lot of the feelings of those who earlier this year celebrated the achievements of the present monarch, and I can understand why English people celebrate the incredible achievements of the previous Elizabeth, who also reigned for a long time, but I believe the finest monarch that we had in our days of independent monarchy was Margaret, who is now a patron saint. She came to Scotland as a refugee. She did not choose to come to Scotland. She came as a refugee and became by far our best loved monarch of all times, certainly in the pre-Union days. When I have commented on that before, I have had hate mail accusing me of being a traitor to my country and of being a traitor to my cause. I made those comments because we just never know what outstanding acts of good can come from somebody who has come here in the most desperate of circumstances. We never know what exceptional contribution someone who comes here as an immigrant may or may not make, just as we can never know who the next great migrant emigrating from these shores might be and what good they might do in other countries.

In exactly the same way as closing down all international trade would harm us all, closing down all immigration would be a desperately sad step to take. In practice, that is what the petitioner is asking for. We cannot close Britain's borders to anybody trying to come in without borders going up against anyone trying to go from Britain to other countries.

A couple of people have asked who the petitioner was. They have been identified. In fact, they were interviewed by a news website not far from the constituency of the hon. Member for Birmingham, Selly Oak. It was somebody in Walsall. They are not a registered voter because, ironically, at the time the petition was started the young gentleman was only 17. Although some of us would have been happy to allow them to express their views through the ballot box, a majority of people in here would not have allowed them to do so. Perhaps he had to set up the petition because other people would not allow him a vote. When he was asked where

he got the information in his petition, he said he got it off the internet, so perhaps that is an issue we need to look at.

I would be against rejecting a petition that appeared to have been supported by a substantial number of people simply because we found it offensive or we thought it was wrong. If people bring forward ideas based on falsehoods and on facts that are simply not accurate, the way to deal with it is to get the inaccuracies out into the open and to expose them for what they are. So when we get the response from the Minister—spokespersons tend to read through what the Government's record is and what their future plans are—I hope the Government will take the chance to say unequivocally that the request that has been made in the petition is unacceptable, because the comments, arguments and statements of fact on which the request is made are utterly and completely untrue and unjustifiable.

5.46 pm

Steve Double (St Austell and Newquay) (Con): It is a pleasure to serve under your chairmanship, Mr Percy.

The issue of immigration has been debated in Parliament many times. It feels as though hardly a day has gone by since the summer recess when we have not debated immigration or the refugee situation at least once, but I hope to add my voice to the ongoing debate. As has been pointed out, the debate has come about as a result of almost 200,000 people putting their signatures to the online petition. That is a clear demonstration that the subject continues to be a matter of significance and concern to the British people. It saddens me that such debates often polarise opinion and people take extreme and opposing views. The petition calls for the end of immigration and the closing of our borders.

Although we might not agree with the wording or even the sentiments contained in the petition, it is a clear sign of the deep frustration and, at times, anger that many people continue to feel about the issue. Much of that comes from the perceived lack of progress in addressing the matter. I am sure we would all agree that the issue of immigration is far more complex than how it is presented in the petition. I am also sure that, as politicians and parliamentarians, we will not be fulfilling our duty to the British public if we do not continue to address the matter. That is why I welcome the debate. It is absolutely right that, in response to the petition, we debate some of the issues raised and address the inaccuracies it contains.

I represent the constituency of St Austell and Newquay in mid-Cornwall. Cornwall is not renowned for its ethnic diversity or its multiculturalism. Indeed, there are people in Cornwall who might view people from Devon as immigrants. We do not have many permanent migrants resident in Cornwall, yet all my fellow Cornish MPs would confirm that, while we were knocking on doors in the run-up to the election, immigration remained one of the most regularly raised issues that people were concerned about. There is clearly a perception that many of the challenges that our nation faces are a direct result of immigration. It is certainly true that in some communities the number of migrants who have moved in has had a significant and disproportionate impact. The danger as I see it is that we will become polarised as either for or against immigration. In part, I support both views, because we need managed immigration—a

term I prefer to “controlled immigration”. We need to be able to manage immigration to our country in a way that is right and beneficial to our country.

The open-door policy of the last Labour Government has already been mentioned; I believe that, coupled with unlimited migration from inside the EU, it is largely responsible for many of people’s concerns today. There is no doubt in my mind that, historically, immigration has brought many benefits to this country. People have come here and contributed to our economy, our culture and our wider society—from the thousands of people who now work in our NHS and other public services, and the many business people who have come here to start a business and now provide significant employment, to those who have contributed to our national arts, media and sports.

In Cornwall, we can have anywhere from 20,000 to 30,000 migrant workers—or even more—at any one time. Those people supply a vital workforce to many of our core Cornish sectors—agriculture, food processing, hospitality and tourism—as well as health and care workers. It is simple: without those workers, Cornwall would grind to a halt. They are vital for Cornwall to function. Equally, the number of migrants who have moved into some communities and the speed of migration have created significant challenges and tensions. There are difficulties with integration when so many people move so quickly into a community. There is an impact on some schools when many children do not speak English as a first language. There can be issues of segregation when people try to keep themselves separate. All those things can create huge challenges. We have to face the fact that a situation has been created in which some people no longer feel at home in the place where they were born and raised. The number of immigrants has also placed a burden on some public services.

We have seen thousands of people move from other parts of the country to live in Cornwall. When I speak to them, they openly state that one reason they moved was the negative impact of immigration where they previously lived. They choose to move to Cornwall because they see it as somewhere with low immigration. Some will argue that that is a warped view of reality; quite possibly it is, but no matter how true or untrue we think such people’s perception is, we owe it to them not to ignore but to address their concerns. As politicians, we ignore them at our peril.

The challenge is how we embrace the positives that immigration can bring while managing the negatives. As the hon. Member for Glenrothes (Peter Grant) said, it is vital that we keep the concepts of economic migration and of refugees as two separate issues in our minds and, as much as possible, in the mind of the British people. One of the sad consequences of the debate in recent months has been the blurring of the line between immigrants and refugees. Genuine refugees deserve all the compassion, help and support that we are able to provide as a country. That needs to be real help that is carefully considered and planned. As the Prime Minister said, we need to respond with our heads as well as our hearts. It is right that we continue to support the refugee camps and provide help there, and that we bring the right number of refugees to this country so that we can genuinely help and support them.

When it comes to migrants, the vast majority of whom are economic, we simply need to be able to take control and manage who can come into the country.

We need to allow, and indeed welcome, those who will meet the needs of the country, contribute to our economy and society, and embrace our nation, values, heritage and culture. I wholeheartedly support what the Government have been doing to deal with the issues, but although much has been done, much more must be done to address non-EU migration.

We all know that some parts of the country experience significant problems that are at least partly the result of EU migration. We simply cannot continue to allow the number of EU migrants to this country that we have had in recent years. We understand that the number is largely a direct result of the fact that our economy is growing far quicker than the economies of all other EU countries.

Michelle Donelan (Chippenham) (Con): Does my hon. Friend agree that we are always going to need and rely on immigration until we address the bigger issue: the gap in our skills market? Until we do so, we will not be able to cut back on immigration. Addressing the skills gap is the way to grow the economy.

Steve Double: Yes, I agree with my hon. Friend. The immigration we need is that which will continue to grow our economy and fill the skills gaps. We need to welcome those who will come and meet those needs. Nevertheless, it is clear that unmanaged immigration from inside the EU is partly responsible for keeping wages and productivity low and for taking jobs from young people. We must stand up to and address that. If we do not, we will continue to face the challenge of low productivity and a limited future for some young people.

It is clear that immigration is going to be a key issue in the debate on the upcoming EU referendum, because it worries many people who live here. If the EU wants us to stay in, it needs to give some ground and allow the UK to manage its borders better. If it does not, it should not be surprised if the British people vote to leave the EU.

[MR CHARLES WALKER *in the Chair*]

5.58 pm

Huw Merriman (Bexhill and Battle) (Con): I am grateful for the opportunity to contribute to the debate, Mr Walker, and welcome the public engagement that has caused it to be held. It is right that we discuss matters on which significant numbers of constituents have expressed concerns to the House, and that we have the opportunity to allay the concerns and fears that have clearly manifested themselves in the language used in the petition.

The debate on immigration is not new to me. Of course, by the time of the 2015 general election, it was well known to us all, but in 2008 I was selected to stand in North East Derbyshire, which was regarded as a rock-solid Labour former mining seat. In 2015, I stood in Bexhill and Battle and was fortunate enough to be elected. Both constituencies displayed a lot of concern about immigration, which is interesting because both have a lower exposure to immigration in terms of numbers of constituents. Perhaps that lack of exposure in certain parts manifests itself in concern, whereas in other constituencies, where immigration numbers are higher, the constituents are more comfortable. I would say that it is because they can see the many benefits to immigration.

[*Huw Merriman*]

Although I maintain that the language of the petition is perhaps on the harsh side, I acknowledge that many of our constituents have entirely legitimate concerns about immigration, including control, security and access to infrastructure. Those need to be answered and our constituents need to be reassured. Therefore, as we debate our need for more housing and more essential public services, such as health and education, and how we transport our constituents to work and across the country, we must consider the population size of the UK, which, as matters stand, is predicted to grow 25% by 2060.

In touching on those issues, I want to talk about the concerns raised directly by the petition and some underlying issues. First, I want to address the concept that foreign citizens are taking all our benefits. Over the years, there has been much debate about whether immigrants put more into the Exchequer than they take out in welfare and benefits. Like anything, that depends on how the data are interpreted. Two academics from University College London compiled a report on immigration between 1995 and 2011. On the one hand, the report concluded that EU immigrants put £20 billion more into the country than they took out in benefits, and non-EU immigrants put in £5 billion more than they took out. However, it also concluded that immigration would cost £120 billion. The difference between those conclusions is down to the fact that we clearly do not know how much immigration will cost and how much it will benefit us.

When looking at the cost of immigration, one tends to look at a group of individuals who have come to this country without having been educated here, and therefore have not put the burden of education on the state. There may also be an expectation that they will not burden the Exchequer with other large costs, including the cost of health, as they get older, and of pensions. There is an assumption, however, that immigrants will return to the countries from whence they came, but of course we do not know that they will do that. It is right to look again at this issue and keep asking ourselves whether the costs to the economy can be maintained.

However, I do not subscribe to the suggestion that benefits are the driver for immigration. I do not buy the idea that people are willing to risk life and limb and leave a lot of their family behind in another country purely to survive in this country on what is a relatively small amount of money when housing and other provisions are taken into account. I do not believe that at all. I am more inclined to believe that the type of person who has that get up and go and determination is the type of person who will set up their own business, contribute, work incredibly hard, enrich our country and be a success. However, I agree that anyone coming to this country must do so to work, study or shelter from persecution.

Foreign citizens are sometimes portrayed as taking our jobs. First, no one is entitled to a job; jobs have to be earned. When I speak to my constituent business owners—I have a considerable number of fruit farmers, for example, in my constituency—they say that they tend to hire migrant labour because they feel that they do not get the same productivity and work ethic in our native labour market. That is not universally the case, but it seems to be the perception. We have to help local

people—young people, in particular—to break that perception and get jobs. An issue is the fact that businesses tend to hire from abroad, rather than from within, which is regrettable.

However, we know that UK productivity needs to increase. Since I was elected, there have been a number of debates in Parliament on the fact that our productivity numbers are not high enough. I would contend that without immigration our productivity would be poorer.

Mrs Main: My hon. Friend fought an election in 2008, so he will be only too aware that a campaign slogan was “British jobs for British workers”. It was very unhelpful, given the difficulty of getting productivity from some of our workers, which he has just described.

Huw Merriman: I agree. It should not be British jobs for British workers, but jobs for all workers. I was brought up on the idea that people have to compete and work hard. Somebody who is looking to employ would expect that from a worker, and they would look at it before looking at their nationality. None the less, I want to support our native employment market. I encourage those people to take a leaf out of the book of some of those who come from abroad with nothing and work incredibly hard. That is very important.

I want to touch on the benefits of migration to some of our essential public services, and our reliance on immigrant numbers as a result. It would be difficult to staff our hospitals, in which 11% of all staff and 26% of doctors are non-British. We hugely rely on those individuals to keep us healthy and well. From a local perspective, 28% of my constituents are aged over 65—that is a figure to celebrate, because the national average is nearer 17%—but it makes care home provision in my constituency an enormous challenge, and without immigration those care homes would be either incredibly expensive or understaffed.

The key is to get the balance right. There has been some talk about what occurred before 2010, but if we are to have an honest conversation about immigration we must look at the things we have done well and the things that have not worked out well. I believe that, before 2010, the Government badly underestimated the net migration from the newly acceded countries. The Labour Government thought that between 5,000 and 13,000 people would move from Poland and the newly acceded eastern European countries to the UK from 2004. The number of migrants who arrived was not their maximum figure of 13,000, but 1 million. Almost every EU nation, with the exception of Ireland and Sweden, prevented migrants from coming over for seven years. The British public have such a dismissive view of immigration policies and lack trust because we got our predictions of the numbers spectacularly wrong. It is important that we win back the trust of the British people so we can reassure them that we have the correct boundaries for immigration. I am pleased that the Government I support have required individuals from newly acceded countries to wait the full seven years before they can benefit from the same rights as EU workers.

The final issue I want to touch on is culture. It is often said that we need to preserve our culture, or that our culture is under threat. In my view, cultures evolve. Our culture has certainly been enriched over the centuries

by global trade and our desire to look beyond our own window, and I would support that. Perhaps it is fair to add that the most culturally homogenous nation on earth is North Korea, which is hardly a great example of cultural enrichment. However, we must also preserve our values of freedom of speech, equality and respect for the rights of others. We must jealously guard those rights from all those who seek to erode them. That must be understood by anyone seeking to join our country—and, indeed, anybody already within our country.

Finally, on the ethics of immigration, I struggle with the fact that our health system is hugely reliant on immigrants, many of whom come from incredibly poor countries where people do not have the same access to hospital provision, drugs and care that we do. In taking people from such countries, I ask myself whether we are denying much more vulnerable people the ability to be cared for. We should continue to ask such questions. On Syria, which it is important to consider in this debate, is it right that people who have risked drowning are instantly allowed into this country? By allowing them to settle in this country, are we encouraging others to take even greater risks? That is of huge concern to me, which is why I support the Government's stance that, rather than encouraging and incentivising people to risk their lives in perilous journeys, we seek to look after people in the camps or to take vulnerable people from those camps. In so doing—this is part of the ethical challenge—we keep as many people close to Syria as possible, so that the fittest and most able, who might otherwise never return to look after their own country and become future leaders, are nearby when they are able to return.

I welcome the benefits of immigration, but it is right that we discuss the public's concerns openly. I certainly do not agree with the concerns as stated in this particular petition, but such concerns exist and it is right that the public keep us on our toes. We should not shy away from our responsibilities. The positives of immigration ultimately outweigh any negatives.

6.12 pm

Maria Caulfield (Lewes) (Con): I welcome the subject of the e-petition that we are debating this afternoon, even if I do not agree with the wording. My comments are similar to those of my hon. Friends the Members for St Austell and Newquay (Steve Double) and for Bexhill and Battle (Huw Merriman) in that, if we do not have this conversation, we alienate a significant number of people whose views may become more extreme. However, if we have an honest, open debate with all the facts made clear, we can hope that sensible arguments will win and those with extreme views will be outnumbered. If we dismiss such views completely, we alienate a huge section of our population.

Immigration is the No. 1 issue in my constituency. It was before the election and still is when I knock on doors now, and the reasons are several. My constituency is quite divided. Due to a local skills shortage, those in Lewes town itself feel that we are not taking enough people from outside this country. A separate e-petition was started on 15 August with the opposite view to today's, calling for the country to take on more migrants, particularly refugees, and a march in support of accepting more refugees is taking place in my constituency a week on Saturday. In the other part of my constituency, along the coastal strip, many residents would agree with

the sentiments in today's e-petition, so views on this topic are divided even within a small area in the south-east of England.

My constituency has low levels of immigration, so it is startling to find people who are concerned about immigration and its effects. Only 7% of my constituents are foreign nationals, compared with a London constituency such as Battersea where the figure is closer to 35%. For my constituents, the issue is often not immigration itself, but rather the fear of immigration. When I talk to people and drill down to find out what they are concerned about, it is the pressure on resources and infrastructure. Housing is at a premium in my constituency, both in terms of availability and affordability. People are worried that an increase of migration into the area will make the situation even worse.

Our road and rail network is also congested. A journey that should take 20 minutes by car or bus often takes an hour or longer simply because of the level of traffic on the roads. Westminster Hall debates have been held on the topic of rail issues along the south coast and on the Brighton main line. People know that those lines cannot take many more passengers. I was talking to a group of elderly people who told me that they were having to wait two weeks for a GP appointment, so the thought of more people living in the constituency is a source of great fear. It does not matter whether people are from outside or inside the European Union or from within the United Kingdom, parts of the south-east are at capacity. Until we address that issue, the fear of immigration will continue.

Paul Scully: My hon. Friend makes an interesting point about the movement of people from within the UK. I know that she used to live in London, which has expanded continually since Dick Whittington was a boy. The population is forecast to rise to nearly 10 million in a few years' time, which is of particular concern to Londoners. Does she agree that it is important to address that as London expands?

Maria Caulfield: I absolutely agree. I migrated from London to Lewes over 20 years ago, and we are seeing an increase in people moving out but still commuting back into London, but London is definitely expanding. Some parts of the south-east coast are actually referred to as London-by-the-sea.

I speak as the daughter of Irish immigrants who came to this country for a better life, so I am by no means against immigration. I see first-hand the benefits that immigration can bring to local economies. I was a nurse right up until the election and saw the valuable contribution made by workers from other countries. If we stopped immigration and closed our borders tomorrow, the NHS would be brought to its knees and grind to a halt. My constituency is quite rural, featuring several vineyards, and local farmers tell me that the issue is not one of cheap labour. They cannot get people to fill their jobs. It is about workers' availability and willingness, which is why they are so reliant on migrant workers for essential but seasonal work. Colleagues have quoted such figures already this afternoon, but European immigrants pay more in tax than they ever claim in benefits. It is estimated that such immigrants have contributed some £20 billion to our economy as a whole since 2001.

[*Maria Caulfield*]

The concerns are genuine, however, and we should not ignore the many people who have signed this petition even if we disagree with the wording. As colleagues on both sides have said this afternoon, we need to ensure that people understand the difference between refugees and economic migrants, because they are in very different situations and need dealing with differently. We must consider the lack of integration over the past 10 or 15 years. While on a trip with the Women and Equalities Committee only a couple of weeks ago, we heard from various groups of migrants who had settled in places such as Birmingham, Manchester and Oldham that not allowing integration has had a detrimental effect on their communities. Members of Parliament should be doing more to support it.

Lack of space is another issue with which the south-east of England is struggling. We are building as many houses as we physically can as quickly as possible, but the south-east has only so much capacity, which is why I welcome the Chancellor's support for a northern powerhouse that can take the heat off the south-east by creating jobs in other parts of the country, which would deal with people's fears about the difficulties of managing our resources.

In conclusion, I am not against immigration, but as my hon. Friend the Member for St Austell and Newquay said we need a managed approach. Immigration has risen dramatically in the past 10 years, completely uncontrolled. We must look at the skills that we need, rather than simply closing the border and not welcoming migrants. We must be clear about what skills we need and how to provide them. I know from working with doctors, for example, that there is already a shortage of doctors but a few years ago we used to welcome them from Australia, China and other parts of the world. Already people cannot get visas and come to this country to work, which is having a negative impact. We must also look at integration, so that people who come here are not setting up a whole new community, but becoming part of an existing one.

I am against closing the borders, so I disagree with the motives of the petition, but I welcome the debate. Unless we have an honest and open debate, we are storing up problems for the future. I will not continue, because most of the points that I wanted to make have been covered by colleagues. The debate has been excellent and I congratulate my hon. Friend the Member for Sutton and Cheam (Paul Scully) on securing it.

Mr Charles Walker (in the Chair): No Back Benchers are standing to speak, so I will call the Front Benchers.

6.21 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): It is a pleasure to serve under your chairmanship, Mr Walker.

Unlike just about every other speaker so far in the debate, I do not have an interest to declare in the sense that I am not a migrant and have no immigrant parents or grandparents, but I love and respect the opportunities and possibilities that migration can bring both to the migrants going in and out of the United Kingdom and to the United Kingdom and other countries benefiting from migrant flows.

I agreed with the hon. Member for Sutton and Cheam (Paul Scully) when he said that we need a measured immigration debate, and we have had a pretty measured debate today. A lot of important points have been made by hon. Members, which I have noted down, although I might struggle to read my handwriting. I am also not convinced that the petition offers the best platform on which to conduct a debate. In that regard, I share the views of the hon. Members for Birmingham, Selly Oak (Steve McCabe) and for St Albans (Mrs Main).

Last week we saw a measured debate in Westminster Hall on a topic that everyone would agree was appropriate and that arose from a petition on cannabis. Regardless of Members' personal views, the petition was set out rationally, could in no way be described as offensive—never mind prejudiced or discriminatory—and dealt with a subject that had not, as far as I am aware, featured heavily in House of Commons business since the election. Taking all those factors into account and the number of signatories to the petition, few people would be critical of the fact that such a debate was held. As my hon. Friend the Member for Glenrothes (Peter Grant) said, however, I cannot say the same about the petition referred to in today's motion.

I fully appreciate that the e-petition system is designed to ensure that MPs give consideration to topics that they might otherwise be reluctant to discuss, but, as it happens, immigration is not one such. As the hon. Member for St Austell and Newquay (Steve Double) pointed out, we had an immigration debate in Westminster Hall as recently as July and we debated the Immigration Bill extensively last week. A more important point is that we ought to apply some minimum standards to e-petitions. For reference, Scottish Parliament guidance on them includes requirements that petitions should not

“Contain any false statements...Include language that is offensive or inappropriate, for example swear words, insults, sarcasm or other language that could reasonably be considered offensive by a reader.”

Those are reasonable requirements, which the petition we are debating would borderline fail on accuracy and on whether a reasonable person would find the content offensive or inappropriate. The Petitions Committee might want to look again at how best to respond to such petitions—whether we can accept the subject matter that has attracted such high numbers, pick another petition on the same subject or simply hold a debate on immigration.

In any event, we are here, so I will respond briefly to each of the points in the e-petition. It states:

“Foreign citizens are taking all our benefits, costing...millions!”

As the hon. Members for St Albans and for Bexhill and Battle (Huw Merriman) said, that is not true. The Department for Work and Pensions has set out a lot of data showing that 92.8% of all those receiving benefits were UK nationals when they first registered for a national insurance number, compared with only 2.2% who were EU nationals.

The petition also states that many immigrants “are trying to change UK into a Muslim country!”

The hon. Member for St Albans spoke eloquently about why it is wrong to conflate the issues of migration and religion. My party would associate ourselves entirely with her comments about the contribution of Muslim citizens to this country. That aside, suffice it to say that

among the estimated 8.5 million people living in Great Britain in 2015 who were born abroad, about 4.2 million were Christian, compared with 1.5 million who were Muslim and 1.5 million who had no religion. However, as I said, religion is not an issue that should be conflated with that of migration.

The petition also argues:

“If the Government does not do anything, then Britain may take in 12 million more immigrants by 2060.”

In fairness, one piece of EU modelling showed that to be a possible trend, but it is important to point out that the modelling was of one possible scenario and certainly not a prediction. The speech of, again, the hon. Member for St Albans reminded us that predictions on migration trends can go badly wrong very quickly. In any event, that is clearly not an argument for no immigration; it is one for managed migration, and the true debate is about how we go about achieving that.

Finally, the statement about

“footage of foreigners destroying British soldiers graves, which is a huge disrespect to us”

is absolutely irrelevant to what the petition seeks. As the hon. Member for Sutton and Cheam pointed out, that is a reference to the destruction of a cemetery near Benghazi in Libya by an armed militia group. It was hugely disrespectful, as my hon. Friend the Member for Glenrothes said, but as the House of Commons Library briefing note puts it:

“There is no suggestion in media reports that any of the militia involved were planning on migrating to the UK.”

There is really nothing to do with anything there.

I wonder whether, on reflection, many of the signatories to the petition will understand that the idea of no immigration is not a helpful one for a whole host of reasons. What if the petitioners themselves or members of their family fall in love and marry foreign nationals? Is the petition really saying that they should not be allowed to live in this country? Should the incredibly talented nurses, doctors and teachers mentioned by the hon. Member for Bexhill and Battle, the ones who support our public services, be turned away? What about the international students who enhance the learning experience of those they study beside and who contribute to our universities intellectually and financially? What about the workers who are keen to take up jobs that we struggle to fill, or those with the skills that we lack and would take years to train? If we lose them, we lose jobs.

None of that is to ignore the challenges that migration can bring. Various hon. Members have referred to them. The answer is to deal with the challenges, such as in housing or public services, with careful strategies. Zero immigration is not a careful strategy, because of the harm rather than any help that it would do to our economy and our public services. Nor, however, is the existing net migration target a careful strategy, and it is not one that many people believe will ever be achieved.

A number of other hon. Members, including the hon. Member for Birmingham, Selly Oak, complained about the target including refugees in its total. I agree that having refugees as part of a net migration target is completely inappropriate. Equally, however, it is a mistake to include students, skilled workers or husbands and wives in the net migration target. What sort of Government policy can be thought to be a positive thing if it keeps my wife or partner from coming to this country?

Nothing from the Government so far has addressed how we deal with the challenges that migration brings. It is all about how we stop further levels of migration; it is not about how we deal with the challenges that have already arrived. The only suggestion that we have had so far in fact came from the hon. Member for Birmingham, Selly Oak, which was the migration fund.

As I understand it, a migration fund was set up under the previous Labour Government and lasted for a brief time—a charge on visa applications was redistributed to and used in parts of the country where, perhaps, public services were beginning to struggle and not to cope. Why was that fund abolished within months of the coalition Government taking office? Where are the strategies to deal with the issues raised by Government Members today?

I said in the immigration debate last week that my party acknowledges and is proud of, and prefers to emphasise, the tremendous contribution made by people who chose to make this country their new home. They make contributions to our public services, our economy, our culture and, most importantly to many of our citizens, our family lives.

Healthy population growth is important to Scotland's economy. Some hon. Members have already mentioned the role that migration can play in tackling demographic challenges, so the Scottish Government's economic strategy sets out to match average European population growth during 2007 to 2017 with the support of both increased healthy life expectancy and migration.

Migration can be part of the solution to the challenges we face. We will campaign for Government policy that reflects the needs and circumstances of Scotland's economy and, indeed, those of the whole of the United Kingdom. We want a Government that recognise and are up front about the fact that migration is an important part of our future.

Mr Charles Walker (in the Chair): We have about an hour left. In the event that the two remaining Front-Bench Members feel that they need to take all that time, can I ask them to divide it between them? I also remind the Minister that Mr Scully will need two minutes at the end to wrap up.

6.30 pm

Keir Starmer (Holborn and St Pancras) (Lab): Thank you, Mr Walker, for calling me to speak. It is a pleasure to serve under your chairmanship. I assure you that I do not intend to take more than about 10 or 15 minutes. I am grateful to the hon. Member for Sutton and Cheam (Paul Scully) for facilitating the debate.

I echo some of the comments made about the petition and urge the Petitions Committee to look again at how petitions are brought forward for debate. I do understand that it is difficult to get the balance right between petitions that we might think more worthy of debate and others. It is worth going back to have another look at the guidelines, but I do not mean that as a criticism for bringing forth today's debate.

My party and I profoundly disagree with the petition. That will come as no surprise to anyone here—to some extent, it echoes many of the comments already made. May I start by emphasising the huge contribution made by so many people who have come to this country over

[*Keir Starmer*]

many years? Without that, the UK would not be the country, or set of countries, that it is. Our economy and our society benefit from the talent and investment of people who come here, including students who come here to study. That cannot and should not be measured solely in financial terms; we must look much more broadly than that.

An example given by the British Medical Association reflects some of the comments made by hon. Members in the debate. In anticipation of the debate, it said:

“Much of the rhetoric about immigration has focused on the pressures that increased immigration has placed on public services including the health service, housing and schools.”

It believes that it is important to acknowledge the contribution made by

“highly skilled migrants, including doctors...in delivering and sustaining public services including the NHS and our universities.”

It draws on the example of international medical graduates—doctors—who have become essential members of the UK’s medical workforce. The NHS is dependent on them to provide a high quality, reliable and safe service to patients. It says that international medical graduates

“have enhanced the UK health system over the years, improving the diversity of the profession to reflect a changing population, and filling shortages in specialties which may otherwise remain empty.”

That is just one example of the contribution made by those who have come to this country over the years.

A number of hon. Members touched on the question of refugees. I appreciate that that is not the core subject matter of the debate, but may I say a few words on that? We need to celebrate our proud tradition of providing refuge to those fleeing persecution in other countries. In the light of the current crisis, we need to work with the UN to support vulnerable refugees, and those from Syria in particular. More needs to be done and we need to tackle all of the issues upstream.

I remind hon. Members that serious proposals were put forward last week by a highly experienced group of judges, ex-judges, lawyers and other experts in the field of refugee law and practice. Their proposals are worthy of serious consideration and we must find time to consider them.

First, the UK should take a fair and proportionate share of refugees from both within and outside the EU. We need to have that debate—we had some of it last week. Secondly, safe and legal routes to asylum need to be established. That goes to the heart of the discussion about whether refugees should be taken from within Europe having already arrived, or beforehand, but the key issue is safe and legal routes. Thirdly, there must be access to fair and thorough procedures to determine eligibility for protection. Those serious proposals have been put on the table by eminent experts in the field who think there should be debate, and I urge that we find time for that.

Although I have profound concerns about and disagree with the motion, I accept that we should debate immigration and the issues that lie behind the petition. That does not mean that those who drafted or supported it are right or that they speak with one voice, but we should not shy away from the questions raised for us to debate. It is therefore good that we have had this debate today.

In many ways the question is about how to get the balance right. We need an immigration system with controls that are properly administered and effective, but, equally importantly, we also need fairness and humanity. We need strong borders. Labour has argued for more staffing on the borders and better training for those staff. We also need fair rules to protect those who are exploited and migrant workers in particular.

Paul Scully: This is an opportune time to raise something that perhaps the Minister can discuss or take away. The Government brought in exit checks in about April, but we need more of a physical presence to police those checks. That may require investment.

Keir Starmer: I am grateful for that intervention. Labour’s position is that it is more appropriate to have more staff on the borders carrying out proper checks than to impose a burden on landlords to carry out checks later on, as proposed by the Immigration Bill, which will be in Committee from tomorrow morning.

On preventing exploitation of migrant workers, my party and I welcome the establishment of a director of labour market enforcement. There has been a very low number of civil penalties and criminal prosecutions over the years, so hopefully the establishment of that post will change the position considerably.

In terms of fairness and humanity, there are issues worthy of serious consideration: first, ending the indefinite detention of people in the asylum and immigration system; and secondly, ending the detention of pregnant women and victims of sexual abuse or trafficking. There is also the question of removal of support from those whose asylum claims have failed. That policy was piloted 10 years ago and ended in failure.

Finally, when looking at a balanced approach, there are the counterproductive issues. It is counterproductive to put such constraints on students coming to the country that many of our leading institutions fear that they will drop in the world rankings year on year as they fail to attract the students they need or fail to retain them thereafter. That needs to be looked at seriously. I will put in that same bracket the proposals in the Immigration Bill on employee offences. I have no difficulty at all with the provisions that come down harder on employers, but the problem with coming down on employees is that unless individuals have the confidence to come forward, the counter-effect will be that it will not be possible to bring the cases the Bill intends to allow.

In conclusion, we should celebrate the contribution of all those who have come to this country. We need to balance the strong and effective with the fair and humane, but I welcome the fact that we have had this discussion today.

6.39 pm

The Parliamentary Under-Secretary of State for Refugees (Richard Harrington): It is an honour and a pleasure to speak under your chairmanship, Mr Walker. I am sorry that I did not have the chance to say the same to my hon. Friend the Member for Brigg and Goole (Andrew Percy), who after a long stint in the Chair presumably had to leave to enjoy some refreshments.

I thank my hon. Friend the Member for Sutton and Cheam (Paul Scully) for serving on the Petitions Committee and for leading this debate as he did. I also thank all

hon. Members who have contributed to the debate; I am delighted to say that every single person who has spoken, without exception, has rejected the petition's wording. That did not surprise me. I hope that the person who started the petition will realise that within the House of Commons there is no one—not one person, I assume—who agrees with them; if there were, they would have come and spoken. I am pleased about that. I am glad to have the opportunity to have this debate but I personally found the wording of the petition simplistic and, I am afraid to say, quite offensive.

It is clear that controlling immigration is a topic of significant public interest and I suspect that many of the people who signed the petition did so because they believe it is an important matter rather than because they agreed with the wording of the petition; I hope I am right in saying that. Similarly, I welcome the opportunity to debate the wider topic of immigration, but it is a shame that that has been under the umbrella of this particular petition. I know that people know this, but the Government totally disagree with the sentiments of the petition. In particular, we reject the idea that anyone is trying to turn this country into a Muslim country or any other type of country that it is not. I note in particular the comments from my constituency neighbour, my hon. Friend the Member for St Albans (Mrs Main), who rejected completely the horrible implication of the wording that being Muslim or supporting Islam is something that in any way contradicts being British. I support her view.

I offer my commiserations to the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), who cannot point to any immigrants in his family history. Perhaps that is one reason why he supports independence for Scotland; if he has any English ancestors, he would be able to say that he came from immigrants like the rest of us. In all seriousness, I thank him for his contribution and agree with most of what he said.

I can say with some pride that I have immigrants on both sides of my family. My father's family were refugees from the Spanish Inquisition and came here, via Holland, in the time of Oliver Cromwell. My great-grandparents on my mother's side were immigrants from Russia and Poland; in fact, my earliest political conversation was when my late grandmother told me I should always vote Liberal Democrat—actually, she said I should vote Liberal, as she was talking about a time before the Liberal Democrats—because Gladstone, when Prime Minister, brought in the legislation that allowed refugees from persecution to come to this country. I place on the record that I did not take her advice.

In all seriousness, we are proud of the fact that the UK is, without any doubt, a multiracial democracy—I do not know what else it could be called. Most sensible people will be proud of that. It is a tribute to us that more and more people from abroad want to come to the UK, because of the economy, strong family ties and our world-class education system. I commend what the hon. and learned Member for Holborn and St Pancras (Keir Starmer) said, but in response to his remarks about students I should point out that the most recent figures for the numbers of students coming here show a 4% increase, year on year. The Government's reforms with regard to foreign students removed the large number of completely fraudulent so-called schools and colleges. The numbers of students coming to this country has increased.

Everyone would agree that we have a proud history of protecting those most in need. The Prime Minister announced to Parliament at the beginning of last month our agreement to resettle 20,000 vulnerable people from the Syrian crisis. I should make it clear that that agreement is about vulnerable people. Some are currently in camps, but they are mainly outside camps. The majority of refugees in Jordan and in Lebanon, in particular, are living in tents in fields, not in camps; that is also the case for a lot of refugees in Turkey.

We have agreed to resettle 20,000 of those people during the course of this Parliament. They are being selected on the grounds of vulnerability. Among the many good points that my hon. Friend the Member for Sutton and Cheam made in his opening remarks, he mentioned his concern about selecting people who came under false pretences as refugees. We are doing everything we can. We are using the United Nations High Commissioner for Refugees, the International Organisation for Migration, which is very experienced about migration, Home Office and other tests to make sure that those people are selected using the United Nations definition of vulnerability. There is no automatic selection.

Steve McCabe: I appreciate that this issue is not the central point of the debate, but although I have no problem with attempts to assess and process those vulnerable people—most folk would agree with that—the Government will need to take about 380 to 400 people a month to meet their own target of 20,000. Given that those vulnerable people are in the camps he has described, and winter is almost upon us, when can we expect to see some of them settled here?

Richard Harrington: I suspect that the hon. Gentleman has been watching the recording of the sitting of the Home Affairs Committee last week; the Chair of that Committee brought up the same point and asked me repeatedly to come up with an actual number. I do not think that giving a running commentary is correct but, as the Prime Minister mentioned today on the Floor of the House, we intend to have settled 1,000 people by the end of the year. It is difficult to average it out on a month-by-month basis, although the numbers per month would be what the hon. Gentleman said.

I am confident that we can do it, but am wary of the pitfalls. Some were mentioned by my hon. Friend the Member for Sutton and Cheam, such as people coming fraudulently, but we must also have the proper preparations for when people get here. Those will include having housing, the correct medical care for both mental and physical health issues, education where appropriate and English lessons, which are very important.

I commend those local authorities that have helped us with resettling the smaller numbers of people we have resettled so far. I visited Bradford; the council there—a Labour council, the hon. Member for Birmingham, Selly Oak (Steve McCabe) will be pleased to hear—and its leader, Councillor David Green, really are a model for other councils in what they have done for the refugees they have taken. I also commend the response from the Scottish Government and local authorities in Scotland. Generally, the response has been pretty good and we are confident that, at the moment, the number of places being offered is broadly commensurate with the numbers of people. Very many

[Richard Harrington]

small local authorities have emailed to say that they would be happy to take refugees. That is a credit to this country and all parts of it, although while we very much appreciate what has been said by some of the smaller Scottish islands, in some cases the offers may not be practical. That makes no difference to the validity of those authorities' comments, however.

The Government recognise the significant migratory pressures on the UK. Immigration puts pressure on public services. It can damage our labour market and push down wages—all points that, as my hon. Friend the Member for Lewes (Maria Caulfield) said so eloquently in her speech, worry constituents. She mentioned the Brighton main line, which I know is very typical. However, she also mentioned that in parts of her constituency there are critical shortages of labour. In the past, as my hon. Friend the Member for St Austell and Newquay (Steve Double) mentioned with regard to Cornwall, labour shortages have been met with willing, able, hard-working and decent immigrants. The issue is therefore very complex.

There have been many really decent speeches. The hon. Member for Glenrothes (Peter Grant)—I will get into trouble for my pronunciation of his constituency's name.

Peter Grant: That was near enough.

Richard Harrington: I am very grateful. The hon. Gentleman asked me to make it clear on behalf of the Government that the petition's wording is unacceptable and undesirable, and I have done that. He also made the valid point that such wording is not new, and, in that respect, I must tell hon. Members a story.

I am Jewish by birth, but I am not religious. However, I attended a Saturday morning service during the election, although that was not for electoral purposes. I had been invited to a bar mitzvah in London—that is the service that happens when a child is 13. This was about the time that Nigel Farage was making his comments about people talking other languages in train carriages. The rabbi's sermon was very moving and very unusual. There was no Bible; instead, he read out a leader from *The Times*, which said, "Parts of this country have overwhelming numbers of people who speak different languages, who eat different food and who are taking our jobs at lower pay." That article, he said, was from 1896. Of course, he was talking about Jewish people—this was a Jewish religious service—and he read the article to shock people, because Nigel Farage had commented that week on how he felt in a railway carriage where people were using different languages. The rabbi did what he did to show that things have not changed. That is very relevant to the issue before us.

This is, however, a general debate about immigration, so I should discuss what the Government are doing to bring migration down to what they and many others believe are sustainable levels. The policy is that we have obviously welcomed the brightest and the best. We have done that by slashing the student fraud I mentioned in response to the shadow Minister's comments. We have removed about 900 bogus colleges from the sponsors register and toughened access to welfare and housing. Non-EU immigration is 10% lower than it was in September 2010.

Over time, exit checks will begin to provide significant new insights into, and give us a more complete picture of, those leaving the country. We will be able to establish an individual's immigration status, confirming those who have departed and identifying potential overstayers.

On EU migration, we are cracking down on the abuse of EU free movement and making our welfare system fairer and less open to abuse. We have also scrapped housing benefit for EU jobseekers and limited benefit claims for EU migrants with no prospect of a job. We will negotiate with the EU, and we will bring in further reform to reduce incentives for people coming to the UK from within the EU. It is on the record that the Prime Minister is working with his European partners to achieve those things, and there will be further discussions at the December European Council.

An important aspect of the economy, which several hon. Members mentioned, and which is one reason for immigration, is the shortage of training and skills in terms of people leaving school. I should declare an interest because my previous job was as the Prime Minister's apprenticeship adviser. The target of 3 million people doing apprenticeships is achievable. The skills arena is the future of the economy, and although the Opposition have made some points about apprentices—there has been talk about some of them not being full apprentices and about there not being a high enough standard—I think there is a consensus that improving this country's skills is important for the future and may counter the need for immigration.

Peter Grant: As my hon. Friend the Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) mentioned, the Scottish Government are firmly of the view that the right kind of immigration, in what might be seen as quite large numbers, can have a very positive impact on Scotland's economy. Was the UK-wide target figure that is now being spoken about agreed with the Scottish Government, or was it simply decided, as a reserved matter, without consultation?

Richard Harrington: I am afraid I cannot tell the hon. Gentleman, because I do not know the answer—I am not hiding it from him. Like most other people, I saw the announcement of the 20,000. However, I can tell him that I met representatives of the Scottish Government—

Peter Grant: I am sorry. Perhaps I should make it clear that I am talking about the Government's target figure for net migration, not the 20,000 places for Syrian refugees.

Richard Harrington: I apologise for that misunderstanding. I was about to say that I met representatives of the Scottish Government straightaway to discuss Scotland's share of the 20,000. However, I am afraid that I genuinely do not know the answer to the question he has just asked either—that has got me off the hook.

There is a lot of co-operation between the British and French Governments on the situation in Calais, which has received a lot of publicity. That situation is important, but I should make it clear that it has nothing to do with the refugees we are talking about or with our humanitarian policy of taking refugees from places adjacent to Syria.

There has been some criticism of our approach, and I would like to go on to the point the shadow Minister made about the letter from the lawyers and others published, I think, in *The Guardian* last week. I do not agree with what they say, because they give no credit to the Government for what they have done to try to help to deal with the refugee crisis. They talk purely about the number of people we are going to take into the country and say that it is inadequate. However, Government policy is clear: we are dealing with everything as part of an holistic, humanitarian issue. We are spending large amounts—about £1.1 billion—on helping refugees in the countries adjacent to Syria. I have been to Jordan, and I have seen the effects of what we are doing. We should be very proud of the money we are spending and of the British people, non-governmental organisations and other organisations that are working there—I could talk about the millions of food parcels and everything else. When I was there, I was told that, possibly apart from the Americans, we are the largest country doing these things. Our policy of bringing vulnerable refugees to this country is part of that, but those who signed the letter in *The Guardian* gave us no credit for it.

Keir Starmer: Is not the significance of that statement that those ex-judges have considerable experience, including at international level? The lawyers who signed it included QCs who were briefed on behalf of the Government. These individuals have not come from particularly campaigning backgrounds; they are lawyers and others who are experienced in the field, and who profoundly disagree with the Government's approach. Does the Minister not agree that, whatever approach they take, the proposals they put on the table warrant serious consideration?

Richard Harrington: The shadow Minister himself is a lawyer of considerable reputation and expertise, and it would be impossible for me to criticise the legal profession in his presence. All I can say is that I disagree with those who signed the letter. When asked to give a number, the person who was interviewed on the "Today" programme could not. There is not more justification for the number of people they mentioned than there is for Prime Minister's number of 20,000. He mentioned that number because he feels that that is the number of vulnerable people we can sustain. Those who signed the letter could have mentioned two times, three times or four times the number they did. All decent people want to help, but the Government have to balance different factors.

I am proud of the fact that the Government have promised to take 20,000 people. People have their own views as to whether it should be more. Many people believe it should be fewer, but I am certain that my responsibility is to ensure that the 20,000 people whom the Government have agreed to take are properly selected and brought here with dignity, and given the attention they need. I accept that there are other arguments about the issue, and it cannot be ring-fenced as a refugee issue; the matter is part of the general immigration issue that we have been discussing.

I am proud of this country's tradition with refugees and that we are playing our part, particularly having seen what we are doing in Jordan, Lebanon and Turkey to make people's lives as decent as they can be in the circumstances. The Government should be proud, and

by and large there is political consensus on most of the issue, although I accept there may be differences over numbers. I have been keen and quick to commend Labour councils as well as non-Labour councils that have put themselves forward. I do not think that people are playing politics over the matter at all, which is how it should be.

I agreed with most of the long speech made by the hon. Member for Birmingham, Selly Oak, but I want to make it clear that the Mr David Harrington he mentioned is no relation to me. If he were, and there was a way for me to expel him from my family, I certainly would, with views like those. To make a serious point, I agree with the hon. Gentleman's view that a legitimate anti-immigration view is not necessarily a racist view at all, notwithstanding the language used in such a petition as we have been considering. Many hon. Members on both sides of the House discuss immigration on the Floor of the House, and it is cheap to say that a contrary view is racist. That is not so at all, and if anything it does a disservice to the merits of the argument.

I cannot really comment on the idea that the hon. Gentleman raised of bringing people here to do apprenticeships, because that would come under the general apprenticeship programme, but I certainly hope that many of the Syrians who come here will be suited—subject to getting their English language skills up quickly, as we hope will happen—to apprenticeships. I mean that not so that the Government can hit their target, but because it will enhance their lives—what has happened to those people is so tragic.

I agree with the definition of managed immigration offered by my hon. Friend the Member for St Austell and Newquay—I thought that was very good—and with his plea for us to treat refugees with compassion. From what I saw in Bradford of the smaller number of people who have come in up to now under the vulnerable persons scheme, they are treated with compassion, including the provision of housing for them. They are given a Syrian meal, cooked by local Syrians, when they arrive, and a lot of individual mentoring. Speaking to them reveals the tragedies of their lives. One person told me that two or three years ago they were practising as a dentist in Aleppo. One had been a professor of ancient languages at a university. We cannot imagine: it happened like that—I do not know whether my clicking my finger can go into *Hansard*. I apologise for that. What happened was so instantaneous that their lives were transformed, tragically.

I have taken rather a lot of the House's time, but I think this is exactly the sort of debate we should have. Members across the House have no truck with the words of the petition, and I look forward to many future debates, when I hope to be able to report positively on the resettling of Syrian refugees.

7.4 pm

Paul Scully: It is a privilege and a pleasure to serve under your chairmanship, Mr Walker.

The title of the petition has been read out in parts, and not necessarily in its entirety, but for the benefit of anyone reading it in *Hansard*, I will explain that it is "Stop allowing immigrants into the UK", and it was started on 25 August 2015. I am sure that readers will be able to find it on the petitions website.

[Paul Scully]

I know that the Petitions Committee will take the feedback from the various Members who have spoken. We always consider the action taken on any petition, and this one will be no exception. Having given a reminder of the petition title, perhaps I should also clarify the fact that the extraordinary noise we heard a few seconds ago was the Minister clicking his fingers.

I am grateful to hon. Members on both sides of the House for this measured debate. I did not seek election just to wring my hands about any subject; in the current context, my aim would be, much as my hon. Friend the Member for St Austell and Newquay (Steve Double) said, a better way to manage migration—and also to take the population of the country with us on the journey, and turn around the ocean liner. We must always call out xenophobia, prejudice and bigotry when they are in front of us, but I suspect that, as the Minister said, many of the 198,000 people who signed the petition

may have done so out of frustration and anger at what they see, and what they perceive through tabloid headlines and things they read on the internet. When I have spoken in my constituency to people who have similar views about immigration, I have found that when the issue is discussed rationally and reasonably they tend to row back from their extreme positions.

We must not shy away from such debates. We must continue to debate such issues whenever they arise. I am grateful to the Minister and all those who have taken part in the debate for the measured way in which we have conducted it.

Question put and agreed to.

Resolved,

That this House has considered the e-petition relating to immigration.

7.6 pm

Sitting adjourned.

Written Statement

Monday 19 October 2015

HOME DEPARTMENT

Counter-Extremism Strategy

The Secretary of State for the Home Department (Mrs Theresa May): I am pleased to today publish our counter-extremism strategy.

Extremism poses a serious threat to this country. Our diverse society thrives because of the values that unite us, including democracy, the rule of law, free speech and mutual respect. Extremists threaten these values and can cause enormous harm to individuals and communities.

Their ideologies promote hatred, intolerance and division. They have inspired hundreds of Britons to travel to Iraq and Syria to join a brutal regime under the Islamic State of Iraq and the Levant (ISIL). They have motivated acts of unspeakable violence, including the murder of 30 Britons in Tunisia in June.

The damage extremists do reaches beyond these tragedies. Neo-Nazis spread bigotry and abuse, including anti-Muslim hatred and anti-Semitism. Women are told they do not deserve the same rights as men to education, work or justice. People withdraw from the mainstream, sowing fear and isolation.

I am therefore today publishing a strategy to defeat all forms of extremism: violent and non-violent, Islamist and neo-Nazi. The strategy will improve our understanding of extremism and take action in four principal areas: we will confront the extremist ideology head-on, promote mainstream voices, disrupt extremists, and build stronger and more cohesive communities.

This work will be delivered through a partnership of all individuals and groups who want to defeat extremism. The strategy sets out how we will build this partnership and together make Britain stronger.

Copies of the strategy (Cm 9145) will be available from the Vote Office. It will also be published online at: <http://www.gov.uk/government/publications>.

[HCWS250]

Petitions

Monday 19 October 2015

PRESENTED PETITION

Petition presented to the House but not read on the Floor

Climate Change

The petition of residents of the UK,

Declares that more action needs to be taken by the UK Government to address the threat of global warming; and further that steps should be in place to promote the use of renewable energy as part of a wider strategy to tackle climate change before the problem gets worse.

The petitioners therefore request that the House of Commons urges the Government to implement a comprehensive energy strategy that will address the threats of climate change, both here in the UK and abroad.

And the Petitioners remain, etc. [P001550]

OBSERVATIONS

TRANSPORT

HS2 Proposed Golborne Connection

The petition of residents of Lymm, Warburton, Rixton-with-Glazebrook, Culcheth, Lowton and the surrounding areas,

Declares that the proposed HS2 Golborne Link from Hoo Green to Bamfurlong will cause severe and permanent damage to the communities it passes through; further that the link will destroy farms and farm businesses in designated green belt areas; further that it will lead to the loss of over 700 jobs and will endanger environmental sites and amenities; further that it will necessitate building a railway viaduct more than 30 metres high over the Manchester Ship Canal, destroying the villages and communities in its path; further that it will bring no

benefits to the area it passes through; and further that it could be replaced with cheaper localised upgrades to the West Coast Main Line and via the recently proposed hub station at Crewe.

The petitioners therefore request that the House of Commons urges the Government to remove the Golborne Link from the proposed HS2 route.

And the Petitioners remain, etc.—[*Presented, Official Report, Monday 7 September 2015, Vol. 599, c. 1P.*]

[P001541]

Observations from The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill):

High Speed 2 (HS2) is the planned high-speed rail network to link the cities of London and Birmingham, extending to north-west England and Yorkshire. The Department for Transport (DFT) is responsible for the strategy for this railway, and receives advice from HS2 Ltd, the company responsible for delivery.

On 25 November 2013, the Government deposited a hybrid Bill with Parliament to secure the powers to construct and operate Phase One of HS2, between London and the West Midlands.

The route for Phase Two of HS2, from Birmingham to Manchester and Leeds, went out to consultation between 17 July 2013 and 31 January 2014. The Government are still considering their response to this consultation and will take the views of the petitioners into account. The Government will set out how they intend to take Phase Two forward later this year.

The Government believe there remains a clear case for a connection back to the West Coast Main Line from the Western Leg of HS2 Phase Two. It would be used by services for North West England and Scotland, providing journey time benefits, and bypassing the constrained Crewe-Wigan section of the West Coast Main Line.

The Phase Two route consultation proposed such a link at Golborne. Concerns were raised in consultation responses about the impacts of the Golborne link. The Government are continuing to carry out work taking account of these concerns.

As a route decision has not yet been made, it would be inappropriate to comment further on specific elements of the Phase Two route at this time.

ORAL ANSWERS

Monday 19 October 2015

	<i>Col. No.</i>		<i>Col. No.</i>
DEFENCE	635	DEFENCE—continued	
GDP/GNI Targets	647	Remotely Piloted Aircraft	640
Investment in New Equipment.....	644	School Cadet Units.....	635
ISIL	637	Syria (Military Intervention).....	648
Legion d’Honneur (UK Normandy Veterans)	643	Topical Questions	649
Low-flying Exercises (Rural Areas).....	649	Type 26 Frigates.....	645
Procurement Spending (SMEs).....	646		

WRITTEN STATEMENT

Monday 19 October 2015

	<i>Col. No.</i>	<i>Col. No.</i>
HOME DEPARTMENT	35WS	
Counter-Extremism Strategy.....	35WS	

PETITIONS

Monday 19 October 2015

	<i>Col. No.</i>		<i>Col. No.</i>
PRESENTED PETITION		TRANSPORT	7P
Climate Change	7P	HS2 Proposed Golborne Connection	7P

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CONTENTS

Monday 19 October 2015

Oral Answers to Questions [Col. 635] [see index inside back page]

Secretary of State for Defence

European Council [Col. 655]

Statement—(Prime Minister)

School Expansion [Col. 680]

Statement—(Nicky Morgan)

Wilson Doctrine [Col. 694]

Emergency debate under Standing Order No. 24

Psychoactive Substances Bill [Lords] [Col. 731]

*Motion for Second Reading—(Mike Penning)—agreed to
Programme motion—(Margot James)—agreed to*

Heathrow: Noise Mitigation [Col. 784]

Debate on motion for Adjournment

Westminster Hall

Immigration [Col. 225WH]

General Debate

Written Statement [Col. 35WS]

Petitions [Col. 7P]

Observations

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
