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10 November 2015**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Tuesday 10 November 2015

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

BUSINESS, INNOVATION AND SKILLS

The Secretary of State was asked—

Apprenticeships

1. **Nicola Blackwood** (Oxford West and Abingdon) (Con): What assessment he has made of recent trends in apprenticeship starts. [902082]

4. **Luke Hall** (Thornbury and Yate) (Con): What assessment he has made of recent trends in apprenticeship starts. [902086]

14. **Michael Tomlinson** (Mid Dorset and North Poole) (Con): What assessment he has made of recent trends in apprenticeship starts. [902097]

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): More than 2.4 million apprenticeship starts have been delivered in England since May 2010, but we are now going even further. We are committed to 3 million more over the course of this Parliament and we will ensure that they deliver the skills that employers and the economy need for continued growth.

Nicola Blackwood: We need to fill 1 million more digital jobs by 2020, not to mention finding 1 million more technicians and engineers. In that context, I am sure that the Secretary of State would agree wholeheartedly with the Science and Technology Committee's first report, published yesterday, which states that cuts to science and innovation spending are a false economy. That spending is an investment, not a state subsidy, and it creates jobs, increases productivity and attracts inward investment. It is essential for science, technology, maths and engineering—STEM—apprentices seeking innovative British employers.

Sajid Javid: I commend my hon. Friend for her leadership of the Science and Technology Committee. She is absolutely right to talk about the importance of science, innovation and digital skills. She will know that I made a speech yesterday to Innovate UK's annual conference, in which I set out new plans to boost science and innovation capabilities.

Luke Hall: There were 740 new apprentices in my constituency last year. Will the Secretary of State join me in congratulating the hundreds of new apprentices, and confirm that he will continue to work to improve not only the quantity but the quality of apprenticeships?

Sajid Javid: I am delighted to congratulate those who have started their apprenticeships in my hon. Friend's constituency. There has been a 45% increase in apprenticeships since 2010, and we have ensured that they are high-quality paid jobs that last at least 12 months. The whole House should acknowledge the incredible work that has been done by the Minister for Skills, my hon. Friend the Member for Grantham and Stamford (Nick Boles) on apprenticeships. He has focused not only on quality but on quantity.

Michael Tomlinson: Cobham, a company in Wimborne in my constituency, takes on between 12 and 18 new apprentices each year, and there have been just under 700 new apprenticeship starts in my constituency in the past 12 months. Businesses are responding to the call for new apprenticeships, but may I urge the Secretary of State to ensure that these apprenticeships really are worth while and high-skilled, so that those who undertake them will really benefit from them?

Sajid Javid: I am delighted to say that my hon. Friend's constituency has had a 37% increase in apprenticeship starts since 2010. I know that he is very passionate about this, and that he has done much to promote apprenticeships. He is absolutely right to talk about the quality. Higher and degree apprenticeships are widening access to professions, giving young people new, well-respected routes to professional education at some of our best universities.

Mr Iain Wright (Hartlepool) (Lab): The Secretary of State talks a good game, but the fact is that apprenticeship starts have dropped in every single year since 2011-12. The ambition for 3 million new apprenticeship starts is commendable, but would he concede that, in the light of the uncertainty surrounding key policy aspects such as the apprenticeship levy, he is going to struggle to hit that target?

Sajid Javid: First, I must point out that there were more than 492,000 apprenticeship starts in 2014-15, which was up 50,000 on the previous year. The hon. Gentleman mentioned the apprenticeship levy, and I know that he and his Select Committee have done some work on this. I hope that he will acknowledge that that will be a way of ensuring proper funding for apprenticeships, not just for the quality but for the quantity too.

Caroline Flint (Don Valley) (Lab): In Doncaster, we were absolutely delighted to secure one of the two sites for the national college for high speed rail, but the Government seem to be a bit lukewarm about that now. We want to get on with developing and expanding apprenticeship opportunities in the rail industry, so will the Secretary of State confirm that he still fully backs the site in Doncaster for the college?

Sajid Javid: I am happy to reassure the right hon. Lady that we are committed to the college. It is right that it should be in Doncaster, and it will make a big difference to skills in an important area for our future infrastructure.

Jenny Chapman (Darlington) (Lab): What impact does the Secretary of State think cutting the funding for further education colleges by 40% might have on the availability and quality of apprenticeships?

Sajid Javid: I speak as someone who went to an FE college, and no one needs to tell me about their huge importance up and down the country. My priority is to make them stronger, and one way we are going to do that is through local area reviews, which will look at local need.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): The video gaming industry contributes more than £3 billion to our economy and supports skilled jobs across the country, including in my constituency. Representatives of the industry tell me that the biggest barrier to growth is a lack of skills, yet there are no employee-led level 4 higher apprenticeships in video gaming, and the NextGen Skills Academy, which was working with employers to develop such an apprenticeship, is said to have lost its funding. We cannot allow the Government's lack of a digital skills strategy to make it "game over" for Britain, so will the Secretary of State give me a guarantee now that the video gaming industry will get the apprenticeship standard that it needs? Yes or no?

Sajid Javid: The hon. Lady should be reassured, first, by the fact that I have met representatives of the video gaming industry on a number of occasions to discuss several issues, including skills. She will know that it is important that apprenticeships are employer-led, and it is up to any industry to come forward with proposals. We are already working with more than 1,000 employers on more than 140 apprenticeship programmes that they are helping to set up, and we will work with the video gaming industry, too.

Aerospace Industry

2. **Henry Smith** (Crawley) (Con): What steps he is taking to support the aerospace industry. [902084]

16. **Andrew Stephenson** (Pendle) (Con): What steps he is taking to support the aerospace industry. [902099]

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): The Government are working with industry, through the Aerospace Growth Partnership, to remove the barriers to growth, to boost exports and to grow high-value jobs. As part of that work, we are supporting the industry's investment in technology, competitiveness, productivity, and skills.

Henry Smith: I am grateful to my right hon. Friend for that answer. Will he join me in congratulating Boeing, which has a significant base in my constituency, on more than doubling its workforce since 2010 and on increasing investment in UK suppliers from £1 billion to £1.4 billion over that period?

Sajid Javid: I certainly will. Crawley is an important area for aerospace: Jeppesen-Boeing has a fantastic flight training and service facility, which includes the largest number of Boeing Dreamliner simulators in the world; and of course the area is also home to Thales and London Gatwick airport. I commend my hon. Friend on the work he has done to promote this industry.

Andrew Stephenson: The last financial quarter saw the highest ever number of aircraft deliveries—it was up 5% on last year's figure and up 34% on 2010's. Many aerospace companies across Pendle credit the Government's Aerospace Growth Partnership as having played a key role in that success, so will the Secretary of State confirm that he will continue to support that valuable partnership?

Sajid Javid: Yes. I see regular dialogue with the sector councils, such as the Aerospace Growth Partnership, as a vital part of our industrial approach. It is important that the UK continues to become more productive and more competitive, and that has been central to the work of the Aerospace Growth Partnership. I will be meeting many of that industry's representatives on 3 December in Filton.

Ian C. Lucas (Wrexham) (Lab): Further to that question, will the Secretary of State confirm today that the UK Government will continue to fund the Aerospace Growth Partnership through their £1 billion contribution over seven years from 2013 and that he is not considering in any way diluting the funding available for the Aerospace Growth Partnership, particularly by converting it into loans?

Sajid Javid: The Government are absolutely committed to having a strong aerospace sector, and that strength is represented in our commitment to the Aerospace Technology Institute, which is what I believe the hon. Gentleman was referring to.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Discussions move ahead on the UK's first space port. Does the Minister agree that safety, especially that of the general public, is of primary importance in considering the location of such a space port? Do not a coastal location and extensive airspace unhampered by commercial flying, such as are available at Llanbedr in my constituency, make a crucial contribution to any safety assessment?

Sajid Javid: The hon. Lady is absolutely right to say that safety is paramount in that sector. We have consulted on a location and we will be talking to our colleagues in the Department for Transport on the outcome.

Mr Laurence Robertson (Tewkesbury) (Con): As the Secretary of State is aware, I have world-leading aerospace companies in my constituency, and they are appreciative of the help the Government are giving to the sector. The biggest problem they still face is the inability to recruit a sufficient number of young people who are considering engineering as a career. What discussions is he having with the Education Secretary about persuading teachers to enlighten pupils as to the opportunities that exist in the sector?

Sajid Javid: My hon. Friend makes an important point. Skills in engineering, not just for this sector, but for many others, are hugely important. With my right hon. Friend the Education Secretary, we are working closely to get more employers into schools to talk to schoolchildren about their prospects and the huge opportunities that exist in that industry. There is always more that we can do, and he is absolutely right to raise this issue.

Yvonne Fovargue (Makerfield) (Lab): Last week, Paul Everitt, the head of the aerospace trade body, ADS, said:

“Loans for research and development are not appropriate and that kind of approach would put the UK at a disadvantage.”

May I press the Secretary of State to answer the question of my hon. Friend the Member for Wrexham (Ian C. Lucas) and rule out replacing research grants with loans that will damage Britain's ability to innovate and compete?

Sajid Javid: I made a speech yesterday at the annual conference of Innovate UK in which I talked about the many ways to help the sectors. Grants, exports and skills are just some of them. One thing this Government will not shy away from is supporting that sector, and supporting innovation.

Manufacturing

3. **John Stevenson** (Carlisle) (Con): What steps he is taking to support the manufacturing sector. [902085]

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): The best way the Government can support manufacturers is by sticking to their long-term economic plan. That includes cutting red tape by a further £10 billion, creating 3 million apprenticeships, lowering corporation tax and devolving budgets and powers to local leaders.

John Stevenson: My constituency of Carlisle in north Cumbria has a strong and healthy manufacturing sector. I helped to promote the industry locally by organising a skills fair, which the Minister for Skills will hopefully attend next year. However, what assistance can the Government give to Cumbria to attract skilled workers not just from Cumbria, but from other areas to help complete large infrastructure projects such as the nuclear new build at Moorside?

Sajid Javid: I commend my hon. Friend on his annual skills fair, which I know is already making a big difference to his constituents. He will be pleased to learn that the advanced manufacturing centre at Carlisle College will begin construction in 2016-17 with growth deal funding. There is no doubt that that will help to boost local skills.

Mr George Howarth (Knowsley) (Lab): Does the Secretary of State accept that although it is important that employers have a leading role in the development of skills, it is also necessary that skills are transferable? Unless the FE sector is involved in the process of training people and giving them those skills, those skills will not necessarily be transferable.

Sajid Javid: I agree about the importance of transferable skills. Our local area review of the FE sector up and down the country will look very closely at local needs, and at ensuring that skills are transferable.

Tom Pursglove (Corby) (Con): What steps is my right hon. Friend taking to protect British manufacturing from dumping on our market and maximising the effect of existing international rules?

Sajid Javid: My hon. Friend knows that, when it comes to trade measures, action has to be taken by the European Union. I know that he has a particular interest in steel, and this is a hugely important issue about dealing with unfair trade. We discussed that at the emergency Council that I attended yesterday in Brussels. One thing that was agreed in the presidency conclusions was that the Commission should prioritise certain cases, and that certainly includes the steel industry.

Alan Brown (Kilmarnock and Loudoun) (SNP): Last week in my constituency, the Mahle Group announced the loss of up to 200 highly skilled jobs in the manufacturing sector. The Scottish Government, devolved agencies and local authorities are already involved, but this is a classic example of a European-wide company shipping the process and jobs to another plant in the EU. What support can the UK Government provide, and what can they do both to stop such moves in the future and to encourage long-term investment in technology here?

Sajid Javid: We can continue to make the UK as attractive as possible for manufacturers. What we have seen in the past five years is that output is up for the manufacturing sector, exports are up and jobs are up, and that is because of our long-term economic plan, which is bringing in tax cuts, investing in skills, cutting red tape and boosting exports.

Mike Wood (Dudley South) (Con): Will the Secretary of State bring forward details of the package of support that will be put in place to help those workers in the black country affected by the collapse of Caparo, including 54 in my constituency, so that the skills can be retained within the black country engineering sector?

Sajid Javid: My hon. Friend is right to raise the issue. It is hugely important that workers who are affected by the crisis in the steel industry get whatever help can be provided. We have rolled out plans for support across the country, and we are talking to local leaders to see what more we can do.

Ms Angela Eagle (Wallasey) (Lab): The official Opposition have had to drag the Government, kicking and screaming, to the House time after time to get them to stand up for British steelmaking. It is now almost two weeks since the Business Secretary finally went to Brussels to hurry along the European Commission on state aid approval, and yesterday he attended the EU Competitive Council. Although there were welcome pledges for the future, no action was agreed that will make a material difference to our steel industry now. How long must the industry continue to wait for the compensation package promised by the Prime Minister in 2011 to be paid in full? When will the Business Secretary get a grip, stop hiding behind the EU and do more to tackle the root causes of this crisis?

Sajid Javid: It is a shame that the hon. Lady has to take that attitude. It would be better if she were a lot more constructive on this issue. I could point out that under 13 years of Labour we saw a 45% collapse in steel production and jobs halved—cut by more than 10,000—because of her Government's policies. This Government are taking the issue seriously. This Government called for, and were granted, an emergency Council meeting at

which we agreed on a number of actions. They will be published today and there will be further information in my written statement, which the hon. Lady can read.

Pub Tenants

5. **Louise Haigh** (Sheffield, Heeley) (Lab): What progress he has made on introducing a market rent only option for pub tenants. [902087]

The Minister for Small Business, Industry and Enterprise (Anna Soubry): The Government published a consultation on the introduction of the market rent only option on 29 October. Our proposals have been drafted to strike a fair balance between pub companies and tenants, and we look forward to hearing views from across the industry during the consultation period.

Louise Haigh: The draft pubs code released by the Minister in late October was supposed to signal the end of the unfair practice of forcing tied tenants to buy their beer only from pubcos. In fact, the code seems to give tenants the freedom to buy on the open market only in exceptional circumstances. Does the Minister agree that the code will mean in practice that very few tenants will be free from the pubco profiteers?

Anna Soubry: No, I am afraid that I do not agree with the hon. Lady's assessment of the consultation at all. The clue is in the name: this is a consultation. We are therefore, quite rightly, publishing our proposals, and I look forward to representations from everybody, including the hon. Lady.

Michael Fabricant (Lichfield) (Con): I join the hon. Member for Sheffield, Heeley (Louise Haigh) and say that a number of pubs have closed in my constituency and those of my colleagues simply because property prices and rents are too high? I recognise that we need to keep the pubcos in business too, or we will not help anyone. Does my hon. Friend agree that exceptional circumstances would include any situation in which a pub would have to close because the rent was too high?

Anna Soubry: This is all very useful and helpful, and I thank my hon. Friend for his contribution. I look forward to him putting his views into the consultation; a mix of views is critical to what I emphasise again is a consultation.

Greg Mulholland (Leeds North West) (LD): Tenants' groups and the Fair Deal for Your Local campaign have contacted me to say that they believe that the Department for Business, Innovation and Skills has acted in bad faith, and that the draft code of practice for pubs does not even abide by the legislation and entirely negates the market rent only option. They will be asking the Minister tomorrow to withdraw the code, which is entirely unacceptable, and engage with them to come up with something that accords with the will of the House as it was expressed last November.

Anna Soubry: I am very disappointed to hear all that. Let me make it clear that I have stood up against planned closures of public houses in my constituency and railed against companies such as Greene King. [Interruption.] Yes, I have, and I have fought for other

pubs. Hon. Members can look on my website for details. That is not the point. It is really important that we strike the right balance on this issue. I say to the hon. Gentleman that the parallel rent assessment provision, which I know he has not always been in favour of—I think he changed his mind at the last moment—is not in the code.

Greg Mulholland: You don't know what you are talking about, Anna.

Anna Soubry: Shouting from a sedentary position does not help at all. The new style of politics has not quite reached the Liberal Democrat Benches. The noble Lords have made their concerns very clear to Baroness Neville-Rolfe, and as a result of my conversations with her, that particular proposal will go into the second part of the consultation.

Bill Esterson (Sefton Central) (Lab): The Minister's so-called consultation scrapped the promised parallel rent assessment, so I am pleased to hear that she has put that back in. Will she do the same with all the provisions that were offered by Baroness Neville-Rolfe in the other House on 28 January and make sure that the vast majority of pub tenants are offered a fair deal when it comes to the market rent-only option? If she does not, she will be acting in bad faith and she will have betrayed the trust of thousands of pub tenants up and down the country.

Anna Soubry: As I keep saying, it is a consultation so we will listen to everybody. It is important that we strike the balance fairly between both sides of the argument, and that we understand and accept that there has been a great deal of movement to the betterment of tenants over the past few years. We must recognise that. I know from my own constituency work that pub companies such as Punch and Greene King have hugely changed their views to the benefit of tenants, and that must be welcomed.

EU Reform

6. **Neil Carmichael** (Stroud) (Con): What his priorities are for business in the Government's negotiations for reform of the EU. [902088]

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): We must empower businesses to compete more effectively by accelerating the integration of the single market, especially in the services, digital and energy sectors. We will do this by cutting red tape for business and pushing for more ambitious free trade agreements between the EU and the rest of the world.

Neil Carmichael: Does the Secretary of State agree that the best interests of business will be served by our being a member of a reformed and reforming European Union? That extends to our remaining in the single market. From my right hon. Friend's vantage point as President of the Board of Trade, it is extraordinarily useful that the European Union can negotiate such good strong deals for us globally.

Sajid Javid: My hon. Friend is right to highlight the importance of the need for EU reform, but many businesses believe that the costs of membership currently outweigh the benefits. As the Prime Minister said, in order for us to get the best deal, we must have the referendum and let the British people decide.

Conor McGinn (St Helens North) (Lab): Last week a group of senior business figures in the north-west said it was vital for jobs in our region that Britain stays in the European Union. Will the Government heed what they say and perhaps make it a priority in the negotiations that the £800 million of EU structural funds given to the north-West will continue?

Sajid Javid: The one thing that businesses agree on is the need for reform. They are united in that, whichever business group one speaks to. If we can get those reforms, which I am confident about—and the Prime Minister has talked more about them this morning—we will see an even bigger boost to jobs and opportunities in Britain.

Mr Peter Bone (Wellingborough) (Con): Will the Secretary of State remind the House of the trade deficit that we have with the EU, and of the fact that the unreformed EU is clearly not working for British business?

Sajid Javid: My hon. Friend is right to remind us of the current deficit. That is why one of the reforms that we want is a deeper and broader single market which includes digital and professional services, which Britain is very good at, alongside manufacturing, so that we can do more trade.

Hannah Bardell (Livingston) (SNP): Writing in *The Telegraph*, the Prime Minister's potential successor as leader of the Tory party, the hon. Member for Uxbridge and South Ruislip (Boris Johnson), said that the Prime Minister was right

“to unsheathe a section of the blade that might soon be used to cut the rope and set Britain free”

from the EU. Has the Secretary of State made an assessment of the likely impact on Scottish business of Britain turning its back on its European trading partners, and does he think that is appropriate language from a man of such standing?

Sajid Javid: I agree that we need reform. All Members on the Government Benches agree on the need to fight for that reform, which means cutting red tape and creating a deeper single market, more ambitious free trade agreements and fairness between the euro-ins and outs. I hope the hon. Lady will join us in fighting for that reform.

Hannah Bardell: A poll of Scottish business last month found that 82% of small and medium-sized businesses support the UK remaining in the EU. I dare say that those businesses value their ability to export more than £12.9 billion-worth of goods and services throughout the EU, creating wealth and jobs at home. Have this Government not lost all control of an exit agenda that was started only to appease right-wing Eurosceptic Back Benchers and may very well result in Scotland being dragged into delusional imperial isolation against its will?

Sajid Javid: I welcome the hon. Lady to her new role, which I omitted to do earlier. She will know that one of the most important sectors in Scotland is the financial services industry, whether asset management or banking. That is one area where we could have deeper single market and do more trade with the rest of the European Union. If she supports that cause, then she will support our efforts to reform the EU.

Overseas Students: India

7. Bob Blackman (Harrow East) (Con): What estimate he has made of the number of students from India applying to study in the UK in each of the past three years. [902089]

The Minister for Universities and Science (Joseph Johnson): While overall international student numbers are up year on year, there were 16,000 Indian students in 2015—a decline of 13% over the past three years. However, it is worth stressing that India remains our second largest such market.

Bob Blackman: The fact is that the numbers of students choosing to come here has declined by 53% in the past four years. There is clear concern that we need to do something about this so that Britain, rather than the United States or elsewhere, becomes the choice for Indians to study. What measures can my hon. Friend take on visas, changing times for study and the ability of students to work here?

Joseph Johnson: It is important that we clear up misperceptions in the Indian market about the openness of our offer. We are open to international students. There is no cap on the number of international students who can come and study here, or on the number who can come and stay here after they finish studying, provided that they get a graduate job. We want to make more Indian students feel welcome here, and that is what we will be doing during the visit of Prime Minister Modi later this week.

Fiona Mactaggart (Slough) (Lab): The Minister says that we want to make more Indian students feel welcome here, but it is clear from the figures that they feel much more welcome in America, Canada and Australia—our competitor countries. Will this not have a substantial impact on Britain's trade relations with India and other countries such as Pakistan where the figures have fallen, and what is he going to do about it?

Joseph Johnson: Overall international student numbers are up year on year. We have a competitive offer for international students. We have a world-class higher education sector, with 38 out of the world's top 100 universities. It is not surprising that international students from all over the world want to come and study at our great universities.

Tristram Hunt (Stoke-on-Trent Central) (Lab): I alert the House to my interest in the register. When is the Minister's Department going to show some leadership and get the Home Office to take students out of the migration figures? This Government are undermining the global reach of our universities, and America, Canada and Australia are benefiting.

Joseph Johnson: We have a competitive offer, as underlined by the fact that international student numbers are up by 3% to 4% year on year. We work closely together to ensure that our international offer is competitive. It remains competitive and will continue to be so. There is no cap on the number of international students coming to this country and no limit to the number who can go on to work in graduate jobs with a sponsored employer.

British Exports

8. **Andrew Griffiths** (Burton) (Con): What assessment he has made of the effectiveness of steps taken by UK Trade & Investment to encourage British exports. [902090]

The Parliamentary Under-Secretary of State for Business, Innovation and Skills (George Freeman): I am delighted to be able to report that UKTI has increased its effectiveness year on year since 2010. We have doubled the number of UK companies assisted on exports from 27,000 in 2010 to 55,000. This is working. We have secured an extra £60 billion in additional sales and a rise in exports of 9% for existing exporters and 46% for new exporters. I am also delighted that the life sciences are doing their bit. I recently signed a £2 billion trade deal with China, and there will be more announcements on Thursday with the Indian state visit.

Andrew Griffiths: Britain brews the best beer in the world, and I know that the Minister wants to get our brewers exporting, but sadly they tell me that the performance of UKTI to date shows that it could not organise a party in a brewery. Will he sit down with UKTI and do all he can to help medium and family-sized brewers export across the world?

George Freeman: May I pay tribute to my hon. Friend, who is a doughty champion for British beer and Burton brewers? He makes a very important point and I would be delighted to convene that meeting with UKTI. We need to roll out the barrel for British beer and I am delighted to say that my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs and I have set out an ambitious food and agri-tech export plan, to ensure that the whole world experiences the benefits of British beer and food.

Ms Margaret Ritchie (South Down) (SDLP): The Northern Ireland agri-food industry depends on exports. With the Secretary of State for Environment, Food and Rural Affairs in China this week, what further steps will the Department for Business, Innovation and Skills take in accessing new market opportunities for British and Northern Ireland exports?

George Freeman: The hon. Lady makes an important point. The Northern Ireland sector is a crucial part of the UK sector, and that is why we have set up the exports implementation taskforce. We are absolutely dealing with the points she has raised about Northern Ireland.

22. [902106] **Daniel Kawczynski** (Shrewsbury and Atcham) (Con): My hon. Friend the Member for Burton (Andrew Griffiths) is absolutely right: small and medium-sized

businesses are still not getting the traction they need from UKTI. Will the Minister do everything possible to help chambers of commerce to engage with one another so that we can hit our £1 trillion of exports?

George Freeman: My hon. Friend makes an important point. Lord Maude is overseeing an important review of the way in which UKTI works, to make sure that we are developing a sector focus and a strategic market focus around the world. We are maintaining momentum—and we will improve on it in the years ahead—in order to hit that ambitious target.

Kevin Brennan (Cardiff West) (Lab): The deficit for which this Department is responsible is the trade deficit. The current account measures our ability to pay our way in the world and its deficit recently reached its highest point since the second world war. It is still at 3.6% of GDP. How on earth will refusing to have an industrial strategy help British exporters overcome the failure of this Government's trade policy?

George Freeman: The hon. Gentleman has picked the wrong Minister to talk about industrial strategy, seeing as I lead one of our most successful ones on life sciences. The Secretary of State's speech yesterday made very clear our commitment to innovation, and this Department, though our investment in science and innovation, is leading in building a long-term economic plan for the science, industries and innovation of tomorrow. The hon. Gentleman can cite trade balance figures all he likes, but the truth is that we are in a global economy and we cannot control the rate at which other economies grow around the world.

Migrant Workers

9. **Matt Warman** (Boston and Skegness) (Con): What steps he is taking to prevent businesses exploiting migrant workers. [902091]

The Minister for Skills (Nick Boles): We are creating a director of labour market enforcement. This will strengthen our ability to find and stop exploitative employers, such as the 41 businesses in my hon. Friend's constituency who have had their gangmasters' licences refused or revoked.

Matt Warman: As my hon. Friend knows, Lincolnshire produces some of the finest food in the country, but some of its workers are affected by the issues under discussion. Does he agree that it should be as much down to supermarkets and consumers to make sure that everyone knows that the food we eat is produced in humane conditions?

Nick Boles: I absolutely agree with my hon. Friend. It is very important that supermarkets and other traders are as transparent as possible about the work they have done to ensure that nowhere in their supply chain is there any kind of slavery or other kind of labour exploitation. The Modern Slavery Act 2015 specifically requires them to make a statement of that kind.

Further Education: Sussex

10. **Tim Loughton** (East Worthing and Shoreham) (Con): What assessment he has made of the adequacy of further education provision and funding in Sussex. [902092]

The Minister for Skills (Nick Boles): An area review—the Sussex coast review of post-16 education and training—is taking place and it will recommend high quality, sustainable and financially viable further education and sixth-form colleges through a reformed structure.

Tim Loughton: Two FE colleges in my constituency—Worthing college and Northbrook college—are part of that review. They are good and improving colleges, providing valuable apprenticeships, training and education. They have already taken large cuts—there is much uneconomic provision—so can the Minister assure me that the area reviews are not just a cover for further, unrealistic cuts that will threaten their viability altogether? Why are sixth forms in schools not included in those reviews?

Nick Boles: I am glad to have an opportunity to reassure my hon. Friend. Regional school commissioners are absolutely required to be part of the area reviews. Those in some parts of the country have perhaps been surprised by that requirement, so I am happy to reassert it: they are employed by the Department for Education and are required to be part of those area reviews. The point of area reviews is to have strong, sustainable FE and sixth-form colleges that can take advantage of growing revenue streams such as the funding for apprenticeships.

Apprenticeships

11. **Peter Aldous** (Waveney) (Con): What proportion of businesses in England employ an apprentice. [902093]

The Minister for Skills (Nick Boles): I am sorry to detain you yet further, Mr Speaker.

Data from the 2014 UK Commission for Employment and Skills employer perspectives survey showed that, in England, about 15% of establishments have offered formal apprenticeships. When we introduce the apprenticeship levy in 2017, we expect that percentage to increase significantly.

Mr Speaker: Quite why the Minister supposes that I find it anything other than joyous to sample his mellifluous tones I frankly cannot fathom. I am not being detained by anybody; my duty is to be in the Chamber, and I shall always be here.

Peter Aldous: The Apprenticeships Suffolk Business Service has been formed by the chamber of commerce and the county council, and it is already delivering many more apprenticeships. Will my hon. Friend do all he can to ensure that businesses themselves play the major role in increasing the number and quality of apprenticeships?

Nick Boles: I am really delighted that Suffolk authorities and the chamber of commerce have created that service. A number of authorities around the country have created similar things—apprenticeship hubs and the like—and such interventions by local authorities are incredibly worth while. My hon. Friend is absolutely right that, ultimately, we want employers to take control of this: we want employers to develop standards, as the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) mentioned earlier, to control the funding and to ensure that more people get the opportunity of an apprenticeship.

Rob Marris (Wolverhampton South West) (Lab): Can the Minister tell me three specific things that the Government are doing to encourage apprenticeships in construction, where there is a huge shortage?

Nick Boles: I am absolutely delighted to be able to tell the hon. Gentleman three specific things. First, we are introducing an apprenticeship levy. I would have thought that he might have taken the time to welcome it, because it will require larger employers to make a substantial investment in apprenticeships. Secondly, we have reformed the Construction Leadership Council under new leadership and charged it with taking a very active role in promoting apprenticeships in the sector. Thirdly, I regularly meet the new, very focused leadership team of the Construction Industry Training Board, and I have charged it with focusing on apprenticeships as the key method of delivering high-quality training and further skills.

Road Haulage Industry: Driver Shortage

12. **Chris Heaton-Harris** (Daventry) (Con): What steps he is taking to address the shortage of drivers in the road haulage industry. [902094]

The Minister for Skills (Nick Boles): Mr Speaker, you can see why I was a little bit nervous about popping up again.

We are working closely with a group of leading sector employers to support the development of a new apprenticeship standard for heavy goods vehicle drivers. The standard will equip apprentices with the driving skills the road haulage industry needs.

Chris Heaton-Harris: Could my hon. Friend name five—no, I will not go there.

Will my hon. Friend work with employers in the road haulage industry to try to incentivise driving as a career choice for young people?

Nick Boles: Yes, I absolutely will. There is a desperate need for more skilled drivers. It is actually a great opportunity for people who are in relatively low-skilled employment. We had a very interesting discussion in the Social Justice Cabinet Committee recently about this being an opportunity, as a very good kind of first employment, for ex-offenders. A Defence Minister has mentioned that it is a great opportunity for people leaving the forces. We need to do more on all sides in the Government.

David Simpson (Upper Bann) (DUP): What more can the Government do to help haulage companies with the exorbitant fees of £3,500 that are charged to train for HGV licences?

Nick Boles: There is a convention, which we have stuck to for very good reasons, that we do not ask the taxpayer to pay for licences to practise a particular profession. We believe that doing so should be directly in the interests of both the employer and the employee who will benefit from having the licence. However, we are encouraging those companies to develop, and they are working on developing, an apprenticeship standard to include the whole of the rest of the training, which will of course receive substantial support from the taxpayer and from the apprenticeship levy.

Business Finance

13. **Mr Geoffrey Robinson** (Coventry North West) (Lab): When he plans to bring forward proposals to improve access to finance for (a) the smallest businesses and (b) people who are self-employed. [902096]

The Minister for Small Business, Industry and Enterprise (Anna Soubry): According to the latest SME Finance Monitor survey, net lending to smaller businesses has recovered substantially since 2014 and businesses are increasingly finding that banks are more willing to lend. In relation to Government assistance, we have provided finance help to small businesses—for example, through 32,800 start-up loans worth £176 million. Turning to the self-employed, Julie Deane, the founder of the Cambridge Satchel Company, is currently carrying out an independent review of self-employment, and I am sure we will welcome her recommendations. We of course need to do more to make sure that everybody knows about the brilliance of the financial tech sector.

Mr Robinson: I thank the Minister for that detailed answer. On small businesses, she will be aware that the Secretary of State visited the west midlands last Friday, accompanied by the Coventry and Warwickshire growth hub. He visited a small company near his constituency, Ricor Ltd—a company that is indicative of why the Government should maintain their positive support for business. Will she assure me, and the business hubs that provide such a good link with those businesses, that that will be the case?

Anna Soubry: I understand from the Secretary of State that that is an excellent company. I agree that these things are really important. It is also incredibly important that we encourage small businesses to consider alternative sources of funding. That is why the FinTech sector is doing so well. We need to get out information about crowdfunding, peer-to-peer, angels and so on, especially at a local level.

Kevin Foster (Torbay) (Con): The Minister will be aware that in my constituency, many people go into self-employment and start a small business as one of their first steps into employment. That means that they are unlikely to be familiar with the system. What steps will she take to ensure that people are aware of the options open to them, particularly once the review of self-employment funding finance is completed?

Anna Soubry: Of course, we offer people information. The British Business Bank puts together the various funds that are available to small businesses. One reason why I am in favour of the great devolution deals is that they take that sort of activity right down to the local level. The coming together of local authorities, businesses and local enterprise partnerships enables us to get this sort of information out. The Federation of Small Businesses and the chambers of commerce also have a huge role to play, because they do excellent work, often at a local level.

EU Membership

15. **Julie Elliott** (Sunderland Central) (Lab): What recent discussions he has had with the Foreign Secretary on the effect on businesses of the UK's membership of the EU. [902098]

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): I work closely with the Foreign Secretary, particularly through the exports taskforce, which I chair, to deliver growth for British business. UK businesses send 45% of their exports to the EU and benefit from the single market. The reforms that we are pursuing are good for the EU, good for the UK and good for British business.

Julie Elliott: Some 160,000 jobs in the north-east rely on trade with the EU. We are the only region in the country consistently to deliver a trade surplus. What assurances can the Secretary of State give my constituents, many of whom are understandably concerned about what an isolated Britain on the fringes of Europe might mean for their jobs and livelihoods? Will he vote to stay in the EU and stand up for British jobs?

Sajid Javid: The hon. Lady has some excellent manufacturers and other companies in her constituency, including Nissan, which recently announced a huge investment. What business wants in respect of the EU is more certainty and reform, so it welcomes the reforms that we are fighting for, and the certainty that the referendum will bring.

Mr David Nuttall (Bury North) (Con): One of the biggest impacts on UK businesses comes from the EU social chapter. As recently as 2010, the Conservative manifesto said that we would “negotiate the return” of power over “employment legislation”. Is that still going to happen, or have we gone backwards in our ambition?

Sajid Javid: We have set out our priorities in respect of making the whole EU, not just Britain, more competitive. They include cutting red tape and having more free trade agreements. We have set out those priorities in detail. I listened carefully to what my hon. Friend had to say and will reflect on it.

Topical Questions

T1. [902072] **Nigel Mills** (Amber Valley) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): My first and foremost priority in recent weeks has been

to do what I can to help the steel industry. I pushed for and was granted an emergency meeting of the Council of Ministers, which took place in Brussels yesterday and led to a number of actions being agreed. I reiterate our support for the people in Redcar, Scunthorpe, Lanarkshire and elsewhere who have lost their jobs recently. This is an extremely difficult time for all who are affected. I say to them: we are resolutely on your side.

Nigel Mills: Many businesses in the construction sector in my constituency are still suffering from excessive levels of retention being taken by prime contractors. What more can the Secretary of State do to encourage the phasing out of retention before the 2025 deadline?

Sajid Javid: My hon. Friend raises an important point that a number of people have made to me recently. Cash retention is a common practice that can provide insurance for customers against poor workmanship. However, the scope for misuse is clear. That is why the Government have commissioned a review of the practice. We will see what action we can take.

Mr Gordon Marsden (Blackpool South) (Lab): Further education has already been weakened by five years of Government funding cuts, so why are Ministers having hasty, half-cocked area reviews that threaten forced course and college closures? Figures released by the Library today suggest that the Chancellor is demanding at least £1.6 billion in FE cuts, and a new Green Paper proposes free-for-all providers that would threaten colleges' higher education teaching. Are Ministers doing anything to stop FE being the spending review's whipping boy?

Sajid Javid: We have discussed this issue previously. As I have said, we want an even stronger FE sector that provides even more opportunities across the country, and local area reviews are essential for that. We need to understand local needs much more carefully, and local reviews will achieve that. We will then be able to offer more opportunities.

T3. [902074] **Chris Heaton-Harris (Daventry) (Con):** Many English Members of the House, while unable to recall individual results in the tournament, were extremely proud that England hosted the rugby world cup this year. What does my right hon. Friend estimate is the positive economic impact of hosting the rugby world cup?

The Minister for Small Business, Industry and Enterprise (Anna Soubry): Independent consultants—EY, the old Ernst & Young—estimated pre-tournament that the rugby world cup would attract more than 460,000 international visitors to England and Wales, which is the highest ever number for a world cup. That, apparently, would add up to £1 billion to the United Kingdom's GDP, which is excellent, and we will know whether that figure was accurate sometime in May, when the impact statement has been done. By way of an anecdote, my hon. Friend the Member for Rugby (Mark Pawsey), the birthplace of this great game, says that one business in his constituency reported a 250% increase in turnover, purely as a result of this great tournament.

T2. [902073] **Diana Johnson (Kingston upon Hull North) (Lab):** Wyke sixth-form college in Hull does a vital job for young people in a city that has struggled with

educational attainment, and the FE colleges and other post-16 provision in Hull are deemed to be either good or outstanding. Will the Minister guarantee that that vital provision in developing the skills agenda in the city will be protected, and not decimated by the cuts that his Government are likely to propose?

The Minister for Skills (Nick Boles): We all share a sense of the importance of sixth-form and further education colleges to all our communities, and we all rely on and value those institutions. We need them to be stronger, however, and the area reviews are about enabling those institutions to form arrangements with each other that strengthen them for the future. This will be of less relevance for sixth-form colleges, but for further education colleges, the funding going into apprenticeship training is growing fast. Those colleges have a great opportunity to win a lot of that funding for the future.

T4. [902075] **Bob Blackman (Harrow East) (Con):** I wish a happy Diwali to you, Mr Speaker, and to everyone celebrating it. Given Narendra Modi's visit this week, will my right hon. Friend describe the various trade, educational and bilateral arrangements that will be announced, and say what Narendra Modi is looking forward to seeing during this visit?

Sajid Javid: I commend the work that my hon. Friend has done over many years to boost ties between India and Great Britain. A number of commercial announcements will be made during the visit of the Indian Prime Minister. Those will demonstrate the full breadth of the relationship between us and India, and will cover healthcare, energy, financial services and creative industries. That will help to boost both of our economies. Later next month, I will lead a trade mission to boost education exports alongside the Minister for Universities and Science.

Mr Speaker: Louise Haigh is not here. I call Bridget Phillipson.

T6. [902077] **Bridget Phillipson (Houghton and Sunderland South) (Lab):** In his Green Paper, the Minister says that he wants to improve access to higher education for the most disadvantaged students. Will he match that rhetoric with action and protect the student opportunity fund, which does so much to support young people from across the country in realising their full potential?

The Minister for Universities and Science (Joseph Johnson): Yes, indeed. In the Green Paper, we set out various proposals on which we want to consult with the sector. I have also announced the creation of a social mobility taskforce, which is to report back to me by Christmas with proposals on how to meet the Prime Minister's ambitious target of doubling the proportion of people from disadvantaged backgrounds who attend university by 2020.

T7. [902078] **Marcus Fysh (Yeovil) (Con):** The Government are making large infrastructure investments in my area, through projects such as the dualling of the A303 and Hinkley Point. I am trying to encourage large-scale inward investment. How can my hon. Friend help us to build on local skills and research and development?

Nick Boles: Through our growth deal with the Heart of the South West local enterprise partnership, we have invested £6.5 million in the Hinkley Point training agency. Yeovil College and its partners can bid for that funding to build capacity and deliver skills training for Hinkley Point. The LEP is leading work with partners, including Yeovil College, to develop an action plan to deliver the construction skills that the area will need.

T9. [902080] **Alex Cunningham** (Stockton North) (Lab): The Minister appears to be a little shy about telling us exactly when the compensation scheme for energy-intensive industries such as steel is likely to be introduced, or whether it will be ahead of the original planned date. While she is thinking about that, will she also give thought to other industries, such as chemicals, ceramics, paper and cement, with a view to providing sufficient compensation for them? They face greater competition, uniquely, because of the high cost of additional UK Government energy and climate change electricity taxes.

Anna Soubry: At yesterday's excellent meeting held by the Secretary of State in Brussels, the presidency agreed that this matter should be prioritised. We are now waiting for the European Union to sign off on it, and we are told that it will be in a matter of weeks. We are doing everything we can to advance that.

Mr Speaker: Simon Hart. Not here.

T10. [902081] **Rishi Sunak** (Richmond (Yorks)) (Con): I welcome the Government's ambition for 3 million apprenticeship starts in this Parliament—three times the number under the last Labour Administration. As the numbers rise, will the Minister ensure that those apprenticeships provide the high-quality skills that our young people deserve and our employers demand?

Nick Boles: Absolutely. There is no point having 3 million apprenticeships unless they are high quality and add to the skills of the people who take them up. That is why we are introducing new trailblazer standards, developed by employers: apprenticeships have to last at least a year and involve 20% formal off-the-job training. We are also introducing higher-level and degree apprenticeships.

Valerie Vaz (Walsall South) (Lab): I was at Caparo Atlas Fastenings in my constituency talking to the administrators last Friday. I am sure that the whole House will send their condolences to the Paul family. Will the Minister say what specific steps can be taken to preserve those skilled jobs for the future, given that infrastructure projects are coming up in the west midlands?

Anna Soubry: Of course we always listen to what the local enterprise partnerships are asking us to do, if they need any additional support. As the hon. Lady knows, in relation to steelworkers who have unfortunately been made redundant—notably at Redcar, but with more fears for Scunthorpe and Rotherham—we have put in substantial amounts of public money, specifically to ensure that those highly skilled workers get all the opportunities they need to retrain. The amount for Redcar is £16.5 million, and for Scunthorpe it will start

at £3 million. We have already started to work with Rotherham and, if we get more bad news, money will be available for that area.

Nigel Huddleston (Mid Worcestershire) (Con): The issue of switching suppliers is particularly acute in the mobile phone space, where just 6% of users change contracts each year, and many people find it difficult to find the best deals. What plans do the Government have to improve switching and price transparency in the mobile sector?

Nick Boles: The Government are determined to encourage more consumers to vote with their feet in key markets such as energy, banking and mobile phones. We are currently conducting a call for evidence on a set of six switching principles that will make the process quicker and easier for consumers. My hon. Friend the Minister for Culture and the Digital Economy—for digital everything—and I will shortly write to the chief executives of mobile telephone companies to encourage them to co-operate fully with those new principles.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): The Caparo group, which has its headquarters in my constituency and is currently in administration, provides high-quality steel products to the supply chains for both the motor industry and civil aviation. Those products are difficult to source from elsewhere. What will the Minister do to ensure that those companies survive?

Anna Soubry: May I first apologise, because I should have added my condolences to the Paul family on their loss yesterday? The difficulties in Caparo are not as simple as those involved in the decline in the steel industry, with which we are all familiar. One of the difficulties at the Hartlepool plant, for example, was the decline in oil and gas. We will work with the LEPs—we will work with anyone—to make sure that workers who need extra skills to transfer into new jobs have that opportunity.

Jo Churchill (Bury St Edmunds) (Con): What steps will the Minister take to promote reform of the EU regulations specifically on biotechnology and life science?

The Parliamentary Under-Secretary of State for Life Sciences (George Freeman): My hon. Friend raises an excellent point. I was yesterday in Brussels with my right hon. Friend the Secretary of State to convene a summit with European leaders on biosciences. We are pushing for an enlightened regulatory framework to support EU and UK leadership in the fields of food, medicine and energy for global benefit.

John Pugh (Southport) (LD): May I ask the Minister why his Department is keeping further education and skills out of the Liverpool city region deal? They are crucial to the Liverpool city region.

Nick Boles: I am not directly responsible for city deals, but there are many such deals around the country that have specifically majored on the inclusion of skills—Manchester and elsewhere. I am happy to look into it, but I am sure it was not because we resisted. Frankly, we are very keen for local authorities and local enterprise partnerships to take a bigger role.

Martin Vickers (Cleethorpes) (Con): May I refer the Minister back to his earlier answer regarding the shortage of heavy goods vehicle drivers? Only last Saturday, my surgery was attended by someone who wanted to establish themselves as a trainer for HGV drivers. Will my hon. Friend look again at the support that such people receive, as it could go a long way to more drivers becoming available?

Nick Boles: When there is an apprenticeship standard for HGV drivers, the company in my hon. Friend's constituency will be able to offer training to employers for that apprenticeship, and to secure the funding that the Government will provide through the apprenticeship levy and other public resources.

Mr David Lammy (Tottenham) (Lab): I welcome the decision the Department has made on name-blind applications to university, but the Minister will know that this does little to deal with prejudices of class and race. Postcode, school and being first in the family to go to university are just as important. What progress is being made on contextual data?

Joseph Johnson: It is a priority for the Government to increase the proportion of disadvantaged people going to university. We have brought forward proposals for UCAS to look at, so that for the 2017 admission cycle, we can introduce name-blind applications—an important step to ensuring that application and admission to university is on the basis of merit.

Several hon. Members *rose*—

Mr Speaker: A dazzling array of eager beavers on both sides of the House. I call Mr Robert Jenrick.

Robert Jenrick (Newark) (Con): For British businesses operating in highly regulated sectors such as the legal sector, India remains an incredibly restricted market to break into—in many respects, even more so than China. Will the Secretary of State use this week's visit as a catalyst to move forward long-standing discussions on the service sector?

Sajid Javid: My hon. Friend is absolutely right to raise this issue. Britain and India do a lot of trade together, and there is a lot more we can do if we put our minds to it. These are exactly the kinds of issues we look forward to raising this week.

Anna Turley (Redcar) (Lab/Co-op): As has been well documented in this House, Ministers promised £80 million for retraining and economic development in Redcar. We know now that only £30 million of that will be saved for pension payments. Less than £10 million has been paid out already, and more than 90% of people have received their payments. Will the Minister promise the people of Redcar that what is not spent on redundancies and final salaries will stay in the region and go to the people of Redcar, not be sucked back up to the Treasury?

Anna Soubry: I can absolutely assure the hon. Lady, who rightly fights very hard for her constituents, that only today I met again with my officials and said that I wanted the remaining money to go in tranches to Redcar, so that people there can determine how it will be spent for the benefit of her constituents.

Amanda Milling (Cannock Chase) (Con): Will the Minister join me in congratulating Jack Hammond and Ashley Churchman, two inspiring apprentices who addressed a joint Education and Business, Innovation and Skills Committee seminar last week? Does he agree that apprentices sharing their experiences in this way can demonstrate to businesses the real value of employing apprentices?

Nick Boles: I certainly would like to congratulate my hon. Friend's constituents. As she says, there are no better advocates for apprenticeships than those who have completed them—not a bunch of middle-aged people like us—who can go to their schools and preach the virtues of apprenticeships.

Stewart Malcolm McDonald (Glasgow South) (SNP): In the Scottish Government's programme earlier this year, the First Minister announced three new innovation centres for Scotland across Europe, one of which will be based here, in the great European capital city of London. How do the Government plan to support that centre, to ensure that Scottish businesses compete on the world stage?

Joseph Johnson: We continue to support innovation across the UK. I was pleased to be in Glasgow 10 days ago, laying the turf for a new innovation centre, the Imaging Centre of Excellence, in the University of Glasgow. Scotland punches above its weight with regard to research funding—it has an 11% share of it, whereas it has an 8% share of the population—and I hope it continues to do so.

Europe: Renegotiation

12.34 pm

The Minister for Europe (Mr David Lidington): With permission, I would like to make a statement on the Government's EU renegotiation.

As the House knows, the Government were elected with a mandate to renegotiate the United Kingdom's relationship with the EU, ahead of an in/out referendum to be held by the end of 2017, and since July, technical talks have taken place in Brussels to inform our analysis of the legal options for reform. Today, the Prime Minister has written to the President of the European Council to set out the changes we want, and we have laid a written ministerial statement, including a copy of that letter, hard copies of which are available in the Vote Office.

I would now like to offer the House further detail. The Prime Minister's speech at Bloomberg three years ago set out a vision for the future of the EU. Three years on, his central argument remains more persuasive than ever: the EU needs to change. Increasingly, others, too, have recognised this. Only a fortnight ago, Chancellor Merkel said that British concerns were German concerns as well. The purpose of the Prime Minister's letter today is not to describe the precise means, including the detailed legal amendments, for effecting our reforms—that is a matter for the renegotiation itself; what matters to us is finding solutions. The agreement must be legally binding and irreversible and, where necessary, have force in the treaties.

We are seeking reform in four main areas. The first is economic governance. Measures that the eurozone countries need to take to secure the long-term future of their currency will affect all EU members. These are real concerns, as demonstrated by the proposal we saw off this summer to bail out Greece using contributions from non-euro members. As the Prime Minister and the Chancellor have set out, any long-term solution should be underpinned by certain principles and should include a safeguard mechanism to ensure that these principles are respected and enforced. The principles should include recognition that the EU has more than one currency; that there should be no discrimination or disadvantage for any business on the basis of currency; that taxpayers in non-euro countries should never be financially liable for supporting eurozone members; that any changes the eurozone needs to make, such as the creation of a banking union, should never be compulsory for non-euro countries; that financial stability and supervision should be a key area of competence for national institutions, such as the Bank of England, for non-euro members, just as those matters have become a key area of competence for eurozone institutions, such as the European Central Bank; and that any issues affecting all member states must be discussed and decided by all member states.

Secondly, we want an even more determined focus on improving Europe's competitiveness. Unemployment, especially youth unemployment, in Europe is still too high. Unless Europe can raise its game on competitiveness, the challenges we all face from global competition and digital technology will pose a serious risk that the next generation of Europeans will not be able to afford the living standards, social protections or public services that our citizens take for granted. We therefore welcome the European Commission's focus on competitiveness.

The number of legislative proposals has been cut by 80%, while more regulatory proposals have been taken off the table this year than ever before. Progress has been made towards a single digital market and a capital markets union, as well as in last month's Commission trade strategy. But we need to go further. The burden from existing regulation remains too high. Just as we have secured the first-ever real-terms cut in the EU budget, so we should set a target to cut the total burden on business. This should be part of a clear strategic commitment that brings forward all the various proposals, promises and agreements on European competitiveness.

Thirdly, we come to sovereignty. As the Prime Minister said at Bloomberg and as we have stressed many times since, too many people in the UK, and in other member states too, feel that the EU is something done to them. In his letter, my right hon. Friend makes three proposals to address this. First, we want to end the United Kingdom's obligation to work towards an ever closer union as set out in the treaties. For many British people, this simply reinforces the sense of being dragged against our will towards a political union. Secondly, we want to enable national Parliaments to work together to block unwanted European legislation, building on the arrangements already in the treaties. Thirdly, we want to see the EU's commitment to subsidiarity fully implemented, with clear proposals to achieve that. We believe that if powers do not need to reside in Brussels, they should be returned to Westminster. As the Dutch have said, the ambition should be "Europe where necessary, but national where possible."

Fourthly, I want to turn to the issue of welfare and immigration. As the Prime Minister made clear in his speech last November, we believe in an open economy, which includes the principle of free movement to work, and I am proud that people from every country can find their community here in the United Kingdom. But the issue is one of scale and of speed. The pressure that the current level of inward migration puts upon our public services is too great, and also has a profound effect on those member states whose most highly qualified citizens have emigrated.

The Prime Minister's letter again sets out our proposals to address this. We need to ensure that where new countries are admitted to the EU, free movement will not apply until their economies have converged much more closely with existing member states. We need to crack down on all abuse of free movement. This includes tougher and longer re-entry bans for fraudsters and people who collude in sham marriages, and stronger powers to deport criminals to stop them coming back and to prevent them from entering in the first place. It also includes dealing with the situation whereby it is easier for an EU citizen to bring a non-EU spouse to Britain than for a British citizen to do the same.

We must also reduce the pull factor drawing migrants to the UK to take low-skilled jobs, expecting their salary to be subsidised by the state from day one. We have proposed that people coming to Britain should live here and contribute for four years before they qualify for in-work benefits or social housing, and that we should end the practice of sending child benefit overseas. The Government are open to different ways of dealing with these issues, but we do need to secure arrangements that deliver on our commitments to fair and controlled migration.

Let me say something briefly about the next steps. There will now be a process of formal negotiation with the European institutions and with all 27 European partners, leading to substantive discussion at the December European Council. The Prime Minister's aim is to conclude an agreement at the earliest opportunity, but his priority is to ensure that the substance is right. It is progress on the substance in this renegotiation that will determine the timing of the referendum itself.

The Government fully recognise the close interest from Members on all sides of the House. We cannot provide a running commentary on an ongoing negotiation, but we will continue to engage fully with the wide range of parliamentary inquiries, now numbering, I believe, 12 across both Houses of Parliament, into the renegotiation. Documents will be submitted for scrutiny in line with normal practices, and the Foreign Secretary, other Ministers and I will continue to appear regularly before the relevant Select Committees. Of course, the European Union Referendum Bill will return to the House before long.

The Prime Minister has said and he repeated this morning that should his concerns fall on deaf ears, he rules nothing out, but he also believes that meaningful reform in the areas that I have described would benefit our economic and our national security, provide a fresh settlement for the UK's membership of the European Union, and offer a basis on which to campaign to keep the United Kingdom as a member of a reformed European Union—and it is that which remains the Government's objective. I commend the statement to the House.

12.44 pm

Mr Pat McFadden (Wolverhampton South East) (Lab): I thank the Minister for updating the House, and for giving me advance sight of his statement.

The decision on whether or not the United Kingdom will remain a member of the European Union is the biggest decision that the country will make for a generation. Labour Members are clear about the fact that Britain is a more powerful, prosperous and secure country as a result of its membership of the EU, and we want to see it play a full role in shaping a reformed and better Europe that deepens its single market in areas such as digital and services, offers more hope and jobs to its young people, uses its collective strength in trade with the rest of the world, and stands together to combat the urgent security problems that we face. We do not stand for the nationalism that says that we would be better off out, or for a Brexit that would see Britain weaker in power and influence, and diminished in the eyes of the world.

In his speech this morning and in the letter to the President of the European Council, the Prime Minister set out his negotiating agenda. As we have already heard in comments from his own Back Benchers, the problem that the Prime Minister faces—and, in fact, the reason he has been so reluctant to put his position down on paper until now—is that there is nothing he can renegotiate that will satisfy the large number of right hon. and hon. Members sitting behind him who want to take Britain out of the European Union at all costs. They are desperate to be disappointed, and they are here in the House today. Their only role in this debate is to push for demands that they know will not be met.

The agenda that was published today raises important issues including some that were in our own election manifesto, such as protection for the rights of non-eurozone countries and those of national Parliaments. It also includes other ideas which are already in train. May I now ask the Minister to respond to some specific questions?

It is right that we press for guarantees for non-eurozone members in the future. Our manifesto argued for that, and it is in our economic interests. Does the Minister agree, however, that it would be a mistake for Britain, in so doing, to volunteer or embrace some kind of second-class or associate membership of the EU, while still paying the full costs of membership? Would not such an outcome weaken Britain rather than strengthening our position?

Why is there so little in the agenda about jobs and growth for the future, given that the problem with which Europe has been struggling for some time has been low growth and high unemployment? The Minister has talked of reducing the burden on business. Can he guarantee that nothing in this agenda will reduce the hard-won employment rights that have been agreed at European level over the years, including rights to paid leave, rights for part-time workers, and fair pay for temporary and agency workers? Does he accept that it would be a huge mistake to try to build support for a reformed European Union on the back of a bonfire of workers' rights?

We note the retreat from earlier statements and hints from the Prime Minister that he would seek an emergency brake or an end to the principle of free movement. Is the Prime Minister set on the four-year timescale for access to in-work benefits, or is that subject to negotiation at the European Council? Will the Minister also tell us specifically whether it would mean a change in EU legislation, or a change in the way in which the system works here in the UK?

Does the Minister agree that it is for those who wish to reject the agenda as too little—many of whom are sitting behind him, and who are determined to take Britain out of the EU—to state clearly to the British people what being out would mean for our jobs, for our trade, for our investment, for our employment rights, and for our national security?

Of course the European Union faces big challenges in recovering from the eurozone crisis, offering more hope for the future, and dealing with the urgent and immediate refugee crisis that it faces, but we believe that those challenges will be best met if Britain plays a leading role in the future of the European Union, and if we use our power and influence with others to overcome them.

There is a broader case that goes far beyond those four points about Britain's place in the world and the EU, and that case has to be made. Our history is not the same as that of many other member states, and perhaps we will never look at these issues through precisely the same eyes, but that is not the same as wanting to leave. Reform is essential. It should be an ongoing process, not a single event, and Labour Members will keep arguing for a Britain that is engaged with the world, using its power and influence to the maximum and not walking away from a partnership that we have been members of for 40 years and which has brought many benefits to the people and the economy of this country.

Mr Lidington: The right hon. Gentleman asked four specific questions and I will deal with them in turn.

[Mr Lidington]

On relations between EU and non-EU members, we do need to have, as part of this negotiation, safeguards against any risk of caucusing by eurozone countries, who if they chose to act as a caucus could command an automatic qualified majority within Council of Ministers meetings. There are clearly going to be some issues that derive directly from a currency union where eurozone countries quite legitimately will want to talk among themselves, and it is going to be important that we have a deal that allows the eurozone to do the work of integration it is going to need to do, but which properly safeguards the integrity of the single market of 28 members and decision making across the board in terms of the EU responsibilities in respect of the 28.

The right hon. Gentleman teased me a little about the views of some of my right hon. and hon. Friends. I have to say that when I have appeared before some of the Committees of this House, I have encountered Opposition Members who are equally committed to British withdrawal from the EU. The truth is that this is a matter—[*Interruption.*] Indeed, I am reminded that the Labour party leader, the hon. Member for Islington North (Jeremy Corbyn), has not been renowned for his enthusiasm for British membership of the EU. This issue has legitimately cut across party divisions for as long as EU membership has been a concern in the UK. People within both parties hold honourable, principled views both for and against British membership, and I think that that is likely always to be the case.

The right hon. Gentleman asked about the challenge of low growth. I think that not only what the Government are saying in this renegotiation, but what they have led and helped to shape within the EU ever since 2010, demonstrates the seriousness with which we take this issue. I know the Prime Minister was personally involved in the negotiation that clinched the deal on an EU-Korea free trade agreement, something that is now proving of immense value to British industry. It is the British Government who have helped to energise the debate towards a digital single market across Europe, something that will give small and medium-sized enterprises, as well as large companies, increased opportunities.

No Conservative Member wants to make, in the right hon. Gentleman's words, a bonfire of workers' rights, but we also need to have in mind the reality that other countries that which have chosen to go for a much more regulated approach to the employment market have often, tragically, suffered much higher levels of unemployment than we have in the UK. Keeping the UK's opt-out from the working time directive, for example, is something we will fight very hard to make sure is entrenched by this renegotiation.

On freedom of movement, the Prime Minister made his view very clear: our objective is to better control migration from within the EU. There are obviously different ways in which we could achieve that. We think we can do that by reducing the incentives offered by our welfare system, which is why my right hon. Friend set out proposals in November and repeated them today. Others in the EU have concerns about this, and that is why we say to them, "If that's what you think, put forward alternative proposals that deliver the same result." It is the outcome of the measures—controlled, fair and properly managed migration—that is the end that we seek.

Finally, on the question of what is meant by "out", the Prime Minister said again this morning that he did not think either the Swiss or Norwegian models would be right for the UK. The question of what "out" might mean will be a key element in the forthcoming referendum debate.

Several hon. Members rose—

Mr Speaker: Order. A very large number of Members are seeking to catch my eye, and that was entirely to be expected. In order to have any chance of accommodating them, brevity will be of the essence.

Mr Kenneth Clarke (Rushcliffe) (Con): Does my right hon. Friend agree that the big issue that will be settled in this forthcoming referendum is how best this country is to protect its national interests and security in the modern world and how best to enhance our prosperity for the next 30 or 50 years? Will he seek to ensure that we do not lose sight of that when we address current events?

While our right hon. Friend the Prime Minister is embarking on very important negotiations—and I wish him success on competitiveness in particular—will the Minister for Europe ensure that when we are negotiating the benefit rights of those foreign nationals who work alongside British people in employment in this country, we remember the interests of the 2 million or so British nationals who live and work in the EU and do not wish to see those Governments start to discriminate against our nationals in their tax and benefits systems?

Mr Lidington: The answer to my right hon. and learned Friend's second point is certainly yes, the interests of British people are always at the heart of this Government's thinking about any area of policy, and we will certainly continue to treat the national, economic and security interests of the UK as the core objective of every aspect of this European negotiation.

Stephen Gethins (North East Fife) (SNP): I thank the Minister for making an oral statement to the House and for forward sight of his statement.

What a difference a year makes: just last year Scots were being told that if we voted yes to independence we would be getting chucked out of the EU, and now, frankly, we could not be closer to the exit.

The Minister said earlier that there would be a process of formal negotiation with the Europeans. Will he make a commitment to us today to consult the devolved Administrations as a formal part of that negotiation? He also said, quoting the Dutch,

"European where necessary, national where possible."

Will that include devolving the powers, where appropriate, to the devolved Administrations? Finally, will the Minister tell us what on Scotland's agenda for reform has been included in this statement today?

Mr Lidington: Of course, we were voting to give additional devolved powers to Scotland only yesterday in this House. I can tell the hon. Gentleman that I spoke to Minister Fiona Hyslop this morning, and the question of the reform and renegotiation is now on the agenda as the first item at every meeting of the Joint Ministerial Committee on Europe which I chair and which includes

Ministers from all the devolved Administrations. I am visiting Edinburgh tomorrow when I will have further conversations with the Scottish Government of the type the hon. Gentleman urges upon me, and as I said to Ms Hyslop this morning, I remain open to listen to the views of, and make sure the UK Government take full account of the interests of, all three devolved Administrations as we take this negotiation forward.

Sir William Cash (Stone) (Con): The Minister is, if I may say so, not correct in thinking that the legal mechanisms for delivery of these proposals are not part of the solution. Does he not accept that treaty change is needed for virtually every proposal and, furthermore, that treaty change is not on offer, so how are the so-called legally irreversible changes going to be made when even the legal expert from the European Commission says that the Danish and Irish precedents are not valid? How is he going to be able to sell this pig in a poke?

Mr Lidington: Some but not all aspects of the package of reforms that we are seeking will need treaty change. We are certainly looking at different models, including those that have been used by Denmark and Ireland in the past. The technical talks that have taken place in Brussels involving senior British officials have also involved representatives of the institutional legal services, so we are working closely alongside the current heads of the legal services of the institutions. We believe that we will be able to find an appropriate way forward on every one of the issues that I listed in my statement.

Mr Ben Bradshaw (Exeter) (Lab): Further to the question from the right hon. and learned Member for Rushcliffe (Mr Clarke), will the Minister acknowledge that other EU citizens living here contribute far more through their taxes than they receive in services or social security payments? The problem with social security is not the EU; it is the fact that, almost uniquely, we in the UK have lost the contributory principle from our system. The answer is to start to reintroduce that principle.

Mr Lidington: I would certainly agree with the right hon. Gentleman that in the debate about migration controls, it is important that we not stray into stigmatising people from elsewhere in Europe, or from any other part of the world, who are here obeying the law, working and contributing to life in this country. He mentioned the contributory principle, but that point could also apply to policy pursued under successive British Governments of all political stripes. I draw his attention back to article 153 of the treaty, which makes it clear that it is for member states, rather than the EU, to define the fundamental principles of their social security systems. I believe that it would contradict that treaty provision if we were to say that only one model for social security was compatible.

Crispin Blunt (Reigate) (Con): The Minister has described different legal mechanisms for achieving our objectives. Will he tell us what they are?

Mr Lidington: No. That is a matter for the detailed negotiations that are now under way. The technical talks have given us a menu of options to help us

determine, in respect of particular reforms, whether we would be able to rely on secondary legislation, on treaty change, on protocols or on political commitment. That menu of options will now be available to the Heads of Government as they embark on the political negotiations. The purpose of the technical talks has been to ensure that leaders are informed about the legal and procedural solutions that are available, so that they do not have to start that work from scratch when they are in a leaders' meeting.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): We believe that if powers do not need to reside in Brussels, they should be returned to Westminster. Will the Minister tell us which treaty provision he intends to use for that purpose, and if he does not have one, will he negotiate a new one?

Mr Lidington: In my statement, I described the areas in which we are seeking change. If the right hon. Lady looks at what the Prime Minister said in his speech this morning, she will see that he spoke of making the principles of subsidiarity and proportionality more of a reality, and of establishing an agreed mechanism within the EU system to ensure that we not only look at new proposals coming out of the Commission but have a means of reviewing regularly the existing exercise of competences and deciding which competences that are currently exercised at EU level no longer need to be exercised at that level.

John Redwood (Wokingham) (Con): Do we not have to control our own borders in order to fulfil the popular Conservative promise to cut net migration by more than two thirds during this Parliament? Should not we decide what the rules are, and apply them fairly to the whole world, rather than distinguishing between Europe and non-Europe?

Mr Lidington: My right hon. Friend the Prime Minister has been completely consistent in saying that he accepts the basic principle of freedom of movement for workers, but that that should not become a freedom to choose the most attractive welfare system in the European Union. On our estimate, something like 40% of the people who are here from elsewhere in the EU are receiving benefits or tax credits of some kind, and action on that front will have a significant effect on the pull factor that our welfare system exercises at the moment.

Ian Paisley (North Antrim) (DUP): I thank the Minister for giving me advance sight of his statement. He has already set much store by treaty change, but the Council of Ministers and the European Commission constantly break their own solemn word, and their treaties, in matters that are fundamental to them, so why should we put our faith or our trust in any changes that they might agree to?

Mr Lidington: When matters are made the subject of treaty change, they become binding in European and international law. There have been occasions, particularly in regard to the development of the single market, when British interests have been safeguarded by the existence of treaty provisions relating to discrimination against a country's products in the single market. For example,

[Mr Lidington]

we went through the European process in order to secure the lifting of the beef export ban. There is a stronger element of protection there than the hon. Gentleman might think.

Mrs Caroline Spelman (Meriden) (Con): Further to that point, does my right hon. Friend agree that the creation of a single market for services would be a big prize for British business, and that it would create many jobs? Does he also agree that that can be achieved only by being within the European Union?

Mr Lidington: My right hon. Friend makes a powerful point. We have a single market for goods, and it is working pretty well, but the single market for services is woefully underdeveloped, despite the fact that in every European economy, it will be the services sectors from which the new jobs and the new growth will come. We need to seek determined action in that area.

Mr Douglas Carswell (Clacton) (UKIP): The Prime Minister has paid the usual lip service to the EU's crisis of competitiveness, but, rather like what happened under his predecessor, Tony Blair, 15 years ago, nothing has changed. The Minister's own officials are growing weary of initiatives that fail to tackle Euro-sclerosis. What exactly is going to be different this time? Will the Minister spell out the details of the plans that will magically make the EU more competitive?

Mr Lidington: If there is one thing that does not change, it is the nature of the hon. Gentleman's interventions on this subject. The Prime Minister, the Chancellor, the Business Secretary and I have spoken frequently on the agenda on competitiveness, and I would be happy to send the hon. Gentleman a sheaf of speeches if he would like me to. Broadly, this is about three things. It is about cutting the cost of unnecessary red tape and regulation on all businesses, particularly on small and medium-sized enterprises. It is about deepening the single market, particularly in digital and in services, where it is underdeveloped at the moment. And it is about forging ambitious new trade agreements with other countries and other regions of the world, for their benefit and ours. These are the opportunities that British business has urged us to take, and this Government are determined not to follow but to lead on these matters in the European debate.

Mr Peter Lilley (Hitchin and Harpenden) (Con): Will my right hon. Friend avoid using up his limited bargaining power to obtain purely symbolic changes such as removing the words "ever closer union", given that they have never been invoked by the European Court against Britain or used to require any other member state to move in an integrationist direction? They have even been dropped from the constitutional treaty. Will he instead focus on getting back any powers that are not required to run a common trading area, so that we in this Parliament can make more of our own laws and hold our lawmakers to account?

Mr Lidington: My right hon. Friend the Prime Minister has always said that he is seeking a deal on reform that is substantive. That will be challenging to negotiate, and

I do not want any Member to think that these reforms will somehow fall easily into our lap. There will be some tough negotiations ahead.

The importance of the words on "ever closer union" is that they encapsulate the fact that the EU at the moment is insufficiently flexible, still thinking of a single destination on integration for all its member states. As the Prime Minister said in his speech this morning, we need to see a much greater acceptance of the diversity of Europe at the moment. We need to see a readiness to live and let live, accepting that some countries will want to integrate more closely but others will wish to stand apart from that and that the decisions of each group should be properly respected.

Mike Gapes (Ilford South) (Lab/Co-op): The Minister said that the agreement must be legally binding and irreversible. Will he clarify what he means by "irreversible"? Does it mean what happened in the case of the John Major opt-out on the social chapter, which was then reversed by the Tony Blair Government? Does it mean that no future democratically elected Government would be able to reverse a decision taken at this time by this Government?

Mr Lidington: Obviously, as Parliament is sovereign, not least in the fact that EU law has direct effect in the UK only because of Acts of Parliament—decisions of this House—the irreversibility of any decision any Government take on anything is limited. To answer the hon. Gentleman's question, we are keen to avoid a repeat of the sort of thing that happened over the European financial stabilisation mechanism earlier this year, when, in the heat of a crisis in the eurozone, a deal that had been solemnly agreed by all 28 member states in December 2010 suddenly appeared to be at risk and came up for discussion in a meeting where only 19 member Governments were gathered together. That is not the way in which we can do business in Europe in the future.

Mr Jacob Rees-Mogg (North East Somerset) (Con): My right hon. Friend must know that this is pretty thin gruel—it is much less than people had come to expect from the Government. It takes out a few words from the preamble but does nothing about the substance of the treaties; it deals with competition, for which the European Commission itself has a proposal; and it fails to restore control of our borders. It seems to me that its whole aim is to make Harold Wilson's renegotiation look respectable. It needs to do more; it needs to have a full list of powers that will be restored to the United Kingdom and to this Parliament, not vacuously to Parliaments plural.

Mr Lidington: The problem with the idea of a unilateral national parliamentary veto, which my hon. Friend advocates, is that it would mean that, for example, the most protectionist Parliament in any one member state could veto every deregulatory and every single market measure that the United Kingdom believed was profoundly in the interests of our people and our prosperity. Such a unilateral veto would be incompatible even with the arrangements that Norway and Switzerland have with the European Union. I just say to him that if he had had the privilege and responsibility of sitting at Council of Ministers meetings in Brussels, a responsibility that he may well indeed enjoy at some future stage of his career,

he would be less sanguine about what he terms the unambitious nature of what we are proposing. What we are proposing is going to require some very tough negotiating indeed.

Graham Jones (Hyndburn) (Lab): It is ridiculous that the Prime Minister is putting the referendum to the British people but he cannot explain what the British people are voting for. If they are voting out but they are not voting for the arrangements Norway or Switzerland have, what is it that the British people are voting for?

Mr Lidington: That will be a question for those who are campaigning for out to make clear when the referendum comes. A number of studies have been published on what various options for British engagement with Europe would look like. As for the Government, we are relentlessly focused on securing a successful outcome to this negotiation and delivering the reformed Europe that the British people want.

Mr Andrew Tyrie (Chichester) (Con): Removing the commitment to “ever closer union” will be nothing more than a rhetorical gesture unless it is backed by a radical shake-up of the way the EU takes its decisions. Does the Minister agree that most EU legislation is stitched up between the Commission, the European Parliament and member states behind closed doors, in the impenetrable process known as “trilogue”, and is currently acting as an integrationist ratchet? What specific proposals do the Government have for halting and reversing that ratchet?

Mr Lidington: As my right hon. Friend the Prime Minister said in his speech this morning, we certainly think we need a new mechanism in the EU’s system for working that guards against that ratchet and provides for the opportunity to review and reallocate powers that do not need to be exercised at a European level. The pamphlet recently published by my hon. Friend provides some constructive and imaginative suggestions as to how we might take that forward.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): The Prime Minister, in his letter, welcomes last month’s new EU trade strategy. Will the Government first carry out an assessment of how these trade deals would be affected by his wider demands for economic reform? Will the Minister confirm that it is his understanding of the recent remarks by Michael Froman, the US trade representative, that if the UK were to leave the EU, we would not be able to negotiate an independent trade deal with the United States?

Mr Lidington: I heard what Mr Froman said. Obviously, he is a senior official in the current US Administration, so one has to take what he says seriously. On the general point the hon. Lady makes, we see further moves forward in free trade deals as an important element in securing the reformed European Union that we want. The potential deal with the US is the most ambitious and most far reaching in its consequences of any of those, but I welcome the fact that the Commission’s trade strategy is also talking about forging new trade deals with some of the emerging economies and also with our good allies and partners in Australia and New Zealand.

Sir Gerald Howarth (Aldershot) (Con): In this year, as we mark the 750th anniversary of the first English Parliament—some of our continental partners are rather newcomers to this concept—may I suggest to my right hon. Friend that unless we return powers to this Parliament, this exercise will not be worthwhile, for it is in this Parliament that authority ultimately should reside, on behalf of the British people? Can he therefore explain to us how on earth this new arrangement, whereby groups of national Parliaments acting together can stop unwanted legislative proposals, is going to work?

Mr Lidington: I share my hon. Friend’s love of English history, but I caution him against seeing Simon de Montfort as a true-born Englishman. The direct answer to his question is that the treaties already provide for a mechanism whereby a group of national Parliaments can demand and secure a review by the Commission of a measure the Commission is bringing forward. We think one option we should be looking at is turning such an arrangement above a certain threshold into an outright veto—a red card rather than a yellow card.

Phil Wilson (Sedgefield) (Lab): Speaking as the chair of the parliamentary Labour party’s pro-EU group, which has more than 210 members, including the whole of the shadow Cabinet and the leader of the Labour party, I can tell the House that we are united behind staying in a Europe which is reforming and progressive. The Minister has said that if the Prime Minister does not get his own way, he rules nothing out, so if we leave Europe, what does that mean for the UK?

Mr Lidington: Clearly, when the negotiations are over the Government will make their assessment and their recommendation clear, setting out in detail their reasons for coming to that view, including their assessment of what alternative options there might be and the Government’s view on those. I do not think therefore that the hon. Gentleman has anything to fear. Our focus remains on a successful outcome to these negotiations, which we believe will deliver a reformed Europe—that is what the British people want to see.

Neil Carmichael (Stroud) (Con): The clarity and ambition of the reforms that the Minister have outlined demonstrate that there is a big job of work to do. They also remind us just how important British leadership of the European Union has been. I am referring here to the introduction of the single market in the 1980s under Margaret Thatcher and the extension of that market, hopefully soon, because of the conclusion of those reforms. Does the Minister agree that our real ambition is to restate Britain’s leadership of the European Union in conjunction with other nation states so that we can bring about an innovative, modern and responsive economy that will benefit us all?

Mr Lidington: I agree with my hon. Friend. If we look back at the European Union’s history, we can take pride in the fact that two of its greatest achievements—building a single market across Europe and enlarging the European Union to embrace the new democracies of eastern and central Europe—were very much brought about by British leadership and, in particular, by the personal drive of Margaret Thatcher. What he says is important and the Government very much share the spirit in which he posed his question.

Tom Brake (Carshalton and Wallington) (LD): I am relieved that the Prime Minister has finally outlined his negotiating stance, and I wish him every success with it, because I want him to be able to bang the drum enthusiastically for our EU membership. Will the Minister confirm that, if meaningful reform is secured, the Prime Minister and the European Union will not have to deliver fully on all the fronts set out in the Prime Minister's letter, including on in-work benefits, for the Prime Minister to be able to campaign vigorously in favour of the UK's continued EU membership, the benefits of which were clearly set out in the EU's balance of competences review?

Mr Lidington: We will need to have a satisfactory outcome that meets our requirements on all four of the areas of policies that I have described. Our position on welfare and migration remains as the Prime Minister set out in November and as he repeated this morning.

Richard Drax (South Dorset) (Con): I note the constraints suggested by the Prime Minister that the free movement of peoples is not working and will never work. Even Sweden and Germany are realising that today. Would not a visa system for all be fairer and safeguard our borders?

Mr Lidington: The Home Office always keeps our visa arrangements under review, but I ask my hon. Friend to think about the consequences for the way in which both business and tourism operate between us and our neighbours in other democracies in Europe were there to be individual visas of the sort that he has described. It would certainly have to apply in reverse to British tourists and business visitors as well.

Several hon. Members *rose*—

Mr Speaker: Order. I am very keen to accommodate colleagues, but progress is leisurely—some might even describe it as lethargic. As I like guessing games and want to encourage Members to think, let me suggest that if they could model their contributions on those of the right hon. Members for Wokingham (John Redwood) and for Birmingham, Edgbaston (Ms Stuart), progress would be altogether speedier.

Hywel Williams (Arfon) (PC): I thank the Minister for his statement and for early sight of it. In his statement, he used the phrase “salary to be subsidised by the state.” How will the Government differentiate legally between salaries subsidised by the state for foreigners and tax credits to hand out to UK citizens?

Mr Lidington: Those are all matters that will be addressed during the course of the negotiations.

Damian Green (Ashford) (Con): Does my right hon. Friend agree that ensuring full permanent access to the single market without joining the euro is a key objective for our future economic health and would be a key sign that our continued membership of a reformed European Union gives us the best of both worlds—prosperity and flexibility?

Mr Lidington: My right hon. Friend put that very well, and getting that best of both worlds is exactly what the Prime Minister is seeking to do.

Wayne David (Caerphilly) (Lab): I was very pleased to hear in the Prime Minister's letter that he hopes to be in a position to campaign with all his “heart and soul” to keep Britain in the European Union, but any negotiation requires priorities. What are the Prime Minister's priorities?

Mr Lidington: The Prime Minister's priorities are the four policy objectives that he set out this morning, and that I repeated in my statement today.

Mr Bernard Jenkin (Harwich and North Essex) (Con): After all the statements made by the Prime Minister, the Minister for Europe, the Foreign Secretary, and the former Foreign Secretary about being in Europe and not being run by Europe, and after all the pledges to restore the primacy of national Parliaments and to get an opt-out from the charter of fundamental rights to restore our borders, is that it? Is that the sum total of the Government's position in this renegotiation? Is not the onus on those who advocate that we should stay in the European Union to explain why we should put up with being a second-tier country in an increasingly centralised European Union, paying more and more, and losing more and more control?

Mr Lidington: Just on the charter of fundamental rights, the Prime Minister did refer to that in his speech this morning. It is an issue that we will be seeking to address through the forthcoming British Bill of Rights. I think that my hon. Friend underestimates how demanding and how far reaching the proposal that we have made will be. The Danish Prime Minister said this morning that what the Prime Minister proposed was “a good basis for concrete negotiations”

but that “it will be difficult”. I hope that we succeed because we need a strong UK in the European Union.

Ms Margaret Ritchie (South Down) (SDLP): How will the Minister ensure that investment will not be impacted by the uncertainty that will precede an EU referendum, bearing in mind that Northern Ireland is in a unique situation, with a land border with a south of Ireland that will continue to be part of the European Union?

Mr Lidington: The hon. Lady is right, and it is one reason why I regard it as an important responsibility on my part to keep in very close contact with what the three devolved Administrations—in this case the Northern Ireland Executive—are thinking. At the moment, there are no signs that the flow of foreign direct investment is drying up. In fact it is still the case that the United Kingdom gets a bigger share of third country direct investment into the European Union than any other member state.

Mr David Jones (Clwyd West) (Con): Given that my right hon. Friend has conceded that several elements of the Prime Minister's letter will require treaty change, will he tell the House what is his best estimate of the length of time that that change will take, even if it were miraculously to be immediately agreed?

Mr Lidington: I do not blame my right hon. Friend for asking what is a legitimate question, but that is something that we will be talking about in the context

of the negotiations. Clearly, it is true—this is what I think lays behind his question—that each member state will have its own constitutional arrangements for ratifying any new treaty.

Clive Efford (Eltham) (Lab): Has the Prime Minister told the Minister of State the date by which he will make up his mind and tell us which way he will go in this referendum? If we are voting to leave the EU, why has he not set out exactly what we are voting for?

Mr Lidington: The Prime Minister will make his position clear at the end of the negotiations. It would seem slightly odd to embark on a process of negotiations and declare at the beginning what the outcome was going to be.

Mr Andrew Turner (Isle of Wight) (Con): Will the Minister tell us whether we or Europe should decide on how many migrants come to the UK?

Mr Lidington: We are seeking a situation in which we have tougher rules against the abuse of freedom of movement by criminals, fraudsters and others. We also want to reduce significantly the pull factor that our welfare system provides at present.

Jim Shannon (Strangford) (DUP): The Minister referred to working together to block unwanted European legislation. Our fishing industry has been subject to some of the most unwarranted European legislation, giving us more red tape, more bureaucracy, fewer fishing boats and fewer jobs. Our fishing sector just wants control over local fishing waters; it does not want the EU to have that control. Will the Minister tell us what has been done to help our fishermen?

Mr Lidington: I think that we have demonstrated, through our actions as well as our words, our support for the UK fishing community. I am talking about the reform of the common fisheries policy that British Ministers helped to secure last year. That has led to a ban on the practice of discarding, which is something that British Governments of all colours have been trying to achieve for decades, and a shift towards more local and regional management of fisheries than was the case in the past.

Mr David Nuttall (Bury North) (Con): What has not been included in the statement is far more important than what has been included. There is nothing about regaining control over our trade deals with the rest of the world, nothing about regaining control over farming, fisheries, regional aid or state aid and nothing about ending the free movement of people. Does my right hon. Friend agree that today will be looked back on as the day when it became clear that the renegotiation amounts to no more than tinkering around the edges, and fundamentally on great areas of policy this country will still finish up being told what to do by the rest of the EU?

Mr Lidington: No, I do not, on two counts. First, my hon. Friend understates the significance of the reforms that my right hon. Friend the Prime Minister has proposed. Secondly, this is a matter in the end for the British people, not me, the Prime Minister or any other Member

of the House, and if they decide to stay in a reformed European Union, the responsibility of this and any future British Government will be not to be passive but to lead the debate within Europe and secure outcomes that benefit the security and prosperity of the British people.

Stuart Blair Donaldson (West Aberdeenshire and Kincardine) (SNP): As the Minister did not answer my hon. Friend the Member for North East Fife (Stephen Gethins), can I ask again what specifically from Scotland's agenda for EU reform has been included in the Government's negotiations?

Mr Lidington: The last time I talked to Scottish Ministers about their proposals, they were very keen on measures to deepen the single market in services and digital, which would provide major benefits to Scotland, and to take forward new free trade deals with countries around the world. I remind the hon. Gentleman that greater access to foreign markets for the Scotch whisky industry is something that the United Kingdom Government consistently put at the forefront of our own input into the Brussels discussions.

Geoffrey Clifton-Brown (The Cotswolds) (Con): If the result of the EU referendum is to be enduring, it must not be on the basis of a false prospectus. Will my right hon. Friend therefore give us an assurance that any changes that are agreed will be properly legally binding and not subject to a fudge when the referendum is over?

Mr Lidington: The Prime Minister has made it very clear that we need to have outcomes that make sure that whatever package of reforms can be achieved, assuming that the negotiations are successful, they are legally binding and irreversible, for exactly the reasons that my hon. Friend gives.

Steve McCabe (Birmingham, Selly Oak) (Lab): There has been a lot of speculation about an early referendum. Without a running commentary, will the Minister set out the essential steps and the timetable necessary to make it possible to hold a referendum next year?

Mr Lidington: We need to have the European Referendum Bill on the statute book and to have concluded the European negotiations. When both those criteria have been fulfilled, we need to allow time for secondary legislation that appoints a specific date to go through both Houses of Parliament, and after that we need to allow for a campaign period of a minimum of 10 weeks.

Mark Pritchard (The Wrekin) (Con): Europe's economies will eventually return to growth, so is it not in the national interest of our continental European partners to support the Prime Minister in seeking to reduce in-work benefits and in turn to reduce the brain-drain out of Europe?

Mr Lidington: I completely agree with my hon. Friend. It is quite a tragic predicament to find many highly qualified, very well-educated young men and women who feel that they have no option but to take an unskilled, low-paid job in another European country because they cannot find work at home. The long-term

[Mr Lidington]

answer to that challenge must in large part lie in the ability of national Governments and the European Union to generate resurgent economic growth and add to opportunities for employment.

Wes Streeting (Ilford North) (Lab): Can I cheer up the Minister by assuring him that pro-EU, pro-reform Members on this side of the House warmly welcome his statement today? What would be the Government's position in the event of an out vote? Members on these Benches remember the '90s, and we do not want to see this Prime Minister marching out into the rose garden and inviting the right hon. Member for Wokingham (John Redwood) to put up or shut up. We want the Prime Minister to tell us where he stands; we do not want that lot dictating what happens in the event of an out vote.

Mr Lidington: I am grateful for the hon. Gentleman's kind thoughts, but I always strive to continue to be cheerful in this job. The result of the referendum will be regarded by the Government as binding. This is a sovereign decision for the British people as a whole to take, and I am proud that it is my party and a Conservative Government that are finally giving the British people the right to take that decision.

Tom Pursglove (Corby) (Con): It has never been a matter of no immigration; we want controlled immigration. What evidence is there that reducing access to benefits will have any real effect on the number of people coming into this country?

Mr Lidington: A number of factors give rise to migration, but the fact that roughly 40% of people from elsewhere in the EU who live in the UK are in receipt of benefits or tax credits of some sort indicates that that is one of the major contributors to the pull factors.

Liz McInnes (Heywood and Middleton) (Lab): In his speech this morning the Prime Minister announced his intention to scrap Labour's Human Rights Act. Is he opposed to the Act because it was a Labour Government who finally implemented it, or is he opposed to human rights on a more fundamental level?

Mr Lidington: I am sorry if the hon. Lady was shocked by that sentence in the Prime Minister's speech, but it was in the Conservative party manifesto back in May. She is obviously entitled to defend the Blair Government's Human Rights Act, but this country enjoyed a long tradition of respect for human rights well before that legislation was enacted, and I am confident that the United Kingdom will continue to have such a tradition when it has been replaced.

Henry Smith (Crawley) (Con): I will be proud to walk through the Division Lobby in support of the Government's European Union Referendum Bill. Does my right hon. Friend think that most of the Opposition parties completely lack credibility, first, because they fought the right of the British people to have a say on our EU membership, and secondly because they now seem to be fighting the concept of reform?

Mr Lidington: My hon. Friend is right. Some Opposition Members grossly underestimate the sense of resentment among many men and women in this country at having seen treaty after treaty go through, changing the balance of powers in Europe, with the British people never being asked to have their say.

Mark Durkan (Foyle) (SDLP): It is said that Christopher Columbus, when he set out, did not know where he was going; when he got there, he did not know where he was, and when he got back, he did not know where he had been. Is there not a serious danger of the Prime Minister facing exactly the same situation with his holographic negotiation strategy? Is the Minister not concerned that in personalising this, as he did in his statement, as the Prime Minister's renegotiation, he creates a fundamental point of weakness in that we will have a Prime Minister's referendum on a question that people view as somewhere between a figment and a fig leaf?

Mr Lidington: The entire Government were elected on a manifesto of renegotiation, reform and referendum. I enjoyed the joke, but Christopher Columbus is remembered for his achievement in navigation and discovery and for symbolising the opening of a new age. I hope that this renegotiation is the start of a new age of greater flexibility, democracy and competitiveness for Europe.

Mr Steve Baker (Wycombe) (Con): Some minutes ago I think I heard my right hon. Friend explain that the Bill of Rights would deal with our obligations under the charter of fundamental rights. Do the Government intend to legislate notwithstanding our obligations under the EU, or do they have some other plan, as yet unannounced, to deal with our voluntary subjection to the European Court of Justice?

Mr Lidington: In many cases involving trade and the single market, the European Court of Justice has produced judgments that have been very much to the advantage of British interests. It is true that if there is a single market, some kind of independent judicial arbiter is needed to settle disputes. My hon. Friend will need to contain his understandable impatience a little longer. My right hon. Friend the Justice Secretary intends in due course to announce details of the way forward on replacing the Bill of Rights and the implications of that policy.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): I welcome the statement. The Minister has set out some very reasonable things to the House. May I assure him that there are many on the Opposition Benches who will work constructively with him and the Government to get the best for the UK and to face down some of the abuse that he has received from his own side on the statement today? There are people who would recklessly leave the EU, regardless of the cost to this country.

Mr Lidington: For five and a half years now I have had the pleasure of vigorous and sometimes robust discussions with my right hon. and hon. Friends, as well as with Opposition Members. There are passionately and honourably held differences of view across the House in all parties about the United Kingdom's

relationship with Europe. I hope we can continue to take this debate forward in a spirit of mutual respect for people whose views may differ from our own.

Steve Double (St Austell and Newquay) (Con): The debate on whether the British people should vote to remain in or leave the EU has been characterised by some in terms of the certainty of remaining against the uncertainty of leaving, but does my right hon. Friend agree that with the current uncertain situation in Europe, particularly on the eurozone and the impact of the migrant crisis, voting to remain is as much a leap in the dark as voting to leave?

Mr Lidington: I advise my hon. Friend to wait until the conclusion of the negotiations, because we will then have much greater clarity over the nature of the choice that the British people will have to make.

Paula Sherriff (Dewsbury) (Lab): The Minister will be aware that the Financial Secretary promised to negotiate at EU level to achieve a zero rate of VAT on feminine hygiene products. He did not commit to a timetable, however, nor did he say that this would be placed alongside the Prime Minister's other demands. Can the right hon. Gentleman reassure the House that women's rights are not a second-class issue on this Government's European agenda, by making those commitments today?

Mr Lidington: My right hon. Friend the Financial Secretary made a very clear pledge to the House from this Dispatch Box, and the Government will pursue that.

James Cartledge (South Suffolk) (Con): Part 1 of the letter on economic governance states:

"There are today effectively two sorts of members of the European Union"—

those in the euro and those outside. Does my right hon. Friend agree that many of the countries currently outside the euro other than ourselves are likely to remain in that position for many, many years to come, and that therefore it is in the wider interests of the whole EU that the European Union accepts that reality and enters into our negotiations on this point with an understanding of that fact?

Mr Lidington: My hon. Friend makes a very important point. For as far ahead as I can see, there will be some EU member states that will be part of the single currency and a significant number, not only the United Kingdom, that will be outside it. I believe that those in the eurozone will need to integrate their fiscal, economic and, to some extent, political arrangements more closely. The stability of the currency union is in the interests of the United Kingdom, even though we are not going to join it, so getting that relationship right between euro-ins and euro-outs is an important strategic challenge, and it is a central feature of our negotiation for that reason.

Peter Grant (Glenrothes) (SNP): The Minister's statement understandably consisted largely of significant chunks quoted from the Prime Minister's letter to President Tusk. One section that the Minister did not repeat, though, was the Prime Minister's closing remarks, in which he said:

"I am ready to campaign with all my heart and soul to keep Britain inside a reformed European Union".

Why did the Minister not include that? Is it because, instead of campaigning with his heart and soul with his own party leader, he intends to campaign with the leader of UKIP?

Mr Lidington: Despite the challenges ahead, I remain confident of a successful outcome to these negotiations and of joining enthusiastically with my right hon. Friend the Prime Minister in favour of continued British membership of a reformed European Union on the basis that my right hon. Friend set out in his speech this morning.

Craig Mackinlay (South Thanet) (Con): I thank my right hon. Friend for his statement to the House today. I am pleased to see that "rule nothing out" still features large in everything that is said and heard. What vexes me, and I am sure many right hon. and hon. Members, is the best way to achieve that deal and the aims that he has advanced today, which are both welcome and laudable—free trade, immigration and benefits control, sovereignty of Parliament, independent economic governance and the removal of ever-closer union. Does he agree that the best way to achieve these aims is very simple—that is, to vote to leave?

Mr Speaker: Order. I let the hon. Gentleman blurt it out because I did not wish to stop him in mid-flow, but the question, which was more a list, suffered from the disadvantage of being too long, and it would be good to avoid that in future. I say that to be helpful to the hon. Gentleman and to the House.

Mr Lidington: No, I agree rather with the Prime Minister when he said that we would get the best of both worlds by continued membership of a reformed European Union which provided us with amplified power for our own economic and security objectives for international work, but which was also a Europe more committed in the future than now to democratic accountability, to acceptance of its own diversity and to economic competitiveness.

Conor McGinn (St Helens North) (Lab): Yesterday the Irish Prime Minister, the Taoiseach, was in Downing Street, where he spoke of his concerns about the impact that a UK exit would have on British-Irish relations. Does the Minister accept that those concerns are shared by many people in Britain? What do the Government propose to do to address them?

Mr Lidington: We have a very close relationship with Ireland and it is true that the reconciliation in Northern Ireland has in part been brought about in the context of the fact that the United Kingdom and Ireland have worked very closely together as partners within the European Union. We will certainly be listening to all our friends across Europe, as well as to the views of leaders in Northern Ireland, but at the end of the day this is a matter for the people of the United Kingdom to decide, just as the Irish people have voted many times on whether or not to accept new European Union treaties.

Chris Heaton-Harris (Daventry) (Con): I thank my right hon. Friend for making the statement, and I commend him on the way he goes about making statements and engages with the House. I very much welcome the evolution of the themes and policies in the statement. My constituents will probably make up their mind based on two things—whether we can control our own borders, and the ability to trade widely with the world. With the Transatlantic Trade and Investment Partnership bogged down in a politically correct quagmire in the European Union, what is my right hon. Friend's assessment of the ability of the European Union to conclude future free trade deals?

Mr Lidington: It is indeed complex and challenging sometimes to get an agreed negotiating position across 28 different countries and give the mandate to the Commission to negotiate collectively on our behalf, but the weight—the leverage—that derives from negotiating as a marketplace of 500 million people is very significant indeed. It makes other Governments, even of large countries, more willing to endure the political hassle that they themselves face with their own business interests in order to bring about free trade agreements which, I believe, are a win-win for both sides.

Patrick Grady (Glasgow North) (SNP): Given that the Government have repeatedly rejected the principle of a double majority in the referendum, will the Minister accept the result if England votes narrowly to leave, but is outvoted by the rest of the UK voting to stay in? More importantly, will his Back Benchers, who have barely asked a single supportive question, accept that result?

Mr Lidington: It is the United Kingdom that is the member state of the European Union. I remind the hon. Gentleman that his party in May this year was against giving the people of Scotland or anywhere else in the United Kingdom the chance to vote on their future in Europe.

Dr Andrew Murrison (South West Wiltshire) (Con): I respect my right hon. Friend very much indeed, but does he seriously believe that Timmermans' grudging enjoiner, "Europe where necessary, national where possible", iterated in the Tusk letter and reiterated in his speech today, is a sufficiently ambitious lodestar for the UK's negotiations?

Mr Lidington: It is one important and significant element in the negotiation, but it is not the whole story.

David Rutley (Macclesfield) (Con): I welcome my right hon. Friend's statement, which is an important step on the journey towards fundamental reform in the EU. Given the current unsustainable migration flows, does he agree that it is vital to ensure that visitors from the EU must first reside here and also contribute before they qualify for in-work benefits and social housing, and will he make this an urgent priority?

Mr Lidington: Indeed; that is exactly the objective that my right hon. Friend the Prime Minister set out in his speech today.

James Cleverly (Braintree) (Con): Does my right hon. Friend agree that it is in both our and the EU's interests to trade more freely with the high-growth-potential Commonwealth economies, and that if the EU continues to move glacially on this issue, we should build more free trade agreements with the Commonwealth on our own?

Mr Lidington: The Commonwealth countries, important though they are, account for only 17% of global GDP, taken all together. I agree with my hon. Friend's emphasis on the need to forge free trade agreements with emerging economies as well as with developed economies, but I caution against thinking that it would be quicker and easier to strike such a deal if the United Kingdom, with 65 million people, were negotiating rather than the European Union, with a 500 million-strong market.

Alec Shelbrooke (Elmet and Rothwell) (Con): At this time of renegotiation, those who have their minds set on what they are going to do are almost irrelevant. However, will my right hon. Friend send a message to Europhiles like the political scientist Professor Hix, who gave evidence to the European Scrutiny Committee and felt that no matter what the renegotiations achieved, the dangers lie in those who believe that this country would vote to stay in if nothing is achieved? The default position at the moment, as I read the Prime Minister's statement, is that if nothing changes we will opt to leave.

Mr Lidington: The Prime Minister is very clear that he believes that serious reforms are essential if the British people are to believe that their future lies in membership of the European Union.

David T. C. Davies (Monmouth) (Con): If we vote to leave the European Union, how long will a legally binding exit take—days, weeks, months or years?

Mr Lidington: My hon. Friend is understandably inviting me to speculate about a post-referendum outcome when the Government are focused on what happens during a referendum. I suggest that he might like to study article 50 of the Treaty on European Union, particularly subsections (2) and (3), which will give him a lot more detail on the matter.

Mr Speaker: I am sure that it is in the Library if the hon. Gentleman is not fully conversant with it already. I expect that the Minister of State could reproduce it backwards in Sanskrit, and probably did so when he won "University Challenge".

Kevin Foster (Torbay) (Con): I thank the Minister for his statement and the fortitude he is showing in answering so many questions. Does he agree that the crisis in the eurozone means that the eurozone countries need to move together and agree a single fiscal policy for their single currency, but the key for our negotiations has to be that for the non-euro countries, Europe needs to do less and do it better?

Mr Lidington: My hon. Friend puts the point well and succinctly, and I agree with his comments.

Robert Jenrick (Newark) (Con): As hon. Members have said, the EU is very slow at concluding important free trade deals around the world, and that can harm our international competitiveness. Are the Government still committed to negotiating a means to fast-track important free trade deals in Europe?

Mr Lidington: We believe that Europe needs to take forward with much greater energy and determination the work in securing free trade deals with other countries and regions of the world. The trade strategy recently published by the Commission demonstrates a new and raised level of ambition that we very much welcome, but we want this agenda to be turbocharged.

Andrew Bridgen (North West Leicestershire) (Con): Does the Minister agree that when we, as a sovereign Parliament, find ourselves in the position where we cannot even reduce the level of VAT on women's sanitary products, the European Union has far too much power? Will he join me in criticising those who naively say that they would stay in Europe at any price, thereby undermining our renegotiations because without a walk-away position there can be no meaningful renegotiation?

Mr Lidington: The Government are clear that we need some very clear agreed reforms in order to make the recommendation to the British people that the Prime Minister said that he wishes to make, but also the British people will need to see serious reforms if they are to be persuaded to vote in favour of continued British membership. Beyond that, Europe as a whole would benefit from the sort of reforms that we are advocating because there are too many jobless young people in Europe who need greater European competitiveness, and in very many European countries we are seeing a sense of dissatisfaction and alienation from the way in which decisions are currently taken in Brussels.

Michael Tomlinson (Mid Dorset and North Poole) (Con): My right hon. Friend rightly said at the beginning of his statement that we have a mandate to renegotiate thanks to our securing an outright Conservative victory

at the general election. Does he agree that the reforms need to be permanent and irreversible as well as sufficient, because otherwise residents in my constituency and elsewhere will simply vote to leave?

Mr Lidington: I agree with my hon. Friend.

Mike Wood (Dudley South) (Con): Does my right hon. Friend agree that the referendum at the end of these negotiations must be final and that there can be no question of second chances or further renegotiation if people choose to leave the European Union?

Mr Lidington: Yes. The decision that the British people make will be binding. As the Prime Minister said, this is probably the most important vote for the future of this country that any of us who are of voting age will take part in during our lifetimes. The idea that one can then somehow go away and think again is at odds with reality and at odds, too, with the procedure spelled out in the treaties.

Mr Peter Bone (Wellingborough) (Con) *rose—*

Mr Speaker: Time for dessert. I call Mr Peter Bone.

Mr Bone: Thank you, Mr Speaker.

May I thank the excellent Europe Minister for making this statement, and for his long tenure in office and the way in which he has managed to change position so many times? On occasion, I almost believe him. I thank the Prime Minister for his honesty today in coming forward with a renegotiation package that makes it clear that if the package is successful, we will still be in a political union and still have free movement. That allows Eurosceptics to say, "No longer do we have to pretend there's going to be a substantial renegotiation—we can get on with campaigning to come out." Will the Minister pass on my thanks to the Prime Minister?

Mr Lidington: I am always happy to pass on compliments from my hon. Friend. I have to confess that I would have been somewhat surprised had almost anything I said been enough to satisfy him, but I am sure we will continue to have these debates in future.

Speaker's Statement

1.57 pm

Mr Speaker: I have received a report from the Tellers in the No Lobby about Division No. 112 on the Scotland Bill, which took place yesterday at 8.40 pm. They have informed me that the number of those voting No was erroneously reported as 269 instead of 289. The Ayes were 56 and the Noes were 289.

BILL PRESENTED

CORONERS AND JUSTICE ACT 2009 (DUTY TO INVESTIGATE) (AMENDMENT) BILL

Presentation and First Reading (Standing Order No. 57)

Ann Coffey presented a Bill to amend the Coroners and Justice Act 2009 to provide that a person who dies while deprived of their liberty under Schedule A1 to the Mental Capacity Act 2005 shall not be considered to have died while in custody or otherwise in state detention for the purposes of section 1 of the 2009 Act; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 29 January, and to be printed (Bill 93).

Government Departments (Decentralisation Target)

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

1.58 pm

Ian Austin (Dudley North) (Lab): I beg to move,

That leave be given to bring in a Bill to establish a target for the relocation of central Government functions, offices and staff from London to other parts of the United Kingdom; to make provision for implementation, monitoring and performance reporting against such a target; and for connected purposes.

This Bill would ensure more balanced economic growth across the country; bring new jobs and greater prosperity to areas that have struggled to replace traditional industries they have lost; reduce pressure on the overheated London economy; and save billions of pounds to help reduce the deficit. These proposals should also be seen as a central part of the debate about devolution and improving public services, because they would improve policy making and reform the way in which public services are delivered by getting regional, local and central Government working more effectively together, bringing government closer to the people, and enabling civil servants to find out what life is like for people in Dudley and the rest of the country.

My proposals would move the vast majority of central Government civil servants and staff of non-departmental public bodies and quangos from London, transferring 100,000 jobs from the capital to the rest of the country. They would distribute wealth more fairly across the country and make a huge contribution to the regeneration of 50 city and town centres. They would benefit London by making more than 20 million square feet of central Government real estate available for the private sector, for new business start-ups in the capital, or for conversion to desperately needed homes for people in London. They would also benefit the taxpayer by saving an initial £10 billion and ongoing annual savings of £725 million.

We live in one of the most centralised countries in the world. According to the OECD, central Government control 72% of public expenditure here, compared with 35% in France and just 19% in Germany. Unlike in most other economies, only 2% of our taxation is raised at a local level. Government, finance, business, broadcasting, the media, culture and the arts are all concentrated here in London. As a result, investment and growth have been concentrated in the capital and stifled elsewhere. The economic outputs of seven out of eight of the UK's largest cities consistently perform below the national average, whereas in Germany all eight of the largest cities outside Berlin outperform the national average. There is a similar picture in Sweden, Italy and France.

The historical north-south divide has been reinforced by the dominance of finance and the weakness of manufacturing, which has benefited the capital and hit the regions hard. Those factors have distorted Government policy for decades, exacerbated the decline of the UK's traditional industries and hampered the regions' abilities to attract new investment and new jobs to replace them.

Since the 1940s, there have been six attempts to decentralise Government Departments, most recently the Lyons review in 2004 and the Smith review in 2010. Hundreds of civil servants moved to Sheffield in 1979 to run the newly created Manpower Services Commission.

The MSC, and then the Training Agency, brought many jobs to the city; David Fletcher, who led its inward investment team, said:

“The bulk of those jobs in some way shape or form are still here. Some jobs do come and go but it’s given us a platform to build for growth.”

Elsewhere, there were successful transfers to Bootle, Bristol, the north-west and the midlands, so there were some successes, but my proposal is much more radical.

The proportion of the country’s civil servants located in the capital actually increased every year between 2010 and 2015. There are now 79,000 civil servants and 63,000 staff of non-departmental public bodies based in London. Despite deep cuts elsewhere in the country, there are now 5,000 more civil servants in the capital than there were in 2013.

The capital’s civil service occupies almost 30 million square feet of space, which is equivalent to 57 London Gherkins. The average annual cost is £867 per square metre, which is more than twice the national average of £406. Worse still, newly created public bodies, such as the Government Digital Service, Health Education England and the Government Communication Service, have all been located in London and have not been joined up with the wider public sector.

When I was a Communities and Local Government Minister in the previous Labour Government, I am sure I had meetings with fewer than 30 of the 1,000 or so civil servants who worked at Bressenden place. With email and videoconferencing, the rest could have been based anywhere else in Britain. Let us move all civil service posts that do not require regular face-to-face contact with Ministers, as well as all 24 of the newly created non-departmental bodies, all 43 regulators, inspectorates and ombudsmen, and all bodies with a localism or regeneration remit, such as HS2, Visit Britain or the Homes and Communities Agency. Between 7,500 and 10,000 civil servants would remain in London, with flexible working space and meeting rooms available when needed. It would even be possible for all Ministers from different Departments, their private offices and policy people to be in one building. Imagine what that could do for cross-departmental working and getting Ministers and Departments collaborating more closely.

Across the country, civil servants and local and regional government officers should share buildings and work together more effectively. Towns and cities could bid or submit proposals to host Departments, share services and save money. Would it not make sense to move the Department for Business, Innovation and Skills to the black country, this county’s manufacturing heartland; transport to Birmingham in the centre of the country; the Department for Culture, Media and Sport to Manchester, which has the BBC, MediaCityUK, world-beating sports teams and brilliant facilities; and the Department for Environment, Food and Rural Affairs to Norwich?

Caroline Flint (Don Valley) (Lab): Don’t forget Doncaster!

Ian Austin: Without forgetting, of course, Doncaster, Grimsby, Barrow, Hull and Chesterfield. Imagine how much easier it would be to improve skills and boost spending on science and technology in the midlands if central Government civil servants, local government

officers, universities and industry were working closely together in the same place. Imagine how the quality of policy making would improve if central Government civil servants were based in the regions, seeing daily at first hand the problems they were trying to solve. That should also be seen as part of the devolution debate, which is taking place not just in Scotland and Wales, but in the regions of England. Local authorities, local enterprise partnerships, businesses and MPs in the west midlands are working hard to put together our combined authority bid to negotiate a devolution deal, but imagine how much more powerful the regions could be if central Government Departments were playing their full role.

According to analysis by the New Local Government Network, the traditional way of organising public services in rigid and independent central Government Departments, separate from their local government counterparts, is becoming less effective now that there is less money to spend, an ageing population and more complex needs to respond to, so we need to find new ways of working. For example, the national health service faces a £30 billion funding gap by 2020. Social care budgets have already been hit, and they face a £3 billion funding gap by 2020. The centrally managed Work programme is failing to get sustainable jobs for nearly 70% of people who go through it, but we still face serious skills shortages in specific sectors and many parts of the country.

The answer is to empower local people, based on a sophisticated understanding of the local community’s needs, local expertise, and collaboration between central and local government departments and the health service on meeting those needs. That is clearly a much more intelligent way to solve problems that overlap traditional and rigid Whitehall silos such as health and employment. Devolution and decentralisation would put local people in charge and remove layers of bureaucratic rules and prescriptions, so that we can develop a form of government in which flexibility, innovation and adaptation to people’s needs become the norm, not the exception.

Finally, that would also help address the huge problem of disengagement with and distrust of London and Westminster institutions. It makes a massive difference when people can see decisions being made locally to meet their needs; it cuts through the cynicism that many people feel towards politics. My experience as Minister with responsibility for the west midlands taught me that when we listen to local people, when funds are devolved, and when central Government, local authorities, business and universities work together and are empowered to implement the answers, decisions are taken more quickly and the solutions are more effective.

Birmingham’s brilliant new train station complex is one of the biggest city centre redevelopment programmes in the country. The runway extension in the midlands got built much more quickly than airport development projects elsewhere in the country. We also have the new Jaguar Land Rover plant. All those huge redevelopment and regeneration projects would never have got off the drawing board without Government Departments letting local authorities, the private sector and others in the west midlands exercise their leadership and use their expertise to transform the region. Those projects show what the regions are capable of doing. Imagine what more they could do to transform the country, if central Government Departments were decentralised and their functions devolved.

[Ian Austin]

Let us transform the way government works, and thereby transform the country, so that as we emerge from the recession and as our economy grows again, we do not make the mistakes of the past or leave any community behind. Let us build a stronger economy right across the country, with better skills, new industries and new jobs, and open up opportunities for people in all parts of Britain.

Question put and agreed to.

Ordered,

That Ian Austin, Alison McGovern, Mr Nicholas Brown, Mr Adrian Bailey, Andrew Gwynne, Caroline Flint, Chris Evans, Mr Iain Wright, Diana Johnson, John Mann, Liam Byrne and Helen Jones present the Bill.

Ian Austin accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 22 January, and to be printed (Bill 94).

Trade Union Bill (Programme) (No. 2)

Motion made, and Question proposed,

That the following provisions shall apply to the Trade Union Bill, in place of paragraphs (4) and (5) of the Order of 14 September 2015:

(1) Proceedings on Consideration shall be taken in the order shown in the first column of the following Table and shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Table

Proceedings	Time for conclusion of proceedings
New Clauses and new Schedules relating to ballot thresholds for industrial action; amendments to clauses 2 and 3; new Clauses and new Schedules relating to information requirements in relation to industrial action; amendments to clauses 4 to 6; new Clauses and new Schedules relating to electronic and workplace balloting; new Clauses and new Schedules relating to the timing and duration of industrial action; amendments to clauses 7 and 8.	Two and a half hours after the commencement of proceedings on the motion for this order
New Clauses and new Schedules relating to picketing; amendments to clause 9; remaining new Clauses and new Schedules; remaining proceedings on consideration.	6.00 pm on the day on which proceedings on Consideration are commenced.

(2) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 7.00pm on the day on which proceedings on Consideration are commenced.—(Nick Boles.)

2.9 pm

Kevin Brennan (Cardiff West) (Lab): I do not want to detain the House and I will not seek to divide it on this matter, but it is important to put on the record that we sought more time for the remaining stages of the Trade Union Bill, and that time has been further truncated by a lengthy statement on Europe. Suffice it to say that if the Government continue to use programme motions in this way, and insert statements to truncate debate on very controversial matters, it will only serve to weaken this place and its ability to scrutinise legislation, and to strengthen the other place, which I am sure will be very keen to scrutinise further the Bill when it arrives there after today's proceedings.

2.10 pm

Chris Stephens (Glasgow South West) (SNP): Like the hon. Member for Cardiff West (Kevin Brennan), we sought additional time. This is a highly controversial Bill, with much media interest, and there were 50 Divisions—on all the clauses—in the Public Bill Committee. Every clause was up for debate, and the timetable for today does not allow the whole House to give every clause the same scrutiny. Ideally, we would want more protected time to discuss all such Bills, and to be able to debate all the clauses in this Bill.

2.11 pm

The Minister for Skills (Nick Boles): Just briefly, because I want us to use this time for the purpose for which it was intended, let me say that the hon. Member

for Cardiff West (Kevin Brennan) knows full well that, when it comes to his own contributions, what matters is quality, not quantity. He did not have the advantage of joining of us on the Public Bill Committee, but he was no doubt informed by the Opposition representative on the Committee that it finished early. We did not use the full amount of time allocated under the programme order in Committee. I believe that the Bill has received proper scrutiny.

2.12 pm

Mr Jonathan Djanogly (Huntingdon) (Con): The Opposition are protesting somewhat too much. When I looked at the amendments tabled for today, I was absolutely amazed by the lack of amendments on very important parts of the Bill, which may have been discussed in Committee—[*Interruption.*] Opposition Members say they did not have the time; they had the time to table amendments but did not do so, and today we will not debate very significant parts of the Bill that I think should be debated.

Question put and agreed to.

Trade Union Bill

Consideration of Bill, as amended in the Public Bill Committee

Clause 2

BALLOTS: 50% TURNOUT REQUIREMENT

2.13 pm

Chris Stephens (Glasgow South West) (SNP): I beg to move amendment 15, page 1, line 14, at end insert—

“(3) The provisions of this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas or responsibility.”

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

Amendment 16, in clause 3, page 2, line 32, at end insert—

“(4) The provisions of this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 17, in clause 4, page 3, line 7, at end insert—

“(3) The provisions of this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 18, clause 5, page 3, line 31, at end insert—

“(3) The provisions of this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 19, in clause 6, page 4, line 5, at end insert—

“(3) The provisions of this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 20, in clause 7, page 4, line 14, at end insert—

“(3) The provisions of this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 21, in clause 8, page 4, line 29, at end insert—

“(3) The provisions of this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 7, in clause 12, page 9, line 26, at end insert—

“(13) None of the provisions of this section shall apply to services the provision of which is devolved wholly or partially to the Scottish Government, Welsh Government, Northern Ireland Executive, Mayor of London or local authorities in England.”

The amendment would ensure that the provisions with regard to the publication requirements in relation to facility time would not apply to services devolved to the Scottish Government, the Welsh Government, the Northern Ireland Executive, the Mayor of London or local authorities in England.

Amendment 22, page 9, line 26, at end insert—

“(13) The provisions of this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 8, in clause 13, page 11, line 4, at end insert—

“(14) None of the provisions of this section shall apply to services the provision of which is devolved wholly or partially to the Scottish Government, Welsh Government, Northern Ireland Executive, Mayor of London or local authorities in England.”

The amendment would ensure that the provisions with regard to reserve powers in relation to facility time would not apply to services devolved to the Scottish Government, the Welsh Government, the Northern Ireland Executive, the Mayor of London or local authorities in England.

Amendment 14, page 11, line 4, at end insert—

“(14) The provisions in this section and the Schedules it inserts shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 9, in clause 14, page 12, line 8, at end insert—

“(3) None of the provisions of this section shall apply to services the provision of which is devolved wholly or partially to the Scottish Government, Welsh Government, Northern Ireland Executive, Mayor of London or local authorities in England.”

The amendment would ensure that the provisions with regard to the prohibition on deduction of union subscriptions from wages in public sector would not apply to services devolved to the Scottish Government, the Welsh Government, the Northern Ireland Executive, the Mayor of London or local authorities in England.

Amendment 34, page 12, line 8, at end insert—

“(3) The provisions in this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 31, in clause 15, page 12, line 19, at end insert—

“(4) The provisions in this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 32, in clause 16, page 13, line 33, at end insert—

“(5) The provisions of this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

Amendment 33, in clause 17, page 14, line 32, at end insert—

“(5) The provisions of this section and the Schedules it inserts shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

New clause 2—*Workplace ballots and ballots by electronic means*—

“(1) Workplace ballots and balloting by electronic means, shall be permitted in the types of trade union ballots specified in subsection (2) with effect from the commencement date for sections 2 and 3 (Ballot thresholds for industrial action);

(2) The types of trade union ballots to which subsections (1) and (3) apply are those referred to in Chapters IV (elections for certain positions), V (industrial action), VI (political resolutions) and VII (approval of instruments of amalgamation or transfer).

(3) In relation to the ballots referred to in subsection (2)—

(a) the employer shall be under a duty to co-operate generally in connection with the ballot with the union, which shall include not undertaking surveillance of, intercepting or otherwise interfering with any communications between the union and its members, and with any person appointed in accordance with section 226B of the Act (Appointment of Scrutineer); and

(b) every person who is entitled to vote in the ballot shall be permitted to do so without interference or constraint imposed by any employer of the union's members, or any of its employees or any person its behalf.

(4) Where in any proceedings an employer claims, or will claim, that a union has failed to comply with any requirement referred to in subsection 226 of the Act (Requirement of ballot before action by trade union), the union will have a complete defence to those proceedings if the employer has failed to comply with any part of its duty under subsection (3)(a) or it, or any of its employees or any person on its behalf, has imposed any interference or constraint of a type referred to in subsection (3)(b).

(5) In this section—

(a) “Workplace ballot” means a ballot in which votes may be cast in the workplace by such means as is or are determined by the union. Such means of voting in the workplace determined by the union may, but are not required to, include electronic means; and

(b) “electronic means” means such electronic means as is or determined by the union and, in each case, where section 226B of the Act (Appointment of Scrutineer) imposes an obligation on the union, is confirmed by the person appointed in accordance with that section, before the opening day of the ballot as meeting the required standard.

(6) Where electronic means are determined by the union, and, if applicable, confirmed by the person appointed under section 226B of the Act as meeting the required standard as provided for in subsection (5), the means of voting in the ballot shall also include postal voting, or some means of voting in a workplace ballot other than electronic means, where determined by the union and, in a case in which section 226B of the Act imposes an obligation on the union (Appointment of Scrutineer), confirmed by the person appointed in accordance with that section as being reasonably necessary to ensure that the required standard is satisfied.

(7) For the purpose of subsections (5) and (6), a workplace ballot or means of electronic voting satisfies ‘the required standard’ for the ballot if, so far as reasonably practicable—

(a) those entitled to vote have an opportunity to do so;

(b) votes cast are secret; and

(c) the risk of any unfairness or malpractice is minimised.

(8) Any provision of the Act shall be disapplied to the extent necessary to give effect to this section.”

New clause 5—*Voting by electronic means in trade union ballots for industrial action*—

“(1) Trade union members shall be permitted to vote by electronic means for the purposes of Part V of the 1992 Act (Industrial Action) with effect from the commencement date for sections 2 and 3.

(2) In this section “electronic means” means such electronic means, including means of secure voting electronically in the workplace, as is, or are determined by the union and, in a case in which section 226B of the 1992 Act (Appointment of Scrutineer) imposes an obligation on the union, confirmed by the person appointed in accordance with that section, before the opening day of the ballot as meeting the required standard.

(3) Where electronic means are determined by the union, and, if applicable, confirmed by the person appointed under section 226B of the Act as meeting the required standard as

provided for in subsection (2), the means of voting in the ballot shall also include postal voting where determined by the union and, in a case in which section 226B of the 1992 Act (Appointment of Scrutineer) imposes an obligation on the union, confirmed by the person appointed in accordance with that section as being reasonably necessary to ensure that the required standard is satisfied.

(4) For the purpose of subsections (2) and (3), a means of electronic voting satisfies “the required standard” for the ballot if, so far as reasonably practicable—

- (a) those entitled to vote have an opportunity to do so;
- (b) votes cast are secret; and
- (c) the risk of any unfairness or malpractice is minimised.

(5) In relation to the ballots referred to in subsection (1)—

- (a) the employer shall be under a duty to co-operate generally in connection with the ballot with the union, which shall include not undertaking surveillance of, intercepting or otherwise interfering with any communications between the union and its members, and with any person appointed in accordance with section 226B of the 1992 Act (Appointment of Scrutineer); and
- (b) every person who is entitled to vote in the ballot shall be permitted to do so without interference or constraint imposed by any employer of the union's members, or any of its employees or any person on its behalf.

(6) Where in any proceedings an employer claims, or will claim, that a union has failed to comply with any requirement referred to in section 226 of the 1992 Act (Requirement of ballot before action by trade union), the union will have a complete defence to those proceedings if the employer has failed to comply with any part of its duty under subsection (5)(a) or it, or any of its employees or any person on its behalf, has imposed any interference or constraint of a type referred to in subsection (5)(b).

(7) Any provision of the Act shall be disapplied to the extent necessary to give effect to this section.”

The new Clause would permit electronic voting in ballots for industrial action.

New clause 6—Voting by electronic means in trade union ballots—

“(1) The provisions in New Clause 5 [Voting by electronic means in trade union ballots for industrial action] apply to ballots and elections for the purposes of Chapters IV (elections for certain positions), VI (political resolutions) and VII (approval of instruments of amalgamation or transfer) of the 1992 Act.

(2) The electronic means adopted for the purposes of subsection (1) must also be capable of allowing union members to vote in ballots and elections for the purposes of Chapters IV (elections for certain positions), VI (political resolutions) and VII (approval of instruments of amalgamation or transfer) of the 1992 Act.”

The new Clause would permit electronic voting in union elections and ballots other than those for industrial action.

New clause 7—Secure workplace ballots for industrial action—

“(1) Trade union members shall be permitted to vote in person at their place of work by means of a secure workplace ballot for the purposes of Part V of the 1992 Act (Industrial Action) with effect from the commencement date for sections 2 and 3.

(2) In this section “secure workplace ballot” means a ballot in which votes may be cast in the workplace by such means as is or are determined by the union. These may, but are not required to, include electronic means and, in a case in which section 226B of the 1992 Act (Appointment of Scrutineer) imposes an obligation on the union to ensure that the required standard is satisfied, confirmed by the person appointed in accordance with that section, before the opening day of the ballot as meeting the required standard.

(3) For the purpose of subsection (2), a workplace ballot satisfies “the required standard” if, so far as reasonably practicable—

- (a) those entitled to vote have an opportunity to do so;
- (b) those entitled to vote can do so in privacy;
- (c) votes cast are secret; and
- (d) the risk of any unfairness or malpractice is minimised.

(4) In relation to the ballots referred to in subsection (1)—

- (a) the employer shall be under a duty to co-operate generally in connection with the ballot with the union, which shall include not undertaking surveillance of, intercepting or otherwise interfering with any communications between the union and its members, and with any person appointed in accordance with section 226B of the 1992 Act (Appointment of Scrutineer); and
- (b) every person who is entitled to vote in the ballot shall be permitted to do so without interference or constraint imposed by any employer of the union's members, or any of its employees or any person its behalf.

(5) Where in any proceedings an employer claims, or will claim, that a union has failed to comply with any requirement referred to in section 226 of the 1992 Act (Requirement of ballot before action by trade union), the union will have a complete defence to those proceedings if the employer has failed to comply with any part of its duty under subsection (4)(a) or it, or any of its employees or any person on its behalf, has imposed any interference or constraint of a type referred to in subsection (4)(b).

(6) Any provision of the Act shall be disapplied to the extent necessary to give effect to this section.”

The new Clause would permit secure workplace ballots for industrial action. These can involve electronic or non-electronic means.

New clause 8—Secure workplace balloting and voting for trade union elections and other matters—

“(1) The provisions in New Clause 7 [Secure workplace ballots for industrial action] shall apply to ballots and elections for the purposes of Chapters IV (elections for certain positions), VI (political resolutions) and VII (approval of instruments of amalgamation or transfer) of the 1992 Act.

(2) The arrangements adopted for the purposes of subsection (1) shall allow union members to vote in workplace ballots for the purposes of Chapters IV (elections for certain positions), VI (political resolutions) and VII (approval of instruments of amalgamation or transfer) of the 1992 Act.”

The new Clause would permit secure workplace ballots in union elections and ballots other than those for industrial action.

New clause 9—Methods of voting in ballots for industrial action, trade union elections and other matters—

“(1) Voting in a ballot or election carried out to meet the requirements of the 1992 Act as amended can be carried out by postal ballot, electronic means, secure workplace ballot or a combination of these methods.

(2) The combination of methods is to be determined by the union and, in a case in which section 226B of the 1992 Act (Appointment of Scrutineer) imposes an obligation on the union, confirmed by the person appointed in accordance with that section, before the opening day of the ballot.”

New clause 10—Application of provisions to public sector employees across the UK—

The extent and provisions of this Bill shall only apply to the public sector in the UK,

- (a) By consent of the Scottish Parliament, Welsh Assembly, Northern Ireland Assembly, Mayor of London and other public bodies and local authorities in England in their areas of responsibility.
- (b) Where consent has been granted, this consent can be withdrawn at any time.”

Chris Stephens: I rise to speak to amendments 15 to 22, 14, 34 and 31 to 33 in my name and those of my hon. Friends, as well as to new clause 10, with which I will begin my remarks.

Before I do so, I want to pay tribute to the hon. Member for Cardiff South and Penarth (Stephen Doughty), who led for the Labour party in the Public Bill Committee with great diligence. I welcome the hon. Member for Cardiff West (Kevin Brennan) to his place. I also pay tribute to the Conservative members of the Committee, who tried to defend the indefensible. I pay tribute to Labour members of the Committee, the hon. Members for Newport East (Jessica Morden), for Cardiff Central (Jo Stevens), for Gateshead (Ian Mearns), for Middlesbrough South and East Cleveland (Tom Blenkinsop) and for Sunderland Central (Julie Elliott). However, the star of the show—she made the soundbite of the Public Bill Committee—was my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron): she commented that the Minister had presented the Bill with great moderation but was entirely disingenuous.

New clause 10 is a catch-all amendment that limits the extent and provisions of the Bill from applying to the public sector across the UK without the consent of the Scottish Parliament, the Welsh Assembly, the Northern Ireland Assembly, the Mayor of London and other public bodies and local authorities in England. We took the view that, to protect our approach of working in partnership with unions, Scotland should be excluded from the entire Bill. However, having heard representations from other political parties, and indeed many from across the trade union and labour movement, we now want to restrict the extent of the Bill from applying without the consent of each devolved institution or authority which will be impacted by the changes.

Mr Jim Cunningham (Coventry South) (Lab): I think it is arrogant of the Government to impose the changes on local authorities. We have had three negotiations on the check-off system.

Chris Stephens: Like many others in this place, the hon. Gentleman is a former council or local authority leader. He will know that he would have negotiated with the trade unions on issues such as facility time to make sure agreements were made in time and grievances were heard in time to avoid such issues going to a tribunal. I agree with him that it is arrogant and out of order for the UK Government to make decisions—for example, in respect of facility time and check-off—that are opposed by many local authorities across the UK.

The proposals in the Bill have the potential to undermine the effective engagement of trade unions across Scottish workplaces, and indeed across the UK, particularly in the public sector. The Scottish Government response to the “Working Together Review” and the fair work convention have shown a commitment to building a stronger, more collaborative approach to the relationship between trade unions, employees and employers. The combination of the provisions in the Bill will affect employees’ right to strike, will change the relationship between unions and organisations negatively and will lead to greater confusion among employees. That will undoubtedly hit Scottish business, especially across the public services in Scotland and elsewhere in the UK.

As with many Bills in this House, the devil is reserved in the detail, and with a lot of the detail to be set out in regulations, we are unaware of what else may be coming down the line. Moreover, there will be no formal opportunity for the Scottish Government, or indeed any other authority, to influence such regulations, even though they will have a direct impact on them.

According to the evidence of witnesses, there is concern that the Bill could lead to a constitutional crisis if the devolved Administrations refuse to implement the content of the Bill. The Bill potentially cuts across devolved areas and could lead to confusion and a conflict of interests in its application to existing and new contracts, owing to the ongoing local government reforms in other areas. During the evidence sessions, Dave Prentis, the general secretary of Unison, commented that the new combined authorities in England will have a lot of extensions of powers, except the power to determine check-off and facility time arrangements.

The First Minister of Scotland, Nicola Sturgeon, stated in the “Programme for Government 2015/16”:

“my government will vigorously oppose the UK government’s proposed trade union legislation, which seeks to undermine the rights of unions to fairly and reasonably represent their members.”

Carwyn Jones, the Welsh First Minister, echoed those concerns when he wrote to the Prime Minister expressing concerns about the Bill in September 2015, stating that it should be a matter for the National Assembly for Wales.

The Scottish Government maintain positive and stable industrial relations in Scotland. Those relations are underpinned by the long-standing strategic partnership between the Scottish Government and the Scottish Trades Union Congress, which was recently reaffirmed in the memorandum of understanding signed in May 2015. The memorandum pledged the Scottish Government to work with the STUC in opposing Tory austerity and in demanding further powers for Scotland. The Scottish Government view trade unions as key social partners, playing an important role in sustaining effective democracy in society, particularly in the workplace, and the existence of good employment practices is a key contributor to economic competitiveness and social justice.

Mr David Anderson (Blaydon) (Lab): The hon. Gentleman has described the Scottish Government’s relationship with the unions. In Committee, did the Government provide evidence of any public body having expressed a view that was different from that of the Scottish Government?

Chris Stephens: The hon. Gentleman is right to suggest that no evidence was presented in Committee from a public body in support of the Bill. We heard from the Tory Taliban, the TaxPayers Alliance, which was supportive of some of the measures, but no public body was.

The restriction of the extent of the Bill would ensure that none of its provisions applied without the consent of the relevant authorities. We have tabled amendments to restrict the application of some of the provisions.

Oliver Dowden (Hertsmere) (Con): Will the hon. Gentleman explain to constituents of mine in Hertsmere, many of them hard-working commuters who will welcome the protection against unjustified strikes, why London should have a veto over these measures when they would not have a say under his proposals?

Chris Stephens: The hon. Gentleman refers to unjustified strikes. I am not aware of any unjustified strike. The notion seems to be presented by the Conservative party that low turnouts are due to lack of support. I do not think that that is the case. The case that the Government have advanced suggests that after the ballot result, trade union officials and stewards in the workplace develop mystical powers of persuasion—almost Jedi-like powers of persuasion—and with one wave of the hand can say, “This is the strike you are looking for.” That is nonsense. What was interesting in Committee, which the hon. Gentleman might want to take note of, is that passenger transport groups were very concerned about aspects of the Bill such as the provision on untrained agency workers in the transport sector.

Nick Thomas-Symonds (Torfaen) (Lab): Does the hon. Gentleman agree that if the Conservative party was interested in having more people voting in strike ballots, it would allow electronic voting, as it did for the election of its candidate for Mayor of London, and secure workplace balloting?

Chris Stephens: I will come on to that point. I found it curious in Committee that we were advised that e-balloting was unsafe and unsecure.

Amendment 15 would restrict the application of the provisions in clause 2 that introduce a 50% turnout requirement for industrial action ballots in addition to the current requirement for a majority vote in favour of action. The Government’s proposals will undermine constructive employment relations throughout the United Kingdom. Effective negotiations between unions and employers rely on equal bargaining power. The ability of unions to organise lawful industrial action ensures that employers take the views of the workforce seriously and engage in genuine negotiations.

The statutory thresholds will make it difficult for unions to organise industrial action, especially in larger workplaces and those with more dispersed workforces. As a result, the legislation is expected to have a wide-ranging impact on the ability of trade union members to take industrial action in defence of their jobs, working conditions and livelihoods.

It is in the employers’ and employees’ interests for disputes to be resolved quickly and amicably. The Government’s proposals mean that disputes are more likely to become protracted. The introduction of ballot thresholds will mean that unions will take more time in the run-up to ballots to ensure that there is the necessary turnout. That will inevitably divert time and effort from finding an amicable settlement.

Mr Jim Cunningham: This is one of those Bills that the Tories always bring forward when they are in trouble. More importantly, a lot of it has been brought forward because the Mayor of London has not been able to handle the industrial situation. As a result, the Tories are bringing in the Bill to undermine good industrial relations in this country.

Chris Stephens: I am very sympathetic to that point of view. The hon. Gentleman is right that the Mayor of London seems to have a different attitude from other public sector bodies across the UK.

Julie Elliott (Sunderland Central) (Lab): Did not the evidence that was given to the Committee say that the Bill would not solve London’s problem because in most of the disputes that have taken place in recent years, particularly in rail, the action would have gone ahead in any case?

Chris Stephens: The reason it would have gone ahead in any case is that the thresholds the Government are trying to introduce would have been met.

Christian Matheson (City of Chester) (Lab): Is it not the case that the Conservative Mayor of London has not met the unions in the transport sector in London at all during his tenure? Would not a better method be to have proper industrial relations with negotiations and dialogue rather than sabre-rattling?

Chris Stephens: I agree. There will be an opportunity for the electorate in London to pass judgment on that at the appropriate time next year.

Richard Fuller (Bedford) (Con): I am grateful to the hon. Gentleman for taking successive interventions. I was not a member of the Bill Committee. He is talking about the application of higher thresholds for industrial action. What consideration was given in Committee to the potential for wildcat union action as a consequence of the higher thresholds, because trade union leaders might be unwilling to take a vote for fear of not meeting the threshold?

Chris Stephens: No evidence was presented that that would be the case. What was raised was the impact that the thresholds would have on women workers in progressing disputes about issues that impact on them more than on male workers, such as the introduction of shift changes. The Bill Committee did not touch on the issue raised by the hon. Gentleman.

According to the Office for National Statistics, the number of days lost to industrial action per year has fallen dramatically over the past 30 years. Since 2010, an average of 647,000 days have been lost to industrial action each year, compared with 7,213,000 days per year in the 1980s. In 2014, there were only 155 stoppages as a result of industrial action, with 55% taking place in the private sector and 45% in the public sector. Most industrial action is short-lived: in 2014, 64% of all stoppages lasted for only one or two days, with 93% of the workers taking part in the industrial action.

Lucy Frazer (South East Cambridgeshire) (Con): I would like the answer to a question. If the amendments that would allow the Scottish Government to give their consent were accepted, would you drop your—*[Interruption.]* Sorry, Madam Deputy Speaker. In those circumstances, would the SNP drop the other amendments as it would have a say in its own Parliament?

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Collective bargaining!

Chris Stephens: Collective bargaining, indeed.

It is important that public bodies across the United Kingdom have a say and give their consent as to whether provisions in the Bill should be passed. I also believe

[Chris Stephens]

that if a public body gives its consent, it should be possible for that consent to be taken away on a future occasion. The Mayor of London, to use an example that was given earlier, is perhaps the best example of that.

Alan Brown (Kilmarnock and Loudoun) (SNP): It was good that my hon. Friend noted the difference in strike rates in lost days over the past 30 years. Does he agree that industrial relations have improved over the past 30 years and that unions are much more effective and co-operative, but that the Tories over there are stuck in an ideological argument of 30 years ago? They should move forward instead of using a sledgehammer to crack a nut.

Chris Stephens: I agree with that. Seasoned veterans of the House will know what I mean when I say that this is Keith Joseph, phase 3. This is an ideological attack on the largest group in civic society that stands up against exploitation.

James Cartlidge (South Suffolk) (Con): It was a pleasure to serve on the Bill Committee and the hon. Gentleman was a wily performer. He talks about Keith Joseph and says that we are not in the real world. I remind him that we heard evidence right at the beginning of our consideration from the chief executive of Arriva buses, who said that on a vote of 17% of the staff of his firm, 50% of all buses in London were stopped. Think of the disruption that that caused for real people out there in the real world.

Chris Stephens: The key issue was not the number of people who were balloted, but the number of fellow workers who then came out to support them. As the hon. Gentleman knows, there was other evidence of employee intimidation and blacklisting, and the Government need to answer that point later in our debate.

2.30 pm

The amendments address restrictions on facility time. Facility time is a good thing. The Royal College of Nursing—not known as the most militant trade union—believes that the Bill could lead to £100 million being lost to the NHS because of workplace issues that go to tribunal and so on. Public bodies should have the right to test the argument presented in Committee that taxpayers should be protected, because trade union members are taxpayers, and they are also voters.

Jo Stevens (Cardiff Central) (Lab): Does evidence from the Royal College of Midwives and the Royal College of Nursing not contrast spectacularly with that of a Government witness from Health 2020 who admitted when giving evidence that she did not even know what facility time was?

Chris Stephens: That is correct. I had never heard of Health 2020, and under the skilful questioning of the hon. Member for Cardiff Central (Jo Stevens) it was revealed that the witness was a former Conservative candidate. When she mentioned her concerns about patient care, I said that a trade union is obliged to

provide life and limb cover, but the witness had not heard of that either; and as the hon. Lady mentioned, she did not know what facility time was.

Richard Fuller: I am grateful to the hon. Gentleman for giving way because I am trying to develop a theme with my questions about the Committee. I asked about thresholds and what consideration the Government gave to wildcat action. Will the hon. Gentleman speak about the restrictions on facility time and what the Government say about the potential for wildcat action if there is less time for trade unions to deal with workplace disputes?

Chris Stephens: Wildcat action was not discussed in Committee. We discussed the social media provisions that could lead—as the hon. Member for Gateshead pointed out—to wildcat tweeting, but there was no discussion about wildcat action in that sense.

Mr Anderson: The hon. Gentleman is generous in giving way. He mentioned the work of the Royal College of Nursing. Its employer, University College Hospital, said:

“elements of the Bill that would confine trade unions’ ability to engage with us are widely viewed by NHS employers as potentially undermining of the Government’s health policy”.

The Government want to introduce measures that will undermine health policy. To go back to Keith Joseph, he always argued that we should let managers manage. Managers want to manage in conjunction with trade unions, and the Government should butt out.

Chris Stephens: That is absolutely true. I agree with the hon. Gentleman, who was president of a trade union.

Joan Ryan (Enfield North) (Lab): Does the hon. Gentleman agree that trade unionists are real people, and that it is not only trade unionists who object to the Bill? The Government have significantly failed to secure any substantial employer support for these proposals, and many public and private sector employees object vociferously to the Bill and see it as completely unnecessary.

Chris Stephens: The last time I looked in the mirror, yes, I am a real person, like many other trade unionists in this country.

I am pleased that Labour amendments seek to restrict the application of provisions relating to facility time and check-off, and they will get our support. Once again, alongside the principled and substantive arguments that will no doubt be presented, it will come out that there is no mandate across the public sector for the Bill.

Mr MacNeil: Is it not strange that a Tory party that always talks to us about regulation and red tape is today introducing more regulation and more red tape, and “choking the arteries of commerce”, as was once said in a famous TV programme in Scotland? We are looking at Tory dinosaur behaviour that goes back to the 1970s.

Chris Stephens: I think it is perhaps worse than that because such behaviour comes from a political party which has a laissez-faire attitude to the economy until

it comes to the trade union movement. It goes from laissez-faire to Stalinism with no intervening periods whatsoever.

Mrs Madeleine Moon (Bridgend) (Lab): Is not a prime example of the unnecessary bureaucracy and complication of the Bill the arbitrary powers that are given to the certification officer for monitoring picketing? That is guaranteed to find failings and create fines.

Chris Stephens: It is even worse and goes even wider than that. Trade unions will be expected to make a contribution to the certification officer, but they will not be allowed to contribute to check-off, because that is to be banned across the board in the public sector.

New clause 2 would ensure that employers have a duty to ensure that union members can vote without fear of interference or constraint. That same duty is imposed on unions, and it is about what happens when an employer fails to comply with those duties by intercepting voting papers or emails relating to the ballot.

Paula Sherriff (Dewsbury) (Lab): Does the hon. Gentleman share my feelings of irony that the Government have stated that trade union members will not be allowed to vote in an electronic ballot, yet they considered that to be perfectly legitimate for the London mayoral selection?

Chris Stephens: I agree with the hon. Lady, and that point was raised in Committee. We were told by Conservative Members that e-balloting is unsafe and insecure—I do not know what that means for the Conservative candidate for Mayor of London. It came out that a trade union could email an employer and the police about picketing. Presumably that is safe and secure.

Mr Jim Cunningham: Will the hon. Gentleman say something about stewards having to register with the police and wear armbands just as they did in the 1930s in the occupied territories in Europe?

Chris Stephens: We will discuss that at a later stage. The hon. Gentleman's point is about the increased capacity for blacklisting that is contained in the Bill, and I agree with him.

Margaret Greenwood (Wirral West) (Lab) *rose*—

Chris Stephens: May I move on and make some progress? I apologise, and I will take further interventions later.

New clause 2 would modernise the law promoting democracy and inclusion—the word “modernisation” keeps getting used by the Conservatives in support of the Bill. Currently, all ballots and elections must be conducted on a fully postal basis. Unlike major companies and other membership organisations—including political parties—trade union members are not allowed to vote online. The Government have consistently described the Bill as an attempt to “modernise” trade unions, but to date they have not allowed trade unions to modernise into the 21st century by using electronic and workplace balloting.

The Government argue that the introduction of thresholds for strike action balloting would boost democracy, but that only stifles the possibility of workers'

voices being heard. If the Government were committed to boosting workplace democracy, they would allow secure workplace balloting and balloting by electronic means, as our amendment suggests.

Online balloting is more accessible and inclusive. Today, most people use electronic devices every day to make transactions and to communicate. We in the SNP use online ballots, and as we have heard, so did the Conservatives in the election of their mayoral candidate. Ballot papers are usually sent to members' home addresses, which can lead to lower turnouts, especially when junk mail is flying through people's doors on a regular basis and things can easily get dumped in the bin. Modern methods of voting are more efficient and help negotiations to move faster. Using only postal ballots could prolong the length of a dispute because they simply take longer.

According to the latest Ofcom figures, 83% of people now have access to broadband and 66% of households own a smartphone. Those figures are likely to be higher among those of working age, and they are set to rise rapidly. The 2014 Electoral Commission survey involved 1,205 adults aged over 18, and found that 42% of respondents felt that online voting would increase their confidence by “a lot” or “a little” in the way that elections are run.

Andy McDonald (Middlesbrough) (Lab): Does the hon. Gentleman agree that in the run-up to Christmas, people will be engaging electronically by purchasing goods and materials across the piece? I do not hear Conservative Members saying that there is something fundamentally wrong with that process, or saying, “We're not going to have you doing that.” Is this not ridiculous? It is just a ruse to say, “We don't want people to engage with trade unions.” That is what it is about.

Chris Stephens: I agree entirely with the hon. Gentleman. Perhaps it is because Conservative Members fear the inevitable visit of three ghosts on Christmas eve.

Rachael Maskell (York Central) (Lab/Co-op): Does the hon. Gentleman agree with Electoral Reform Services, which has run more than 2,000 ballots, that there has not been a single security breach in all those ballots and that, therefore, it is a very secure mechanism?

Chris Stephens: I agree, and that evidence came out in Committee.

Workplace balloting is an available secure option that increases democracy in the workplace. The 1992 Act already permits workplace ballots to be used for statutory recognition ballots, under schedule A1. Workplace ballots of that nature are secure and overseen by qualified independent persons, usually Electoral Reform Services. The individuals and balloting agencies permitted to act in statutory recognition ballots are generally the same as those who act as scrutineers in industrial action ballots and other statutory union elections and ballots.

An analysis of Central Arbitration Committee reports indicates that turnout tends to be significantly higher in ballots where all workers voted in the workplace. Average turnout was 88%, and in combination ballots average turnout was 86.9%. The average turnout in postal-only ballots was 71.6 %. According to the TUC, there is no evidence that workers feel intimidated into voting a particular way when ballots take place in the workplace.

[Chris Stephens]

Of the complaints that the CAC was asked to decide on, five were made by unions and one by an employer. None of the complaints was upheld.

We are told that electronic voting is not safe. Thousands of private sector, voluntary and political organisations use electronic voting every year. Electoral Reform Services alone manages more than 2,000 annually, and its report concludes that online voting is no less secure than postal balloting. It says:

“There are risks associated with electronic voting but these are essentially similar to the risks associated with any secure electronic process. Many of the risks are also of the same nature as the risks related to postal voting”.

Mrs Moon: The issue is not about online safety and security: the Government hope that people will not be bothered to buy a stamp, put it on an envelope and walk to the letterbox. That is the issue—not security. Does the hon. Gentleman agree?

Chris Stephens: I do, and one of the increasing problems with postal balloting is the number of post boxes, which has fallen by 17% in Scotland in the last year.

Lilian Greenwood (Nottingham South) (Lab): Does the hon. Gentleman agree that the Bill risks throwing away much of the positive industrial relations that have been established by trade unions, work that they do day in and day out? One problem is that the media likes conflict, but the bread and butter tasks of the trade unions include spotting and defusing issues before they become problems. Merseyside Fire Brigades Union told me that its employers described its union reps as their best but lowest paid managers, such is their contribution to positive industrial relations. Does the hon. Gentleman agree that we risk losing all that?

Chris Stephens: I agree with the hon. Lady. Without question, the Bill is ideological. Under a veneer of moderation, it is an ideological attack on a large section of society that stands up against exploitation.

Oliver Dowden: The hon. Gentleman keeps saying that the Bill is ideological. Is it ideological for people who send their children to schools in my constituency who cannot get childcare during an unjustified strike with a very low turnout in a ballot? Is it ideological for hard-pressed commuters in my constituency who cannot get to work because of strikes called on ballots with low turnouts?

Chris Stephens: The problem with that analysis is that it is based on ignorance. The simple fact is that if a ballot has a low turnout, a trade union has to make a calculation. The hon. Member for Blaydon (Mr Anderson), who is a former Unison president, can confirm that trade unions have, on occasion, not proceeded to industrial action if they do not have support for it. The biggest gamble that a trade union takes when it decides to take industrial action is how many people participate. If people do not participate, the industrial action falls and dies.

Dawn Butler (Brent Central) (Lab): The contribution from the hon. Member for Hertsmere (Oliver Dowden) highlights the lack of understanding of the role of trade

unions and of people who are working just to pay their bills. That lack of understanding shows why this Bill is so wrong.

2.45 pm

Chris Stephens: It also shows complete ignorance of the principle of solidarity. Many of the people who are affected by industrial action, as the hon. Member for Hertsmere (Oliver Dowden) described, will be fellow trade union members.

Ruth Smeeth (Stoke-on-Trent North) (Lab): Does the hon. Gentleman agree that the average time lost to strike action last year was less than a third of a second per member of the workforce?

Chris Stephens: Yes, and that evidence also came out in Committee. What is the great industrial chaos in this country that means that the Government need to intervene? There is none—

Oliver Dowden: Will the hon. Gentleman give way again?

Chris Stephens: For entertainment purposes, I will take another intervention from the hon. Gentleman.

Oliver Dowden: I shall try to entertain the hon. Gentleman. If he believes that turnout is so high for all these industrial actions, why is he so concerned about having a threshold that requires four out of 10 trade unionists to turn out and vote? If turnouts are high, where is the problem?

Ian Lavery (Wansbeck) (Lab): What was your vote? You wouldn't have been elected.

Madam Deputy Speaker (Natascha Engel): Order. No shouting out. If Members want to intervene, they should stand up and do so.

Chris Stephens: I will give the hon. Member for Hertsmere the benefit of my trade union experience. In localised disputes about local issues, turnouts go through the roof, in my experience. Lower turnouts usually happen in national, UK-wide disputes. Those issues can lead to low turnouts, but the key test is how well the trade union is organised. Turnout will be a lot higher in some areas than in others in such disputes.

Joan Ryan: The point about commuters was made earlier, although the hon. Member for Hertsmere (Oliver Dowden) may not have been listening. As my hon. Friend the Member for Sunderland Central (Julie Elliott) said, the transport strikes that are often prayed in aid of the Bill would have all crossed the threshold and were all legitimate strikes.

Chris Stephens: That is right.

Julie Elliott: If the genuine motivation behind the Bill was to get turnout as high as possible, would not the Government put forward every possible means to allow members of trade unions to vote in ballots, including workplace balloting and e-balloting? In fact, they are doing the opposite.

Chris Stephens: I agree, and that is why we have tabled the new clause. If the Government were so concerned about participation, they would allow e-balloting and secure workplace balloting. If secure workplace balloting is good enough for recognition agreements, surely it is good enough for many of the other issues that trade union members have to decide on.

We were told in Committee that we cannot have online voting until 2020. Ministers have claimed that the Speaker's Commission on digital democracy concluded that online voting could not be achieved before 2020, but it was concerned only with online voting in general or local elections, not trade union or any other ballots. The Commission reported on evidence from the Open Rights Group, which argues that online balloting in the context of a general election is far less transparent than ballot box voting. These arguments do not apply to trade union ballots, which are counted by the scrutineer in private.

Paula Sherriff: The hon. Gentleman is being very generous in taking interventions. Does he agree that trade unions prevent a significant amount of sickness absence in the workplace? I was a shop steward in a hospital for a number of years. By fostering good relationships between trade union members and management, I am confident we reduced significantly that burden on the workplace.

Chris Stephens: Yes, with my trade union experience I do agree with that. I would happily say that the best education I had was from the trade union movement, particularly, for example, when someone had a condition that came under the scope of the Equality Acts. I agree with every word that has been said.

Alan Brown: As has been said, my hon. Friend is being very generous with his time. He will agree that very important points have been made about the double whammy on thresholds and not allowing online or secure workplace voting. Without being flippant, does he think the Government have assessed the risk of secure workplace balloting when it comes to English votes for English laws? There might actually be a risk of SNP Members voting on English laws after all, because the balloting might not be secure enough.

Chris Stephens: Indeed. I look forward to that test when the experiment, as I think Mr Speaker described it, takes place.

The Open Rights Group is also concerned that online voting in general elections does not justify the extra expense of developing new systems while the technology is in its infancy, as turnout is already comparatively high. This argument does not apply to trade union ballots, where postal balloting is more expensive and deters turnout. Unlike general election voting, the technology already exists and has been well used for over a decade by private companies, political parties and membership associations.

John Howell: The hon. Gentleman and I have shared many an anecdote about this, both in Committee and elsewhere. He will recall that in Committee I raised a number of concerns from the Open Rights Group which called for prudence in the use of internet voting. Has he looked at that in greater detail?

Chris Stephens: The hon. Gentleman is right. I found it curious that when I googled my name I got a link to his website and it was the exchange that we had in Committee. In fairness, the same thing happens with the hon. Members for Brent Central (Dawn Butler) and for Cardiff Central (Jo Stevens). The Open Rights Group is saying that trade union ballots do not apply in these cases, because there is the additional safety of a scrutineer and so on.

We are told that trade union ballots should be subject to tighter regulation than elections for officeholders in private businesses or non-governmental organisations. If the Government were genuinely concerned about levels of electronically based elections in the private sector, they would legislate for all bodies to be required to use postal-only ballots. They should also rerun the election for the Mayor of London using a postal-only ballot.

Labour's amendments on balloting are in a similar vein. They can be broadly supported, as their intentions mirror that of our amendment. We are asking Members to vote for our catch-all amendments to make this draconian, Dickensian Bill a little bit better.

Mr Jonathan Djanogly (Huntingdon) (Con): I rise to speak to new clauses 5, 6, 7 and 9. In overall terms and despite the heat coming out of the Bill, I think we can all agree that we have moved a very long way in industrial relations and strike laws towards consensus and away from the polarisation we saw in the early 1980s.

The Trade Union Act 1984 requirement for compulsory industrial action ballots to be put in place for there to be statutory immunity was a very significant step, although it did cement the rather odd situation whereby there is, technically, no right to strike. Rather, we give unions in certain circumstances statutory immunity for the tort—civil wrong—of inducing a breach of the employment contract. That being as it may, I think we can all agree that voting before a strike is vital, and that the vote itself should be carried out in a free and fair manner that reduces, so far as possible, any chance of coercion, threat or intimidation to the voter. It is certainly the case that the Bill addresses ballots insofar as voter turnout requirements and how the questions are put, but it does not address the question of how the ballot itself is physically conducted. This is now being put to the test by the Opposition in their amendments. New clause 7 argues for secure workplace ballots and new clause 5 suggests implementing electronic voting in ballots for strike action.

My first observation is that those two concepts do not necessarily sit very well together. Namely, if the Opposition believe that e-voting is the future and the way to go, why are they proposing returning votes to the place of work? The problem is actually more profound, of course. The security of a postal vote sent to a person's home does remove a large area of risk in terms of intimidation that could attach to returning votes to the workplace. The benefits of the 1984 ballots and the use of post were hard won. They have been of great benefit to working people; not perhaps to the union organiser or the militant activist, but to the everyday working man and woman who has benefited from being able to reflect calmly on the merits of a strike ballot in the safety of their own home.

Jo Stevens: The hon. Gentleman refers to intimidation when people cast their ballot. Does he have any real examples of intimidation in ballots?

Mr Djanogly: I am not here to accuse anyone. If the hon. Lady thinks that the 1984 legislation was introduced because there were no instances of intimidation at that time, we need to go back to the history books. I do not intend to do that today. I am not saying that postal ballots will always be free from intimidation, particularly if several members of the same family work in the same place. I appreciate that new clause 7 requires that votes at the workplace are private and free from unfairness, but the question is how far does that go? Does it cover only the voting room or the factory premises? What about beyond the factory gates and the pickets? I am concerned that this could be a retrograde step.

Andy McDonald: The hon. Gentleman talks about intimidation in the workplace. He is a lawyer. Let us have some evidence to back that up, rather than just putting it out there and casting aspersions. Get on and give us some evidence.

Mr Djanogly: As I said before, we are looking at the optimum way of voting. The Opposition's new clause 9 provides for the possibility of a combination of voting methods to be used, but I note that the combination is to be selected by the union. Unless I have read it wrong—someone might want to put me right—this could imply that workplace-only ballots could, in effect, be reintroduced via the back door. Again, I would see that as a step backwards that should not be supported.

On electronic voting, it could be said that this is where society is heading, a point made very strongly by the hon. Member for Glasgow South West (Chris Stephens), and that union law should take the lead on something that will be generally adopted. I have not seen the most recent opinions of the Electoral Commission on e-voting, but I recall that it had serious concerns about its security a few years ago. Will the Minister please advise the House to what extent he has discussed this with the Electoral Commission, and whether he has reviewed the role of the certification officer with that of the Electoral Commission in the conduct of ballots? In that regard, if in the future we wished to move towards electronic voting generally, could this be effective for unions under existing legislation, such as the provisions in section 54 of the Employment Relations Act 2004? In other words, are the e-voting amendments required at all?

If only because of the technological changes, this has been a useful debate. However, I am not yet convinced, in terms of security, that the proposals are the correct way to go at the current time.

Kevin Brennan (Cardiff West) (Lab): I declare an interest as a member of the Musicians Union and Unite, and I draw the House's attention to my entry in the Register of Members' Financial Interests.

This group contains our new clauses 5 to 9 and amendments 7 to 9. It is good to return to the Bill after a jam-packed Committee stage, as it is clear from reading the proceedings that the Government did not provide sufficient time. The Minister said earlier that the proceedings finished early, but neglected to tell the House that they

had run late the night before because the Government were afraid there was not enough time to conclude proceedings. He missed that bit out.

3 pm

Despite that, my hon. Friends on the Committee did a remarkable job, under severe time constraints, and I want to pay tribute to them. I am sure that other hon. Friends on the Committee will forgive me if I especially praise my Cardiff neighbours, my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty), who meticulously picked apart the Bill from the Front Bench, and my hon. Friend the Member for Cardiff Central (Jo Stevens), who, despite her status as a new Member, brought her tremendous expertise and experience to bear in exposing the Bill for what it really is—an attack on the ability of trade unions to perform their proper role on behalf of their members, coupled with a grubby attempt to use a mandate acquired from 38% of those who voted in the general election in order to interfere with the funding of the main Opposition party. Their Cardiff constituents will be proud of my hon. Friends' efforts to oppose this pernicious Bill. I only hope that I can add a little to their enormous efforts on behalf of working people and democracy.

Dawn Butler: This oppressive Bill will particularly affect women, as three quarters of trade union members are women. The Government talk about aggression, but the only aggression is coming from them and their attack on the rights of working people.

Kevin Brennan: My hon. Friend is absolutely right. I well remember as a young boy how my mother's trade union helped her when she got a hernia from lifting tables as a dinner lady. Without its help, she would never have got the support she needed, and might even have lost her job. That experience of what trade unions actually do is something that Government Members often do not understand.

James Cartledge: Talking about women, who do we seriously think is most affected when schools close because of ballots with low support? In Committee, we heard about the effect of school closures in 2011 on millions of parents. In most cases, those strikes had the support of well under 40%.

Kevin Brennan: I take it, then, that the hon. Gentleman wants higher turnouts in ballots and so will be supporting our new clauses and amendments allowing for workplace balloting and e-balloting.

Paula Sherriff: Does my hon. Friend agree that one of the worst aspects of the Bill is that it is being applied retrospectively? Five million long-standing union members will have their political fund subscriptions cancelled without their permission or that of their union. It is no wonder the Government want to scrap the Human Rights Act.

Kevin Brennan: I will not test your patience, Madam Deputy Speaker, by straying from the amendments, but my hon. Friend is absolutely right to say that the retrospective elements are particularly pernicious.

Governments should refrain from retrospective legislation. I cannot believe, either, that the time periods were recommended by officials. When I was a Minister in the Department, any time period for consultation on a major change to a system involving business was always at least 18 months, so I am shocked if officials have advised Ministers that two months is sufficient.

Tulip Siddiq (Hampstead and Kilburn) (Lab): The Government have often used the rhetoric of fairness in trying to conceal their savage attack on workers' rights. Does my hon. Friend agree that the proposals to replace striking staff with agency staff are draconian? This measure was banned almost 10 years before I was born.

Kevin Brennan: My hon. Friend is absolutely right, and she will have a chance to develop her point further when we debate that very matter.

Joan Ryan: The hon. Member for Huntingdon (Mr Djanogly) talked about people voting in the safety of their own homes. Will my hon. Friend comment on that? It was a slur on trade unions and employers, because it implied that electronic or workplace voting was not secure and that unions and employers bullied people. That is not my experience of how unions conduct themselves and their ballots.

Kevin Brennan: My right hon. Friend is absolutely right. Of course, workplace ballots take place all the time, as other hon. Members have pointed out, and have to be independently scrutinised and verified as fulfilling all the statutory requirements for fairness. So it is absolute nonsense to imply that there is anything unsafe about it.

Derek Twigg (Halton) (Lab): I agree that this is a terrible attack on trade unions and their rights, but we also have not yet heard any evidence of a serious problem, which proves again that the Bill is a straightforward attack on the trade union movement.

Kevin Brennan: My hon. Friend is right. This is just what Tory Governments do, regardless of the evidence. They have not presented any evidence. I have read through the Committee proceedings and looked at the evidence given, but there is no evidence to support the changes in the Bill. It is a knee-jerk instinct, and that is greatly to be regretted.

We tabled many amendments in Committee, but, rather surprisingly, the Government did not accept any of them, despite the cogency of my hon. Friends' arguments and their excellent drafting. We have therefore had to submit further new clauses. In answer to the hon. Member for Huntingdon (Mr Djanogly), I have to say he has been in the House a long time and is very experienced. He knows that Report is not a repeat of Committee and that, given the extremely truncated time limit, it is necessary to focus on a small number of items. That makes no difference to the fact that in Committee we made clear our fundamental disagreement with the Bill in almost every respect.

Mr Djanogly: The hon. Gentleman says he does not have enough time, but how could he come to this place today having not tabled amendments on, for instance, trade union funding or the vote percentages? Everyone,

including all the union members who have written to Members, has been talking about these things, yet there is not a single amendment dealing with any of them.

Kevin Brennan: There were many amendments in Committee, but I think the hon. Gentleman will find there is not enough time to discuss those amendments that have been tabled, let alone additional items. However, if he wants to lobby his Ministers and Whips for more time so that we can put down more amendments, I would welcome that.

New clauses 5 would permit electronic voting in trade union ballots for industrial action, and new clause 6 would permit trade unions to use electronic voting in all other statutory elections and ballots, including elections of general secretaries and political fund ballots. Throughout the Committee stage, the Government sought to dress up the Bill as some kind of modernisation, but their continued refusal to introduce e-balloting alongside secure workplace balloting clearly demonstrated they were not serious about modernisation. Online balloting can be as safe and secure as any other form of balloting, and is already used for a variety of purposes in the public and private sectors, including at J. P. Morgan Asset Management, Lloyd's of London, Chevron and, of course, the Conservative party itself, which recently selected its London mayoral candidate by e-balloting.

If Ministers' reason for resisting e-balloting in the Bill seriously was fraud and concern about what the Speaker's commission said about voting in parliamentary elections, why would they employ the very same method in their own party elections? We all know that the real fraud is the fraudulent argument of Ministers. In reality, they want to discourage turnout and make the thresholds harder to reach. That is rule 1 from the Tory party political playbook: disfranchise those who might disagree with it.

Ruth Smeeth: Does my hon. Friend agree that there has not been a single case of fraud in online or workplace balloting, and that of the seven cases of bullying, harassment and other fraud taken to appeal, not one was upheld?

Kevin Brennan: My hon. Friend is right, and she probably also knows that most of those complaints about the conduct of ballots were made by trade unions themselves. I was going to make that point later, but perhaps there is no need to now.

Huw Irranca-Davies (Ogmore) (Lab): My hon. Friend has noted that none of the reasonable amendments put forward by Labour and other Members have been accepted. What does he make of the fact that combined authorities throughout England have stood in opposition to the fundamentals of this Bill, while the First Minister in Wales, Carwyn Jones stood up in the Assembly in Cardiff today and said he would oppose it? This shows that there is no respect and no attempt to find any consensus whatever.

Kevin Brennan: So much for the respect agenda, as my hon. Friend rightly points out.

Dawn Butler: Does my hon. Friend agree that those outside this place will look in bemusement at the argument that sitting in front of a PC and voting electronically will not be safe?

Kevin Brennan: Precisely, and I shall develop that a little further in a few moments. Under our proposals, electronic or workplace ballots would be overseen by an independent scrutineer, and before the ballots run, that scrutineer would confirm that the proposed method met the required standard, that all members entitled to vote had the opportunity to do so and that votes were cast in secret with the risk of any unfairness or malpractice minimised. That is the same standard as set out in section 54 of the Employment Relations Act 2004. None of that, however, matters to Ministers.

Julie Elliott: Does my hon. Friend agree that, as he said in Committee, the provisions in this Bill fly in the face of every other bit of legislation that this Government have brought forward, whether it be using online means to apply for benefits, filling in tax forms or anything else? It is entirely at odds with everything else this Government are doing.

Kevin Brennan: My hon. Friend is right, and for some reason, that does not seem to matter to Ministers—

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op) *rose*—

Kevin Brennan: I had not quite finished the sentence, but I will give way to my parliamentary neighbour.

Stephen Doughty: I thank my hon. Friend who is doing an excellent job as shadow Minister. He will know that I am transmogrified in my position, but it is a delight to be here speaking on this Bill again. Is not the greatest irony the fact that one of the architects of this Bill, the Minister for the Cabinet Office and Paymaster General, stands up at the Dispatch Box at Cabinet Office questions extolling the virtues of the Government Digital Service and the digitalisation of online services in lots of highly secure and complex matters? That same Minister is one of the architects of this Bill, which does not allow e-balloting.

Kevin Brennan: One is not allowed to use the word “hypocrisy” in this House, so “irony” was the correct word for my hon. Friend to use.

As I was saying, none of this seems to matter to Ministers. Our new clauses also require unions to use postal ballots alongside electronic and workplace voting, where necessary, to ensure that everyone has a chance to vote and that members who may be absent from work due to sick leave or maternity, paternity or adoption leave will be able to vote. None of that matters to Ministers either. Our new clause allows unions to provide members with a choice of voting methods, including postal and electronic voting, and employers would be under a duty to ensure that union members can vote free from interference or constraints. The use of faster and more efficient balloting methods could also assist in the earlier resolution of disputes as ballots and subsequent negotiations would take place more quickly. But you’ve guessed it—none of this matters to Ministers.

I am sure that this Minister is going to trot out his line that he is not against e-balloting in principle, but that the Speaker’s Commission provided evidence of concerns about safety. However, the Open Rights Group’s evidence was based on comparison between general

election voting in polling stations and online voting; it made no comment on the safety and security of wider forms of online voting. In any case, the commission’s report concluded that e-balloting should be available for all electors by 2020. The Minister could easily have allowed for the option for regulations to be laid within this legislation, which would permit e-balloting to commence when any concerns he had were satisfied.

There is no genuine reason whatever why trade unions should be the only organisations in the UK that are required by legislation to use postal-only ballots for elections and ballots. If the Government were genuinely concerned about levels of electronically based elections in the private sector, they would legislate for all bodies to be required to use postal-only ballots. They will not, because they are not genuinely concerned. Thousands of private sector, voluntary and political organisations use electronic voting every year. Electoral Reform Services alone manage over 2,000 secure online ballots annually, and a recent report concluded that online voting is no less secure than postal balloting. In any case, union elections and ballots are more tightly regulated than voting systems used by other organisations, meaning even less chance of a problem.

Mr David Anderson (Blaydon) (Lab): My hon. Friend is being generous in giving way. He says there is no reason, but if we look back to when the legislation was introduced in the 1980s, there was a reason. People were told then that ballots of this nature would deliver the turnouts, but why is this being pushed? It is a huge cost on the trade unions, so even if a union got the answer it wanted in a ballot, it would have cost a fortune to run that ballot, undermining the union’s capacity to work.

3.15 pm

Kevin Brennan: My hon. Friend is absolutely right. That is clearly one of the Government’s motivations behind these amendments.

Workplace ballots should be permitted for statutory union elections and ballots. The 1992 Act already permits workplace ballots to be used for statutory recognition ballots. Workplace ballots of this nature are secure and are overseen by the qualified independent persons, who are generally the same as those who act as scrutineers in industrial action ballots and other statutory union elections and ballots. Well over 200 ballots for statutory recognition have been held, a quarter of which involve a combination ballot, including both workplace ballots and postal ballots for those absent from work when the ballot is taking place. An analysis of Central Arbitration Committee reports indicates that turnout was significantly higher in ballots where all workers voted in the workplace, with an 88% average turnout, compared with 71% in postal ballots. There is no evidence that workers felt pressurised by this. In fact, people were less likely to vote for union recognition in workplace ballots than in postal ballots. As was pointed out, the Central Arbitration Committee has received only a handful of complaints, most of which were made by the unions, rather than individuals.

New clause 9 would allow trade unions to decide what balloting to use—balloting by electronic means, workplace ballots, postal ballots or any combination of those. Given the severe time constraints, which we have already discussed, it is not possible for us to divide this afternoon on all our new clauses on e-balloting and

secure workplace balloting, but I want to place clearly on record our view that the Government's failure to accept our very reasonable modernisation proposals, which would enhance trade union democracy, invites detailed further scrutiny of these issues in the other place. E-balloting and secure workplace ballots are distinct issues in their own right, but we recognise that, due to the Government's timetabling, we are unable to vote on all our new clauses and amendments separately on Report without curtailing debate on other important issues in the Bill.

Our amendment 7 should be read in tandem with amendments 8 and 9, all of which relate to this Bill's undermining of the devolution settlement and conflict with the Government's own professed localism agenda. Our amendments are designed to ensure that the provisions do not apply to services that are either wholly or partly devolved to the Welsh Government, the Scottish Government, the Northern Ireland Executive, English local authorities and the Mayor of London.

Chris Stephens: The hon. Member for Cardiff South and Penarth (Stephen Doughty) managed to ascertain from the UK Government that a UK Government Minister would decide the facility time for health workers in Scotland and Wales. Does the shadow Minister think that is fair?

Kevin Brennan: I am coming on in a few moments to talk about the so-called respect agenda, and I hope that I will then answer the hon. Gentleman's point. Our amendments would ensure that devolved Administrations could decide how best to engage with their staff and trade unions when delivering devolved public services, rather than being subject to a highly partisan central diktat—I believe this what the hon. Gentleman was referring to—from a Government in possession of no mandate in many parts of the UK.

I can recall the Prime Minister travelling to Wales when he was first elected, and declaring that when it came to Wales and the other devolved Administrations, he would govern on the basis of respect. He called that his "respect agenda". With that promise in mind, the Welsh First Minister, Carwyn Jones, wrote to the Prime Minister expressing his concerns about the Trade Union Bill and its complete lack of respect for the role of the Welsh Government and the National Assembly for Wales. He pointed out that the Supreme Court, in its judgment on the Agricultural Sector (Wales) Bill, ruled that depending on a UK Government Bill's impact on devolved services, it could be subject to a legislative consent motion, even if it could also be classified as relating to matters that were otherwise reserved. Our Scottish Labour leader, Kezia Dugdale, wrote today to the Presiding Officer of the Scottish Parliament, calling for a legislative consent motion; she has also called for Scottish local authorities, regardless of political persuasion, to refuse to implement changes when there is no consent.

I want to make it clear that our commitment to solidarity for all workers means that Labour opposes the Bill on behalf of workers and trade unions throughout the United Kingdom. We believe that simply devolving employment and industrial relations—for example, to Scotland—would play into the Conservative Government's hands, and would result in a race to the bottom on

workplace rights and privatisation, which could only have a detrimental impact on workers throughout the UK.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Can the hon. Gentleman confirm that the Welsh Government will present a legislative consent motion in relation to Wales? I can assure him that he will have the support of Plaid Cymru if they do.

Kevin Brennan: I think that I would be equally guilty of arrogance were I to assume the role of devolved Ministers in the Welsh Government. However, the letter from the First Minister clearly indicated that a legislative consent motion was under consideration.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Minister for Public Services, Leighton Andrews, made it clear in his oral evidence to the Select Committee that he, too, was considering the matter. He also said today that the Bill, unamended, was "an all-out assault on the devolution settlement".

Kevin Brennan: I am always slightly nervous when I give way to my hon. Friend, because his expertise on all these matters is so thorough. He is absolutely right.

Alan Brown: I thank the hon. Gentleman for giving way to me again. Is he aware that the Bill is opposed by the Convention of Scottish Local Authorities, whose human resources spokesperson is none other than a Conservative councillor by the name of Billy Hendry?

Kevin Brennan: If that is the case, it does not surprise me, although it might surprise some Members. I should have thought most Conservatives would believe that arrangements entered into voluntarily, at a local level, between an employer and employees should not be interfered with by central Government. I should have thought that that was in the DNA of Conservative principles. Surely Conservatives believe that voluntary arrangements and transactions between parties that are entered into freely, and are not immoral or criminal, should not be tinkered with by central Government. That is what is extraordinary about some of the provisions in the Bill, which illustrate the blinkered nature of the Government's views on trade unions and their role in our society.

Mr Jim Cunningham: Taken in conjunction with the Government's wish to pull out of the Human Rights Act 1998 and the cuts in legal aid, the Bill constitutes a direct attack not only on the trade union movement, but on the general public in general terms.

Kevin Brennan: I am sure that many of those human rights implications will be examined further in the other place, although the unfortunate time constraints prevent us from doing so here. No doubt many of those in the other place will consider the Bill with a great deal of interest.

Under current legislation, trade union workplace representatives have a right to reasonable paid time off to perform duties, which has huge benefits for employees and employers alike. Clause 13 could allow the Government to set a cap on the percentage of the employer's pay bill

[Kevin Brennan]

that could be invested in facility time. It would also give the Government power to impose an arbitrary limit on the amount of time that union officials could spend not just negotiating improved pay and conditions, but training, promoting learning opportunities for the workforce, accompanying people to grievance and disciplinary proceedings, and carrying out health and safety duties.

Furthermore, as was pointed out in Committee by my hon. Friend the Member for Cardiff South and Penarth, the clause establishes a democratic deficit. First, Ministers will be able to use secondary legislation to restrict or repeal trade union rights, so this place will have no opportunity to amend that legislation. Secondly, the clause will prevent democratically elected devolved Administrations from deciding how to manage their employment relations in their workplaces, and how to engage with their own staff. Thirdly, it will enable the Government to pick and choose politically which local authorities it will force to impose a cap. That is an extremely dangerous precedent.

Kirsten Oswald (East Renfrewshire) (SNP): Does the hon. Gentleman agree that the “reserved powers” elements of the Bill show that the Government intend to use that opportunity?

Kevin Brennan: The hon. Lady is absolutely right; I do not think that those provisions would be in the Bill if the Government did not intend to use them. Parliament should not grant the Government those reserved powers on any assumption other than the assumption that they intend to use them. Conservative Members should think very carefully about what they are granting in this Bill.

There are significant questions to be asked about the legal basis of such a change in relation to European Union law on health and safety representatives, on the rights of trade union representatives to facility time during consultations on collective redundancies, on outsourcing, and on rights protected by the European Convention on Human Rights and the International Labour Organisation conventions. Moreover, according to research commissioned in 2007 by the Department of Trade and Industry—now the Department for Business, Innovation and Skills—workplaces with facility arrangements have lower voluntary exit rates, which leads to significant savings in recruitment costs.

Cat Smith (Lancaster and Fleetwood) (Lab): Does my hon. Friend agree that the cuts in facility time, along with the employment tribunal charges, will deter women from pursuing cases of maternity discrimination? The number of those cases is apparently rising, but women have not been receiving justice recently.

Kevin Brennan: My hon. Friend is quite right. Other Members have also drawn attention to the degree to which the Bill discriminates against women in the workplace.

Jo Stevens *rose*—

Kevin Brennan: I will give way to my hon. Friend and neighbour.

Jo Stevens: Is my hon. Friend aware of any other cases in which the Government have retrospectively interfered in private agreements between consenting parties in order to undo them?

Kevin Brennan: My research may have been inadequate, but I have not come across any such examples. However, the Minister must have dozens. Surely he would not single out one particular group in society for this draconian treatment unless he were meting out such treatment to other organisations as well.

Lucy Frazer *rose*—

Kevin Brennan: Oh! The hon. and learned Lady has an example.

Lucy Frazer: Does the hon. Gentleman accept that when an employer and an employee enter into a contract, it is agreed between them that the employee will turn up for work and will not engage with others to disrupt the employment—[*Interruption.*] May I finish? The unions’ power to engage in collective activity is an exception to that principle—an exception that must be exercised only in circumstances in which it is justifiable and legitimate.

Kevin Brennan: I understand the basis on which, under our law, it has, for more than 100 years, been possible to undertake industrial action lawfully. The hon. and learned Lady may well know that it was a judgment in the part of the world that I represent—along with my hon. Friends the Member for Cardiff South and Penarth and for Cardiff Central—that, more than 100 years ago, led to the requirement for changes to ensure that, as in any civilised democratic society, working people had the right to withdraw their labour if they were involved in a trade dispute. I hope the hon. and learned Lady is not suggesting in any way, shape or form that there should not be that right. As I said earlier, if she was serious about wanting more people to be involved in decisions around trade disputes—in balloting and so on—she would support our new clauses and amendments, which allow for workplace balloting and e-balloting, and easier access to democracy for the people she purports to speak about.

Rachael Maskell: Does my hon. Friend agree that having facility time improves industrial relations in the workplace and therefore lessens industrial action?

Kevin Brennan: I agree; there is plenty of evidence that it saves money and facilitates good industrial relations. It is draconian and illiberal of the Government to interfere in voluntary agreements between employers and employees by means of central diktat in this way, and as regards their reputation, I believe that they will live to regret that.

3.30 pm

Chris Stephens: Surely the biggest impact on individual contracts will be where it is written into employees’ contracts that they can have their trade union subscription deducted from their salary. The cost of that to other public sector employers will be considerable, as they will have to issue new contracts.

Kevin Brennan: The hon. Gentleman must be a mind-reader; I am coming on to that shortly.

Mr Iain Wright (Hartlepool) (Lab) *rose*—

Kevin Brennan: I give way to the Chairman of the Select Committee, whose expertise it will be interesting to hear.

Mr Wright: Following on from the points made by my hon. Friend the Member for York Central (Rachael Maskell), does the shadow Minister agree that the hallmarks of a good, productive, innovative economy are collaborative, harmonious industrial relations? The likes of Airbus with Unite, and Community throughout the beleaguered steel industry, will help to make sure that we can stay competitive. Trade unions are good for not just individual workers but for a modern, productive economy.

Kevin Brennan: Yes, and they would be part of an industrial strategy if this Government believed in one, but instead, the Government are basically walking across the street to pick a fight where no provocation exists.

Several hon. Members *rose*—

Kevin Brennan: Let me make a bit more progress, because I want other colleagues to have an opportunity to participate in this section of the debate.

Negotiations between employers and unions can play a very positive role in workplaces. The Welsh Government realised the value of such benefits, and based relations with trade unions on a partnership approach. As Carwyn Jones said in his letter,

“it cannot be right for the UK Government—blind to policy priorities and devolved service delivery reforms in Wales—to specify how much union ‘facility time’ devolved public sector employers should allow. Nor am I convinced that the intention to end ‘check off’ arrangements for trade union subscriptions in the public sector is necessary or appropriate. The Welsh Government operates these arrangements as part of its approach to effective social partnership and is not seeking to change this.”

Despite this, the Tory Government plough on. This is not the agenda of respect. This is an attitude of contempt towards devolved Administrations. Since I have referred to “check off”, I will now move on to amendment 9—

Joan Ryan *rose*—

Kevin Brennan—but prior to moving on, I will give way to my right hon. Friend.

Joan Ryan: I rise to offer my hon. Friend support. Some 60 local councils and NHS organisations agree with the point he is making on behalf of Carwyn Jones. The leader of Enfield Council has said:

“It would seem rather farcical to expect a Council to develop efficient organisational structures, internal employee consultation and negotiation systems, and deliver million pound services to the public but deny its right to set the level of facility time appropriate to meeting these objectives.”

Kevin Brennan: The leader of the council has put it succinctly and appropriately.

Mr Jim Cunningham: I have been both a shop steward and the leader of a council, so I have seen this from both sides. Let me explode the myth: most good employers in big companies will say that facility time saves them

money; they do not want hundreds of their employees disrupting the foreman when he is organising production. It is apparent that those on the Conservative Benches do not have any experience of industrial relations or employment practices.

Kevin Brennan: If it was felt there had been abuse in some areas, that could be dealt with, but to legislate to outlaw something of this kind is shocking. Yet that is, in effect, what the Government are doing.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): The point is that under the law, a human resources director of a large company would still have to consult individuals. Through collective consultation, a lot of agreements can be made very quickly; the union can communicate with its members very quickly and negotiate with an HR director. With this legislation, an HR director will have to go round to every single employee. We are talking about the NHS, and councils that have several thousand employees. That will cost vast amounts of money, take vast amounts of time and leave the Government and those employees in a really peculiar situation in which they could be taken to judicial review.

Kevin Brennan: As ever, my hon. Friend brings his vast experience of these matters to bear in the debate.

Our amendment 9 would ensure that the ban on check-off arrangements would not apply to services that were wholly or partly devolved. In Committee, the Government introduced a new clause—it is now clause 14 of the Bill—to prevent all public sector employers from deducting union subscriptions via the payroll. The proposed ban is clearly designed to target union finances and to make it harder for individuals, including lower-paid workers, to access union representation in the workplace. Under the clause, the Government will be able to introduce regulations imposing a ban on check-off arrangements across the entire public sector.

The Government claim that that will save the taxpayer £6 million, but many unions already cover the cost of check-off services. There is a real risk that if the ban on check-off services comes into effect, the Government—and therefore the taxpayer—will actually incur costs, potentially including legal costs arising from the need to compensate trade union members for the loss of their contractual right to have their union subscription deducted at source.

The proposed ban on check-off arrangements has been introduced without consultation with employers, without engagement with the unions and without any proper assessment of its impact on employment relations. It was not in the Conservative party’s manifesto or in the Queen’s Speech, and there was no reference to it in any of the Department for Business, Innovation and Skills consultations or the impact assessments that accompanied the Bill. I note the concern that has been expressed by Conservative Members on this matter in amendments that we will consider later today.

Kirsten Oswald: Does the hon. Gentleman agree that, when many organisations already make provision for payroll deductions for credit unions, charitable giving, cycle schemes and for many other purposes, it is an

[Kirsten Oswald]

absolute farce for the Government to suggest that it places a burden on such organisations to make deductions for trade union subscriptions?

Kevin Brennan: I have to disagree with the hon. Lady: it is a tragedy rather than a farce that the Government are doing this. I understand the point that she makes.

John Woodcock (Barrow and Furness) (Lab/Co-op): My hon. Friend has already punched holes in the figure of £6 million and the calculations that underpin it. Does he agree that if the Government are to have any credibility, they should also publish an estimate of the extra costs that the taxpayer will be landed with as a result of the increasing unrest and decreasing co-operation that these ridiculous arrangements might engender in the public sector workforce?

Kevin Brennan: I do indeed. My hon. Friend represents an area that has many trade union members, and he is absolutely right. It is shocking that the Government have not published those figures. I hope that the Minister has deep pockets, because he might well have to dip into them when he finds out how much this policy is going to cost.

Jeremy Lefroy (Stafford) (Con): Some councils actually make money from check-off arrangements. One or two examples have been given to me of councils not only repaying the costs of check-off but getting extra funding that supports council services.

Kevin Brennan: The hon. Gentleman is right. As I have said, he has put his finger on the matter in his amendment, which we will discuss later. His intervention now has drawn to my attention the point that the state should not be interfering in this kind of voluntary transaction, which is entered into freely by all the parties concerned and which is neither illegal nor immoral. What is wrong with an employer in the private or public sectors voluntarily agreeing to help to collect trade union subscriptions, as part of an attempt to maintain good relations with its employees, in exchange for an administrative payment? In what other field would a Conservative Government legislate to ban a simple, mutually beneficial transaction of this kind? The hon. Gentleman is to be congratulated on spotting that flaw, and the basic illiberalism, at the heart of this measure in the Bill.

Chris Stephens: I, too, disagree slightly with the shadow Minister: I do not think this is a tragedy; I think it is sinister. In a collective bargaining unit that had a staff association alongside a trade union, it would be permissible for the staff association subs, but not the trade union subs, to be collected from people's salaries. Is that not biased?

Kevin Brennan: I am not going to escalate our dispute as to whether this is a farce, a tragedy or simply sinister, but the hon. Gentleman is right.

Tom Blenkinsop: In Committee, we raised this issue about other things that can be collected centrally by an HR department or the payroll. For example, some

members of staff may be chartered accountants or nurses who pay for their qualifications on an annual basis through their payroll, and that would not be affected but their trade union membership of course would be.

Kevin Brennan: It is entirely appropriate from time to time for payroll to be used in this way. Often, members pay into a credit union through their payroll. These things should be encouraged; they are very good for industrial relations.

This ban was not included in the Conservative manifesto or the Queen's Speech, and no reference was made to it in any of the Department for Business, Innovation and Skills consultations or the Department's impact assessment. As we have heard, there have been concerns among Government Members about this move as well. It is almost universally opposed, except by the TaxPayers Alliance, known colloquially as the tax-dodgers alliance, which gave evidence during the oral evidence stage.

In pressing ahead, the Government have failed to secure substantial employer support for their proposals, with many employers, particularly in local government and the health sector, having expressed concern that they could undermine positive industrial relations, which are vital for the delivery of quality public services. It is any wonder that that is the case, given that employers and trade unions were not consulted? We believe these provisions are unnecessary and draconian, and I give notice that we may wish to press amendment 9 to a vote later—for some strange parliamentary reason, it does not come at this knife.

Rachael Maskell (York Central) (Lab/Co-op): Does my hon. Friend agree that this further complicates the situation in the health environment when people pay not only a levy for the industrial support of a trade union, but a professional levy that goes towards the professional support they have with their work?

Kevin Brennan: My hon. Friend highlights the lack of thought, consultation and proper scrutiny that has gone into this proposal. It is unravelling by the minute as hon. Members bring their expertise to bear on the implications that it has out there in the real world.

Let me draw attention to some of the other amendments in this group. The Scottish National party has tabled a raft of amendments, some of which were moved in Committee. I understand that the SNP may wish to divide the House on new clause 2, which is in the spirit of our new clauses 5, 6, 7, 8 and 9. Given the time available, if the SNP does that, we will support it in lieu of our new clauses—the same applies in respect of new clause 10. At that point, I should allow somebody else an opportunity.

Lucy Frazer: Trade unions play an important role in protecting the rights of employees: through their collective power, they have the ability to balance the scales against an employer, who invariably has greater economic and social power than the employees in its workforce. Last week, I met a few trade union officials from my constituency, and was struck by the passion and desire they have to do their job in representing others. But therein lies the crux of this legislation: it is a union's job to represent its workforce, so its actions must represent their wishes.

It is important that when a union has the power to bring a school, hospital or factory to a temporary standstill, its actions actually reflect the will of its members. I say that for three reasons.

Rachael Maskell *rose*—

Lucy Frazer: I ask the hon. Lady to let me develop my argument a little further. First, those who suffer most in a strike are not the employees or employers but the public. The employees do not suffer, because any loss of income from the strike may well be covered by the union. The employers of the large concern do not suffer, because they will be paid their salary in any event. It is the public, and only the public, who suffer, first as the consumer and later, when the bill comes in, as the taxpayer. The public end up picking up the tab for both sides.

In the winter of discontent, the main victims of the low pay offensive in the public service were the old, the sick, the bereaved, children and the poor. It is not only this Government who have made the point that it is right that action by a trade union should reflect the mood of its members. The need for democratic accountability by the union was also recognised by the Labour Government. Their White Paper in 1998 entitled “Fairness at Work” specifically drew attention to the need for accountability:

“Laws on picketing, on ballots before industrial action and for increasing democratic accountability in trade unions have all helped to improve employment relations. They will stay.”

It is for that reason that it is right that these measures, which are right as a matter of principle, should apply to the whole of the UK.

3.45 pm

Tom Blenkinsop: That legislation was brought in during Baroness Thatcher’s period of Government. Is the hon. and learned Lady saying that she was wrong, incorrect or flawed in any way for bringing in that legislation?

Lucy Frazer: The legislation that we have at any time must reflect the position of the country at the time. This is the place in which we find ourselves, and this is the Bill that is right for the moment.

Several hon. Members *rose*—

Lucy Frazer: I will not give way, as I wish to press on.

I was not a member of the Bill Committee, but I have read some of the submissions on this issue from the unions. The Fire Brigades Union said that it had met the thresholds in its recent ballots. Such unions, which are already ensuring an effective turnout, need not be concerned about this proposed legislation. Furthermore, they do not need to be concerned about the provisions as they currently stand, unamended in the Bill. Indeed, where it is right that action should be taken—it is clear that this method of negotiation is needed—they should be confident that their members will make every effort to vote for it.

These measures are meant to ensure that, where there is not such support, the interests of the public are protected and weighed into the balance. In one intervention in this debate, it was suggested that the thresholds have

been met in transport. In fact, the bus drivers strike earlier this year took place at the behest of a turnout of 21%, inconveniencing all the workers who were attempting to get to work. Transport for London reported that there were 6.5 million passengers in London who needed to make alternative arrangements.

James Cartlidge: I am sure my hon. and learned Friend will agree that those people will be among the most vulnerable and lowest paid in the city who rely entirely on that transport system.

Lucy Frazer: That is absolutely right. When there are strikes, the people who suffer are the low paid workers who have to get alternative childcare, whose hospital appointments are affected and who cannot get to work.

Several hon. Members *rose*—

Lucy Frazer: I will not give way, as I want to continue.

Although it may be possible to increase methods of voting, we need to ensure that there are sufficient safeguards in place. New clause 5 suggests that electronic means should be provided as is determined by the unions. In an area potentially rife with practical concerns, we need to be sure that there will be no issue with the amendments before they are allowed. If the unions have the power to bring major industries to a standstill, they need to exercise that power responsibly and democratically. It is essential that any ballot is seen to be conducted fairly and transparently. If there is any risk, or perceived flaw in the ballot, the legitimacy of the ballot may be in question. The vote that is taken by the union members—

Chris Stephens: Will the hon. and learned Lady give way?

Lucy Frazer: I am about to finish.

The vote taken by the union will not garner public support and public trust that the representation of the unions demands, and it is for that reason that we should pass clauses 2 and 3 without amendment at this stage.

Ian Lavery: This is a Bill that nobody has asked for and that nobody wants. Even the latest polls in the national press show that the general public are opposed to this union-bashing Bill—this gagging Bill part two. It was the deputy chairman of the Conservative party who said it was about time that we stopped bashing the trade unions. Let us be completely clear on this issue. It is undoubtedly a ferocious, full-frontal attack on the 6 million-plus members of the trade union movement. I take exception to some comments that have been made, not by everybody on the Government Benches but certainly by a number who seem to want to distinguish between trade union members and ordinary people. The trade union members that I know and mix with are more than ordinary people; they are absolutely fantastic individuals who go the extra mile to try to help colleagues at every opportunity.

Angela Rayner (Ashton-under-Lyne) (Lab): A good friend of mine, a local community activist in my constituency, is very proud of her roots. Her mum is Evelyn Allard, one of the Dagenham women who took industrial action in pursuit of equal pay. Does my hon.

[Angela Rayner]

Friend agree that under this Bill the employer might have prevented such an action from even starting, let alone succeeding, and the Bill will therefore have a particular impact on women?

Ian Lavery: There is no doubt about that. I fully concur with my hon. Friend about the impact this will have on women in particular. Whether we like it or not, the Bill will have a disproportionately negative impact on women in the workplace.

Getting back to these ordinary people, trade union members are taxpayers. They want their children to get to school in the morning, to counter the argument made by a number of Members on the Government Benches. Do people think that trade union members do not have children?

Catherine West (Hornsey and Wood Green) (Lab): Does my hon. Friend agree that the tone of this debate is very similar to that on working tax credits? How do Conservative Members think they can make the case for working people if they are going to be ideologically driven on the subject of working people? It does not make sense.

Ian Lavery: I fully agree and hope to develop that point.

This is the gagging Bill, part 2. It is about disarming any dissent, particularly in the public sector. When we look at the thresholds, the ballot provisions, the measures on agency workers and all the new clauses and amendments, we begin to see the big picture. The Bill is about criminalising working people and eradicating any resistance, particularly in the public sector and particularly with regard to women. Why are the Government bashing low-paid people in the public sector, imposing pay restraints on them and coming up with crazy ideas about stripping tax credits from hard-working, low-paid people? They do not want to give those people the right to fight back. That is what the Bill is about. It is about eradicating that dissent while the Conservative Government keep their foot firmly on the necks of the low paid who are struggling even to make ends meet.

Mr Anderson: My hon. Friend is right about the way that people are being treated at work, but the other disgraceful thing about the Bill is that it is a clear attempt to break the relationship between the trade union movement and this party. It is about undermining this party, which represents the people he is talking about, so it is not only the trade unions that will be affected but every man and woman in this country. If this party is less strong, the Conservatives will continue to discriminate against working people.

4 pm

Ian Lavery: Absolutely. My hon. Friend makes an excellent point about the Bill's provisions on opting in to, rather than out of, the political fund. There has for many years been a gentlemen's agreement that political funding should be decided on a cross-party basis. Many Conservative Members would agree that this is not the type of Bill into which they should insert a clause which would so greatly restrict the finances of an opposing

party that it would struggle to fight a general election. As well as tackling the issue of dissent, the Bill is an attempt to ensure that the Opposition do not even have the finances to fight. It is about the Conservatives believing that they have the right to rule—not govern, but rule, and that is quite different.

Ian Mearns (Gateshead) (Lab): My hon. Friend is making a powerful point. I cannot help reflecting on the comments of the hon. and learned Member for South East Cambridgeshire (Lucy Frazer), who said that legislation should be appropriate to the time. We are in a time when industrial action in this country is at an all-time low. What problem to do with industrial action is the Bill trying to sort out?

Ian Lavery: We are in a time when more than a million people, most of them in work, are claiming family tax credits, and more than a million people who are in work and have families need to use food banks. I mentioned gagging and eradicating dissent. The Bill is about keeping people quiet.

James Cartlidge: The hon. Gentleman has slightly widened the debate, with tax credits and so on. He talks about us putting our foot on the neck of the poor. Does he think we are doing that by delivering the record lowest number of workless households that this country has ever seen?

Ian Lavery: That comment would give me the opportunity, if the Deputy Speaker were to allow it, to diversify my contribution. The Conservative Government have increased to record levels zero-hour contracts, lower-paid work and the number of apprentices, but before Mr Deputy Speaker chastises me, I will move on from that immediately because it is nothing to do with the Bill.

Lucy Frazer: Does the hon. Gentleman accept that 788,000 days were lost last year in strike action, at a time when every party in this House says that productivity is key?

Ian Lavery: If that is the figure, so be it, but in every case industrial action would have been taken through the legal process and as a last resort by individuals who need to take strike action to make their voice heard. We have the most restrictive anti-trade union legislation in the western world, and to take a day's action or any other type of action, workers have to go through all the hoops set out in legislation.

Stephen Doughty: My hon. Friend is making an excellent speech. The hon. and learned Member for South East Cambridgeshire (Lucy Frazer) commented on statistics and days and hours lost. My hon. Friend will recall from Committee that the hours lost in the provision of transport in London were due to reasons other than industrial action. The overwhelming majority of time lost is due to breakdowns, signal failure, overcrowding, leaves on the line and so on. Industrial action has accounted for barely 2% or 3% in most of the past 10 years. Is that not the fact that we are dealing with today?

Ian Lavery: I fully accept that. If we want to talk about productivity, we need to look at that, instead of trying to highlight something that is not really a problem.

Rachael Maskell: Days have been lost through industrial action because the negotiators, whether that is the Mayor of London or the Secretary of State for Health, refused to come to the negotiating table, refused to talk to the trade unions, and have been spoiling for a strike, as we are seeing now over the junior doctors contract. Surely the Bill should be about improved industrial relations which give a voice to working people, as opposed to crushing that voice.

Ian Lavery: I entirely agree. As I said earlier, does anybody want this Bill? Has anybody asked for it? Even some of the major Tory party donors have said it is purely union-bashing. As my hon. Friend the Member for Cardiff West (Kevin Brennan) said, and he was absolutely right, that is what Tories do. *[Interruption.]*

Tom Blenkinsop: The Minister just said that the Tories voted for it at the last election. You did not declare that as a policy prior to the last election. You also did not declare the NHS Act or the changes to the tax credits. If you are so proud of this planned legislation, why did you not declare it before the general election?

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. First of all, I am not responsible. I want to clear that up. *[Interruption.]* No, “you” refers to me. Mr Blenkinsop, you were wrong: it is not me. It may be those on the Government Benches, but you said “you”. Secondly, we need to speak about the amendment. I have allowed some latitude, Mr Lavery, because you have been tempted away, and I know that you want to get back to where you were.

Ian Lavery: That is absolutely correct, Mr Deputy Speaker. I think the reason my hon. Friend spoke in the way he did is that Government Front Benchers were having a separate conversation and not listening to a single word he was saying. That is not unusual.

This Bill is simply here to do three things: to restrict the right to organise, to restrict the right to collective bargaining, and to restrict the right to strike action. I did not serve on the Bill Committee, but I listened to many of the arguments in the evidence sessions, which were quite enlightening. I think the Minister himself would say that the Government found it extremely difficult to get anybody who had a clue what the Bill was about to speak for them at the evidence sessions. One of their witnesses, the chief executive of 2020Health, spoke about facility time. Facility time is a huge issue in this Bill, as the hon. Member for Glasgow South West (Chris Stephens) said. He asked my hon. Friend the Member for Cardiff West (Kevin Brennan) whether it is right that Government Ministers can intervene to dictate on facility time in Scotland and Wales. I would ask whether it is right that Government Ministers can intervene in facility time in any workplace anywhere in the UK. The answer, quite simply, is that it is not right: they should keep out of the workplace with regard to the likes of facility time.

Tom Blenkinsop: The hon. Member for Glasgow South West (Chris Stephens) pointed out that that self-same witness had no idea what life and limb cover was, nor did she know that it has been in existence since at least the early '80s, if not the late '70s, as a TUC agreement with the emergency services to make sure that there was always cover in the event of an emergency. The fact that witnesses called by the Government had no idea about long-term existing legislation shows how poor this Bill is and how poor the Minister's work on it has been.

Ian Lavery: This individual, who runs a private health organisation the length and breadth of the UK, was asked if she had read the Bill. She said, “Not really.” She was then asked, “Have you read most of the Bill?” “Not really.” “Do you understand what facility time is?” “Not really. What is facility time?” She did not even understand life and limb cover, which is integral to trade union law, whereby if there is a problem that is a life and limb issue, trade union representatives will break off industrial action to ensure that people are safe. And, let me say, she was the best witness we had.

Andy McDonald: Does my hon. Friend agree that the existence of facility time is beneficial to the good running of any public authority or business, and that eroding it will cause immense difficulties in terms of productivity if union representation cannot be provided for union members in the workplace?

Ian Lavery: Absolutely. Many, many papers have been presented by professors, doctors and other experts with regard to facility time. There have been many battles on industrial relations problems over many, many years—decades and decades—resulting in a decent industrial relations policy that allows for facility time. Facility time could involve, for example, discussions on health and safety, avoidance of industrial disputes or avoidance of the progression of court cases. It is not about people sitting in an office on the telephone organising disputes—quite the opposite; it is about trying to avoid these disputes.

Catherine West: When I was a council leader employing thousands of staff, facility time was given to cope with all the casework as a result of the then Government forcing cuts on local government that led to many redundancies. We had to triple the amount of casework time, which was crucial in ensuring that that terrible period of redundancy was managed in a humane way that helped people.

Ian Lavery: I agree with my hon. Friend's sentiments. If the Government start to decide how much, or how little, facility time individuals should have, there will be a breakdown in communication between the trade unions, the workforce and, indeed, the employers. In local government and the NHS, facility time is much valued and to the benefit of the general public.

If we applied the 40% and 50% thresholds to members of the coalition Cabinet prior to the election, not one of them would have been elected. We have to be fair and consistent with regard to thresholds. The average turnout for the police and crime commissioner elections was 17%, but nobody is saying that we should not listen to anything they have to say. The Government themselves were elected by only 24% of the electorate, but not

[*Ian Lavery*]

many people are saying—although a lot of people are wishing it—that they should not have the right to govern. Fairness should prevail.

There have been many discussions about how e-balloting would provide for a much bigger turnout. That is what the Conservative Government want, and I agree: we want more people to participate in the ballot, hence the threshold issue. It is terribly unfair to suggest that e-balloting is not a secure way to ballot individuals, because it is.

David Rutley (Macclesfield) (Con): The hon. Gentleman has been talking about the time we are in. It is pretty clear, as I understand it from what Labour Front Benchers are saying, that we are in a time of increased militant union activism. The shadow Chancellor has said:

“We will support all demonstrations in Parliament or on the picket line. We will be with you at every stage.”

Can the hon. Member for Wansbeck (*Ian Lavery*) not see that what we are trying to do is to protect the public through increased accountability and transparency?

Ian Lavery: I do not recognise the words of the hon. Gentleman, who usually addresses issues in a much more productive way.

Clive Efford (Eltham) (Lab): On protecting the public, we ought to remember that when we fought in this place to ban hunting with dogs, it was the Tories—not trade unionists—who let the protesters on to the Floor of this House. When Conservative Members talk about freedom of speech, perhaps they should remember some of their own past activities.

Ian Lavery: That is a fair point, well made by my hon. Friend.

There are lot of examples of e-balloting, including its use in mayoral elections and by the Central Arbitration Committee. I am a great believer in balloting in the workplace and, indeed, in a hybrid of both methods, to make sure that people actually get involved in such important ballots.

Richard Burgon (Leeds East) (Lab): What kind of society are we moving towards when, under the proposed 50% and 40% threshold rule, a strike would be illegal even if 79% of the votes cast were in favour of strike action?

Ian Lavery: That is absolutely correct and spot on.

I will very briefly mention one other issue. The Conservatives are suggesting something that happens nowhere else in society—that those who do not cast a vote will be classified as voting no. That is outrageous and horrendous. It is undemocratic. It is against International Labour Organisation conventions and against European Court of Human Rights decisions. That will—I repeat, will—be challenged.

I end by simply saying that, in my view, there is no place in today's society for this unbelievably brutal attack on hard-working men and women in the workplace. I predict one thing: that when ordinary people are

pressurised too much, there will be a reaction. I predict from the Floor of the House of Commons that there will be civil disobedience because bad laws need to be changed.

James Cartlidge: I will speak primarily to amendments 15, 16 and 21, tabled by the Scottish National party, which relate to the clauses on thresholds and the termination of the ballot mandate. My understanding is that if they were added to the Bill, they would, in effect, be completely redundant because they would require the provisions to be agreed by all the devolved authorities and, interestingly, by the Mayor of London, who I expect would very strongly agree.

It was a privilege to serve on the Public Bill Committee, my first as a Member of Parliament. I can genuinely say that I, for one, have a great admiration for the union movement. As a new MP, I found it stimulating and interesting to cross-examine the five most powerful union leaders. I went up to them afterwards and shook their hands. In fact, Sir Paul Kenny, perhaps sensing my inexperience in these matters, asked me whether I would like to come and join him on a picket line to find out what it was like. I am not sure which picket line he was referring to—perhaps the Chief Whip's—so I declined it on that occasion.

Kevin Brennan: You have made that illegal, haven't you?

James Cartlidge: Well, he gave me an invitation.

I must confess that there are many parts of the Bill on which I would not have been an expert had I not sat on the Public Bill Committee, but many members of the public think the same. If we were to talk about parts of the Bill to people who were not au fait with the details of unions or who were not themselves unionised, they would not necessarily be familiar with or see its significance. I do not say that with any disrespect to such issues, which I recognise are important to many Opposition Members.

For most members of the public, the key issue is the threshold. This is about the large strikes that, although relatively small in number, have had a massive impact, such as the London tube strikes. I would say to the hon. Member for Wansbeck (*Ian Lavery*), who made a very impassioned speech, that if he wants to see fury and people considering civil unrest, he should go and watch London commuters trying to fight their way on to a bus because the tube was out of action because of a ballot on lower than the threshold we will require.

David Rutley: Too often, we hear Labour Members talk about the inconvenience of a strike. In fact, a strike can cause major disruption. Surely we should focus on that. We need clear accountability to ensure that such disruption is minimised wherever possible.

James Cartlidge: My hon. Friend puts his point very well.

I would remind the House that when we took evidence, we heard from Roy Rickhuss—I hope I have pronounced that correctly—the general secretary of the Community trade union. He is of course very busy, at this very difficult time, with the steel industry. When asked about thresholds, he said that

“it is about having proper industrial relations and having a partnership approach. I do believe a threshold of 50% plus one is fair and reasonable, because that is what we have—that is our democracy.—[*Official Report, Trade Union Public Bill Committee*, 13 October 2015; c. 26-27, Q66.]

Mr Anderson: The hon. Gentleman has commented a few times about the fury of commuters. I understand that completely; we are commuters as well. If the provision goes through and the Bill is enacted, and a strike then takes place legitimately, is he really saying that that the people he represents will no longer be furious?

James Cartlidge: No, I am not saying that. If the strike took place with the strong support that has to be achieved under these provisions, the public would at least understand that it had full consent. They are angry about the strikes—we heard about them in evidence given to us by bus companies, rail companies and others—in which, on relatively small turnouts, massive disruption has been caused to millions of people.

Edward Argar (Charnwood) (Con): Does my hon. Friend agree that the Bill does not ban or prohibit strikes, but ensures that the hundreds of thousands or even millions of people who are affected by strikes in vital public services can be reassured that there is a genuine mandate for such action?

4.15 pm

James Cartlidge: My hon. Friend puts it extremely well.

I finish with this point. The hon. Member for Wansbeck asked what support there was for the Bill. We have heard from the CBI, the British Chambers of Commerce, bus companies, rail companies and, above all, the people who use the services. Even Len McCluskey issued a letter to the Committee supporting the 50% threshold. I accept that that was with e-balloting, but there is strong principled support across the country for changes on thresholds. I will leave it there.

Ian Lavery *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Has the hon. Gentleman given way or finished? We need to get this right.

James Cartlidge: I am happy to take this point.

Ian Lavery: I need to clarify the point about Len McCluskey. Unite the union suggested that discussions should take place. It wrote to the Prime Minister suggesting that thresholds would be irrelevant if the Government introduced e-balloting in the workplace. That was the precondition.

James Cartlidge: I thought it was fair to give way to the hon. Gentleman, given that I had mentioned him a couple of times, but the best person to take those points forward is the Minister. On that point, I am happy to conclude.

Tommy Sheppard (Edinburgh East) (SNP): On Second Reading, I asked a question to which I have had no answer to date. Quite simply, what problem is this proposed legislation designed to solve? What calamity

do we have in our land in the field of industrial relations that means that the Government of the day must prioritise this legislation? I cannot find any. The average worker in the United Kingdom goes on strike for one day every 15 years. It is therefore ridiculous that this matter should be the priority of the Government.

I believe that the only reason the Bill is before us, with so few Government Members listening to the debate, is purely ideological. I do not say that all Members or all strands of the Conservative party are against trade unions, but there most definitely is a strand that is very unempathetic to trade unions and that sees the ability of people to combine together in the workforce to prosecute their interests as an impediment on the rights of employers to make their profits and run their enterprises as they see fit. There is a hostile attitude to trade unions. That, unfortunately for the working people of this country, is the strand within the Tory party that is in the ascendency and in the driving seat in respect of this legislation.

It is a great irony, is it not, that to introduce this legislation, the Conservative party will have to have an unprecedented degree of state interference in the affairs of private enterprise? There will have to be state regulation of trade unions that is more akin to a totalitarian than a democratic regime.

I support the SNP amendments that would require consent from the local and devolved authorities in the United Kingdom for the provisions of the Bill to be implemented. In parallel with this discussion, we have been having a debate on the Scotland Bill about the competences and authorities that should go to the Scottish Parliament. In fact, we argued that this entire area should be devolved to the Scottish Parliament simply because it would mean that proposals such as this Bill would never see the light of day. However, we know that there is not a majority in this House for devolving these powers and I want it to be clear that we are not arguing for that today.

What we are arguing for goes to the heart of the debate in this country about who runs public services. It has been the will of this Parliament that many of our public services should be devolved to local and devolved administrations. It is therefore not right for this Parliament to hinder the ability of the managers of those services to deliver them by interfering and setting requirements on the most important resource that is available to them: the workforce. Just because the hon. Member for Uxbridge and South Ruislip (Boris Johnson) has a problem managing relations on the London underground, the rest of country should not have to suffer.

A series of amendments seek consent on each of the major provisions in the Bill. I will speak about some of those measures, but I will try not to repeat what has already been said by my hon. Friends, much of which I completely agree with. A number of mechanisms in the Bill are designed to make it harder for a trade union to win a ballot to go on strike—let us be clear about that objective. However, Conservative Members are mistaken if they think that that will make a problem go away.

It seems that among the authors of this Bill there is great ignorance about the process of managing industry. Often, if a concern or dispute arises among the workforce, and members go to their trade union and the union decides to do something, that can be a way of resolving a dispute or problem to the benefit of the industry or

[Tommy Sheppard]

service concerned. The additional measures in the Bill will make it harder for unions to go on strike, but that will let problems fester and dysfunction continue, which will not benefit the trade, industry or service in which the dispute is taking place. When a union eventually passes those hurdles and gets a mandate for a strike, that strike will be bigger, longer and more vicious than it ought to have been had the matter been attended to at an earlier stage. I contend that measures that the Government think are about making it harder for unions to take strike action will have a deleterious effect on industrial relations and make it harder for the management of public or private services to deliver and get the consent of their workforce.

Given the way that the issue is being discussed, it seems that Conservative Members conceive of facility time as some sort of stipend whereby union officials spend all day organising strike action and trying to bring industry to its knees. It is nothing of the kind, and if those Members had worked in a public service for one day, they would understand that often, union stewards and officials play an extremely constructive role at local level in the delivery of that industry or service. In many ways, their role can be described as that of a welfare officer, and officials often help out individual employees who may have problems with management or at work, but who may also just have personal problems that are affecting their work.

Jo Stevens: When giving evidence to the Bill Committee, the general secretary of the Union of Shop, Distributive and Allied Workers, John Hannett, said that trade unions are problem solvers rather than problem causers. Does the hon. Gentleman agree?

Tommy Sheppard: I agree wholeheartedly and my experience all my working life, as both employer and employee, indicates that that is exactly the case. Facility time can be a good thing for management and industry, and for getting things done.

If a local authority, health board or whatever has a check-off facility that has been voluntarily agreed with its workers to deduct a payroll subscription for a union, how can it be okay for that to be outlawed and criminalised, when the same facility can be used by the National Trust or any charity or insurance scheme that wishes? That is frankly ridiculous and punitive in the extreme, and it belies the fact that the Bill, despite its title, is an anti-trade union Bill. Hopefully we will get an explanation for that when the Minister winds up the debate. If this is about money and the cost to the public sector, I am sure that unions will be happy to negotiate paying. As the hon. Member for Stafford (Jeremy Lefroy) remarked earlier, local authorities and others may be able to make money out of providing a service for payroll check-off.

Time is short and I know that other Members want to speak. I say simply that if the amendment is voted down and we do not agree to the consent of the London Mayor, Welsh Assembly, Scottish Parliament, or whoever is delivering the service being required for this provision to be implemented, and that the Government will force services to do whatever they want, even if that does not make sense locally, will we not be entering into uncharted

territory? The Government will effectively be declaring that they are prepared to go to war with the devolved Administrations and local authorities in this country, which they have said should be responsible for the delivery of those services.

As I have said so many times, this is one of the things in the Conservatives' manifesto that I do not think they ever expected they would have to implement. They do not have a mandate for this, and I ask them, even at this eleventh hour, to pull back.

Mr Anderson: I am proud to declare my interests in relation to the trade union movement. I am glad that the hon. Member for Huntingdon (Mr Djanogly) has returned to his place, because he talked about intimidation in workplace ballots. I refer him to the last two workplace ballots run by the National Union of Mineworkers in 1981 and 1983, in very tense times. There was an 80% turnout in both ballots on taking national strike action to fight pit closures. In both ballots, more than two thirds of the members said no. Where was the proof of intimidation there?

The hon. Gentleman also claimed that my party wants to go back to workplace ballots only, but that is completely untrue. We do not want these changes, but if we have to have them, let us be serious about them. We have tabled amendments to keep workplace ballots, but we have also said, "Let's have electronic voting."

It is clear that this Bill is about bias. It is about blocking people like me from having the opportunity to go through the trade union movement and get the skill, the confidence, the training and the support from a trade union to become part of the political movement that the trade unions gave birth to, so that I can come in here and challenge people such as the hon. Gentleman who want to destroy the things that I believe in and he hates. That is what this Bill is about—nothing more, nothing less.

Who wants this Bill? When I was canvassing in Blaydon during the election, not one person said to me, "We want to tighten trade union legislation." More pertinently, before the debate today, not one person asked me to support the Bill. But 431 people have written to me directly to ask me to oppose it. The employers do not want it, the workers do not want it and it is clear that the public do not want it. If this Bill is forced through, we will see more industrial unrest, as the hon. Member for Edinburgh East (Tommy Sheppard) said. Disputes will not end, victimisation in the workplace will not end, health and safety abuses at work will not end, discrimination will not end and exploitation will not end.

Frustrated workers will not stand back, no matter what the legislation says. We will end up with workers being forced to break rotten laws. If that happens, I would say to members of my party and other MPs of conscience that we should stand four-square behind those workers. This Bill is nothing more than an attempt to undermine democracy. The Conservatives are even abusing the memories of Winston Churchill and Margaret Thatcher—and I cannot believe I am saying that.

The Minister for Skills (Nick Boles): We have heard fierce argument in Committee and today from those who would seek to exclude some areas of Great Britain from the reach of the Bill, or who would seek to allow coverage in those areas only with the consent of the

bodies to which certain other responsibilities have been devolved. Nothing in the Bill need cut across the positive relationships that we have heard about between unions and Government in Scotland and Wales.

There is nothing to stop union representatives using paid facility time to fulfil their union duties to help represent working people. All the Bill does in relation to facility time is introduce measures that have already been introduced in the civil service, and union duties are still admirably and adequately fulfilled in the civil service.

It is important for the productivity and prosperity of Great Britain as a whole that arrangements pertaining to employment matters apply consistently across the whole country. Employers do not see boundaries when engaging staff. Many employers have employees in all three countries, in London and in various English authorities. Having different employment laws applying would produce a complex situation, involving much confusion and cost for business.

Jonathan Edwards: As the Minister will be aware, this Bill does not apply to Northern Ireland because these issues are devolved. Is he aware of the comments by Dr Stephen Farry, the Minister in Northern Ireland? He said:

“I do not believe that there is a case for winding back the clock in terms of trade union reform or that such regression would also be supported by the Executive and the Assembly.”

Is it seriously a surprise to the Minister that that Scottish Parliament and the National Assembly for Wales agree with those points?

Nick Boles: I am sorry we were not able to hear from the hon. Gentleman directly, because I am sure he has much to contribute. He will be aware there is a particular historical record in Northern Ireland, which is why, quite a long time ago, employment law was devolved to Northern Ireland. That historical record, I am glad to say, does not apply elsewhere in Great Britain. This is why employment and industrial relations law are clearly reserved matters under the Scottish and Welsh devolution settlements. It is entirely in order for the Government to propose that the Bill applies to the whole of Great Britain and does not require the consent of the devolved Governments or any local authorities.

4.30 pm

Let me turn to the detail of the various amendments on ballot thresholds, information, mandates, and consent by devolved authorities. Commuters and families all over Great Britain suffer disruption when the workers in a local transport provider or school go on strike. By increasing the democratic mandate, the Bill will not stop strikes—it may not even lead to many fewer strikes—but it will reassure members of the public that strikes are happening on the basis of strong democratic mandates, and that their lives are not being disrupted for no purpose.

Christian Matheson: Several private bus companies in Chester have recently withdrawn rural services, which is inconveniencing commuters in Chester. Why are the Government not legislating to stop them doing that?

Nick Boles: The hon. Gentleman will be aware that those people have alternative services, and where they do have alternatives we are not proposing to introduce

the higher mandate. We are producing the higher mandate when a service is effectively a monopoly in the life of consumers, and they have no other possibility they can arrange at short notice.

On the certification officer, it is entirely reasonable for a union regulator to mirror the geographical extent of unions themselves. It would be very disruptive to have a single union subject to different regulatory arrangements in Scotland than in the rest of Great Britain—or, worse, for a union to be subject to no regulation at all in Scotland or Wales, but subject in parts of England. It is worth noting that the 1992 Act already provides, under section 254, that the certification officer may appoint an assistant certification officer for Scotland, and may delegate to that assistant certification officer such functions as he thinks appropriate in relation to unions based in Scotland.

Chris Stephens: The Minister talks about unions being organised on a geographical basis. Does that mean that the Educational Institute of Scotland will be exempt from the Bill?

Nick Boles: The hon. Gentleman, with whom I have had very lively and enjoyable debates in Committee, knows that the provisions in the Bill apply under the devolution settlement throughout Great Britain and to all institutions, including those active only within Scotland.

In conclusion on these amendments, Parliament has put in place proper procedures for considering what should be reserved to Westminster and what should be devolved to other Administrations. Debates took place in this Chamber only yesterday on what should be devolved and what should be reserved to Westminster. Employment and industrial relations law is reserved.

Turning to other balloting methods proposed in amendments tabled by Opposition parties, it is vital that union members, employers and the public have the utmost confidence in ballot processes, as my hon. Friend the Member for Huntingdon (Mr Djanogly) argued so clearly. Without that, the integrity of the whole system would be called into question; members would not use it, unions would not rely on it, and employers and the public would not trust it. That is not in anyone's interests.

As I said in Committee, and as the Prime Minister has said, we have no objections in principle to the introduction of e-balloting. I expect that in some time—maybe in five or 10 years—the practical objections I am about to outline will have been overcome. It is simply a matter of time and human ingenuity. However, there are practical objections, and the Opposition cannot just dismiss them. The onus is on them, in proposing new forms of voting, to show that the objections can be overcome.

The Speaker's Commission on Digital Democracy received evidence from the Open Rights Group, and I quoted that evidence on Second Reading. This February, Jim Killock, its executive director, gave an interview to *The Guardian*, in which he said of online balloting:

“This is a very hard problem to solve and so far nobody has managed it. Accountability in most software systems means a clear audit trail of who did what, which of course would violate the basic question of secrecy... You have the complexity of making sure that internet systems are secure, that the voting equipment can be trusted despite being attached to the internet, and that every voter's machine is not being tampered with. Given

[Nick Boles]

the vast numbers of machines that are infected by criminally controlled malware and the temptation for someone to interfere in an election, internet voting is a bad idea.”

I am not aware that the gentleman quoted is a Conservative or that he supports the Government. *[Interruption.]* Instead of shouting at me, Opposition Members should reflect on the objections raised and work with us to try to overcome them. We are absolutely open to discussing these practical objections, and to working with the Opposition parties and anyone else in society to overcome them.

Richard Fuller: My hon. Friend has spoken about problems with processes, but we are talking about some of the most venerable institutions in our country: trade unions. At this early stage of the Parliament, with five years of important discussions to have with trade unions across the country on wages, terms and conditions, productivity and efficiencies, does he want to say to trade union leaders that the Government do not trust them to run a ballot?

Nick Boles: I want to say to trade union leaders that when they can overcome the objections listed not by me, but by experts from groups such as the Open Rights Group, the Government will be happy to work with them to implement new forms of balloting. Until then, however, we remain to be persuaded.

My hon. Friend the Member for Huntingdon is right that there is no requirement for primary legislation to introduce new forms of balloting. It can be done under powers in section 54 of the Employment Relations Act 2004. On that basis, I urge the House to reject the amendments.

Chris Stephens: I thank Members who have contributed to this debate. I have been struck by three things. I say gently to the Minister and the Conservatives—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order.

Chris Stephens: I am summing up, Mr Deputy Speaker.

Mr Deputy Speaker: I am going to stop you in a second, so you need to say whether you want to withdraw the amendment.

Chris Stephens: Okay, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

New Clause 2

WORKPLACE BALLOTS AND BALLOTS BY ELECTRONIC MEANS

“(1) Workplace ballots and balloting by electronic means, shall be permitted in the types of trade union ballots specified in subsection (2) with effect from the commencement date for sections 2 and 3 (Ballot thresholds for industrial action);

(2) The types of trade union ballots to which subsections (1) and (3) apply are those referred to in Chapters IV (elections for certain positions), V (industrial action), VI (political resolutions) and VII (approval of instruments of amalgamation or transfer).

(3) In relation to the ballots referred to in subsection (2)—

(a) the employer shall be under a duty to co-operate generally in connection with the ballot with the union, which shall include not undertaking surveillance of, intercepting or otherwise interfering with any communications between the union and its members, and with any person appointed in accordance with section 226B of the Act (Appointment of Scrutineer); and

(b) every person who is entitled to vote in the ballot shall be permitted to do so without interference or constraint imposed by any employer of the union’s members, or any of its employees or any person its behalf.

(4) Where in any proceedings an employer claims, or will claim, that a union has failed to comply with any requirement referred to in subsection 226 of the Act (Requirement of ballot before action by trade union), the union will have a complete defence to those proceedings if the employer has failed to comply with any part of its duty under subsection (3)(a) or it, or any of its employees or any person on its behalf, has imposed any interference or constraint of a type referred to in subsection (3)(b).

(5) In this section—

(a) “Workplace ballot” means a ballot in which votes may be cast in the workplace by such means as is or are determined by the union. Such means of voting in the workplace determined by the union may, but are not required to, include electronic means; and

(b) “electronic means” means such electronic means as is or determined by the union and, in each case, where section 226B of the Act (Appointment of Scrutineer) imposes an obligation on the union, is confirmed by the person appointed in accordance with that section, before the opening day of the ballot as meeting the required standard.

(6) Where electronic means are determined by the union, and, if applicable, confirmed by the person appointed under section 226B of the Act as meeting the required standard as provided for in subsection (5), the means of voting in the ballot shall also include postal voting, or some means of voting in a workplace ballot other than electronic means, where determined by the union and, in a case in which section 226B of the Act imposes an obligation on the union (Appointment of Scrutineer), confirmed by the person appointed in accordance with that section as being reasonably necessary to ensure that the required standard is satisfied.

(7) For the purpose of subsections (5) and (6), a workplace ballot or means of electronic voting satisfies ‘the required standard’ for the ballot if, so far as reasonably practicable—

(a) those entitled to vote have an opportunity to do so;

(b) votes cast are secret; and

(c) the risk of any unfairness or malpractice is minimised.

(8) Any provision of the Act shall be disapplied to the extent necessary to give effect to this section.”—(*Chris Stephens.*)

Brought up, and read the First time.

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

The House divided: Ayes 268, Noes 301.

Division No. 117]

[4.38 pm

AYES

Abbott, Ms Diane
Ahmed-Sheikh, Ms Tasmina
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Arkless, Richard
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah

Barron, rh Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blenkinsop, Tom
Blomfield, Paul

Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Burnham, rh Andy
 Butler, Dawn
 Byrne, rh Liam
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Cherry, Joanna
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, rh Yvette
 Corbyn, Jeremy
 Cowan, Ronnie
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Piero, Gloria
 Docherty, Martin John
 Donaldson, Stuart Blair
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Dugher, Michael
 Durkan, Mark
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Field, rh Frank
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Gapes, Mike
 Gethins, Stephen
 Glass, Pat
 Glendon, Mary

Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh Mr David
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Mr Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Irranca-Davies, Huw
 Jarvis, Dan
 Johnson, rh Alan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Kendall, Liz
 Kerevan, George
 Kerr, Calum
 Khan, rh Sadiq
 Kinnock, Stephen
 Kyle, Peter
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Leslie, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 MacNeil, Mr Angus Brendan
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCaig, Callum
 McCarthy, Kerry
 McDonagh, Siobhain

McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, John
 McFadden, rh Mr Pat
 McGarry, Natalie
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McLaughlin, Anne
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Monaghan, Dr Paul
 Moon, Mrs Madeleine
 Morden, Jessica
 Morris, Grahame M.
 Mulholland, Greg
 Mullin, Roger
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten
 Owen, Albert
 Paterson, Steven
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Powell, Lucy
 Pugh, John
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Marie
 Ritchie, Ms Margaret
 Robertson, rh Angus
 Robinson, Gavin
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Ryan, rh Joan
 Salmond, rh Alex
 Saville Roberts, Liz
 Shah, Naz
 Shannon, Jim
 Sheppard, Tommy

Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Spellar, rh Mr John
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Stuart, rh Ms Gisela
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Thomson, Michelle
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Watson, Mr Tom
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Corri
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Ms Rosie
 Wishart, Pete
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Ayes:
Owen Thompson and
Marion Fellows

NOES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Barwell, Gavin
 Bebb, Guto
 Bellingham, Mr Henry
 Benyon, Richard
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Blackwood, Nicola
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Borwick, Victoria
 Bottomley, Sir Peter

Bradley, Karen
 Brady, Mr Graham
 Brazier, Mr Julian
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair
 Cairns, Alun
 Carmichael, Neil
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Mr Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colville, Oliver
 Costa, Alberto
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Byron
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Donelan, Michelle
 Dorries, Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellison, Jane
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evennett, rh Mr David
 Fabricant, Michael
 Fernandes, Suella
 Field, rh Mark
 Foster, Kevin
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Gale, Sir Roger
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat
 Gibb, Mr Nick

Glen, John
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, Mr James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 David, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lopresti, Jack

Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philp, Chris
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul

Selous, Andrew
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Swire, rh Mr Hugo
 Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, Mrs Anne-Marie
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 White, Chris
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
 Sarah Newton and
 Simon Kirby

Question accordingly negated.

Clause 9

UNION SUPERVISION OF PICKETING

Kevin Brennan: I beg to move amendment 6, page 4, line 31, leave out clause 9.

Mr Deputy Speaker (Mr Lindsay Hoyle): With this it will be convenient to discuss the following:

Amendment 38, page 5, line 6, leave out “must” and insert “may”.

This amendment would make the obligations under clause 9 voluntary rather than mandatory.

Amendment 10, page 5, leave out lines 7 to 19 and insert—

“(3) A picket supervisor is required to show a constable a letter of authorisation only if—

- (a) the constable provides documentary evidence that he or she is a constable;
- (b) the constable provides his or her name, and the name of the police station to which he or she is attached; and
- (c) the constable explains the reasons for the request to see the letter of authorisation.

(4) If a picket supervisor complies with a constable’s request to produce a letter of authorisation, the police officer shall provide the picket supervisor with a written record of the request, the reasons for it, and an acknowledgment that the request was complied with.

(5) If a picket supervisor fails to comply with a constable’s request to produce a letter of authorisation, the police officer shall provide the picket supervisor with a written record of the request, the reasons for it, and an acknowledgment that the request was not complied with.

(6) Information about the identity of a picket supervisor and any information relating to the production of a letter of authorisation shall be retained by the police only for the purposes of giving evidence in legal proceedings directly related to the picketing to which it is connected.

(7) For the avoidance of doubt neither a member of the public nor an employer shall be entitled to request a picket supervisor to produce a letter of authorisation.”

Amendment 39, page 5, line 7, leave out “must” and insert “may”.

This amendment would make the obligations under clause 9 voluntary rather than mandatory.

Amendment 40, page 5, line 10, leave out “must” and insert “may”.

This amendment would make the obligations under clause 9 voluntary rather than mandatory.

Amendment 41, page 5, line 15, leave out “must” and insert “may”.

This amendment would make the obligations under clause 9 voluntary rather than mandatory.

Government amendments 2 and 3.

Amendment 42, page 5, line 17, leave out “must” and insert “may”.

This amendment would make the obligations under clause 9 voluntary rather than mandatory.

Amendment 43, page 5, line 20, leave out “must” and insert “may”.

This amendment would make the obligations under clause 9 voluntary rather than mandatory.

Amendment 44, page 5, line 25, leave out “must” and insert “may”.

This amendment would make the obligations under clause 9 voluntary rather than mandatory.

Government amendment 4.

New clause 1—*Industrial action and agency workers*—

“(1) Subject to subsection (3), an employment business shall not introduce or supply a work-seeker to a hirer to perform—

- (a) the duties normally performed by a worker who is taking part in a strike or other industrial action (“the first worker”), or
- (b) the duties normally performed by any other worker employed by the hirer and who is assigned by the hirer to perform the duties normally performed by the first worker,

unless in either case the employment business does not, and has no reasonable grounds for knowing, that the first worker is taking part in a strike or other industrial action.

(2) Subject to subsection (3) an employer (“the hirer”) shall not procure an employment agency to supply a work-seeker to perform—

- (a) the duties normally performed by a worker who is taking part in a strike or other industrial action (“the first worker”), or
- (b) the duties normally performed by any other worker employed by the hirer and who is assigned by the hirer to perform the duties normally performed by the first worker,

unless in either case the hirer does not, and has no reasonable grounds for knowing, that the first worker is taking part in a strike or other industrial action.

(3) Subsections (2) and (3) shall not apply if, in relation to the first workers, the strike or other industrial action in question is an unofficial strike or other unofficial industrial action for the purposes of section 237 of the 1992 Act.

(4) For the purposes of this section an “employment business” means an employment business as defined by the Employment Agencies Act 1973.

(5) Breach of the provisions of this section shall be actionable against both the employment business and the hirer for breach of statutory duty.

(6) For the avoidance of doubt, the duty in subsections (1) and (2) above are owed to—

- (a) any worker who is taking part in the strike or industrial action; and
- (b) any trade union of which such a worker is a member.”

New clause 3—*Statements on Bills affecting Trade Union political funds*—

“(1) A Minister of the Crown in charge of a Bill in either House of Parliament must, before Second Reading of the Bill, if the Bill contains provisions which are likely to affect the machinery of Trade Union political funds—

- (a) make a statement to the effect that the Bill has been introduced with the agreement of the leaders of all the political parties represented in the House of Commons, or
- (b) make a statement to the effect that the Bill has been introduced without agreement of the leaders of all the political parties represented in the House of Commons as the case may be.

(2) The statement must be in writing and be published in such manner as the Minister making it considers appropriate.”

New clause 4—*Certification Officer*—

For subsections (2) to (4) of section 254 of the 1992 Act substitute—

“(2) The Certification Officer shall be appointed by the Judicial Appointments Commission, and the person appointed shall have expertise in trade union law.

(3) There shall be a Certification Officer for Scotland, equal in status to the Certification Officer in subsections (1) and (2) above.

(4) The Certification Officer for Scotland shall be appointed by the Judicial Appointments Board for Scotland, and the person appointed shall have expertise in trade union law.”

Amendment 27, page 5, line 31, leave out Clause 10.

Amendment 1, page 7, line 6, at end insert—

“(2A) After section 85 of the 1992 Act insert—

“85A Payment of political funds directly to political parties

(1) The opt-in notice at section 84 of this Act must include a provision to permit the member of a trade union to direct the trade union to transfer the member's political fund contributions directly to a UK political party rather than the trade union's political fund.

(2) In this section a “UK political party” is a political party that is on the register of political parties in Great Britain and Northern Ireland maintained by the Electoral Commission.

(3) Where a trade union member indicates that his or her contributions should be transferred directly to a UK political party, the union must make the transfer within 31 days of receipt of the contributions from the member.”

This amendment would empower trade union members to direct their political fund contributions be paid directly to a political party rather than into a union's political fund.

Amendment 28, page 7, line 11, leave out clause 11.

Amendment 37, page 8, line 17, clause 12, leave out “how many” and insert “the percentage”.

Amendment 25, page 8, line 19, leave out “total amount” and insert “the percentage”.

Amendment 26, page 8, line 29, at end insert

“and whether these are met in part or in full by a contribution from a trade union.”

Amendment 24, page 8, line 29, at end insert—

“(f) the percentage of relevant union officials whose facility time is met by a contribution from a trade union in whole or in part.”

Amendment 23, page 8, line 42, leave out paragraphs (b) and (c).

Amendment 11, page 9, line 32, clause 13, at end insert—

“(1A) A minister shall not exercise powers under this section except to the extent that the exercise of these powers is compatible with treaty obligations.”

Amendment 12, page 10, line 37, at end insert—

“(9A) The regulations may require an employer to take any steps under this section except to the extent that these steps are incompatible with treaty obligations.”

Amendment 13, page 10, line 45, at end insert—

“(d) (1B) “treaty obligations” means treaties of (a) the Council of Europe and (b) the International Labour Organisation, which are in force and which have been ratified by the United Kingdom.”

Amendment 5, page 11, line 12, clause 14, leave out subsection (2) and insert—

“(2) Subject to subsection (2A), an employer is a relevant public sector employer if the employer is a public authority specified, or of a description specified, in regulations made by a Minister of the Crown.

(2A) An employer is not a relevant public sector employer so far as trade union subscription deductions are concerned where there exists an agreement between the employer and a trade union which provides for—

(a) the remittance by the employer to the trade union of those deductions, and

(b) the making of a payment by the trade union to the employer in respect of that remittance.”

Amendment 36, page 11, line 37, at end insert—

“(8) The regulations may require an employer to take any steps under this section except to the extent that these steps are incompatible with treaty obligations, where ‘treaty obligations’ means treaties of (a) the Council of Europe and (b) the International Labour Organisation, which are in force and which have been ratified by the United Kingdom.”

Amendment 35, page 12, line 8, at end insert—

“(4) A minister shall not exercise powers under this section except to the extent that the exercise of these powers is compatible with treaty obligations.”

Kevin Brennan: I must say I thought we won the last debate, but somehow or other we lost the vote. As Disraeli said, perhaps a majority is its own repartee, but perhaps things will be different when these matters are discussed in another place.

Amendment 6 would delete clause 9 and leave picketing arrangements as they currently stand. Picketing activities are already heavily regulated in the UK by an extensive range of civil and criminal laws. Unions must comply with the requirements for peaceful pickets contained in section 220 of the Trade Union and Labour Relations (Consolidation) Act 1992 and operate in accordance with the accompanying code of practice. The Conservative Government have failed to demonstrate why the picketing provisions in the Bill are necessary or justified. The Government's own Regulatory Policy Committee concluded that the BIS impact assessments on picketing restrictions were not fit for purpose.

The Government have made some minor concessions, which I will come on to later, but these new provisions go far beyond what is fair or necessary. In fact they were described by the right hon. Member for Haltemprice and Howden (Mr Davis) as Franco-style and I think that is an appropriate description, by a Conservative Member.

The clause will introduce a new restriction on picketing activities by trade unions and their members, and failure to comply with these over-prescriptive requirements will expose trade unions to legal challenges. Employers will be able to apply to court for an injunction preventing, or imposing restrictions on, a picket or even for damages for failing to wear an armband on a picket line.

Over the summer, the Government ran a very short consultation. It was utterly insufficient given the scale of the Bill's proposed changes. The Government sought to rely on evidence gathered during the Carr review, even though the Government's own impact assessment confirmed that

“this evidence could not be substantiated”.

Carr decided he was unable to make evidence-based proposals or recommendations for change as originally instructed

“due to the increasingly political environment within which [he] was operating coupled with the lack of a significant enough body of evidence to support any recommendations for change”.

Steve Rotheram (Liverpool, Walton) (Lab): Does my hon. Friend see the irony in the supposed party of free marketeers intervening in an agreement between two other parties?

Kevin Brennan: Yes, I do. My hon. Friend is absolutely right. I will come to that point when we discuss some of the later amendments. For the moment, I shall talk about the picketing provisions.

The BIS consultation document also acknowledged that most pickets conform to the guidance set out in the code of practice. The Regulatory Performance Committee's review of the Government's impact assessment also found that

"there is little evidence presented that there will be any significant benefits arising from the proposal".

Liberty's briefing for today's debate states:

"In the absence of any evidence that these changes are needed, these bureaucratic proposals can only be construed as an attempt to create a situation whereby individuals and unions are set up to make mistakes, subjecting them to legal action and making strike action even more expensive and risky than it already is."

Chris Stephens: Does the shadow Minister share my concern, which was also mentioned in evidence to the Bill Committee, that the proposed new picketing arrangements could result in the increased blacklisting of trade union activists?

Kevin Brennan: There is every likelihood of that happening, as was clearly revealed in the evidence given to the Committee.

The current UK law provides sufficient safeguards, including provisions for the police to crack down on illegality and breaches of the peace, but all the while protecting the rights of trade union members to engage in peaceful picketing at the entrance to their workplace. These measures are not only unnecessary; they are an affront to democracy, which is why our amendment would remove them from the Bill altogether by deleting clause 9.

I said earlier that the Government had introduced some minor changes as a result of the consultation. Their amendments in this group are the result of significant scrutiny and pressure from my hon. Friends in Committee. The Government have now decided to reverse their position on the plans to introduce even tighter restrictions on union pickets and protests that they proposed in their consultation over the summer. They have also granted minor concessions in amendments 2, 3 and 4 that loosen the requirements relating to letters and picket supervisors.

Trade unions will not now be required to publish picket and protest plans 14 days in advance, detailing where, when and how they plan to protest and whether they propose to use Twitter and Facebook accounts as part of their campaign. It is extraordinary that that was ever proposed; it is a ludicrous proposal. Also, the Government will not now introduce new criminal offences on picket lines or direct local authorities to use antisocial behaviour provisions against union members participating in pickets and protests. Those minor concessions do not go nearly far enough, however. The Bill still contains many draconian measures that will violate the civil liberties of trade unions and their members. Clause 9 will still impose significant new restrictions on the ability of trade unions and their members to picket and protest peacefully, thereby undermining their civil liberties.

Ian Mearns: Perhaps it is regrettable that, having consulted on the matter, the Government have now withdrawn their proposal to outlaw secondary or wildcat

tweeting. *[Laughter.]* Does my hon. Friend also agree that the evidence from the Police Federation and the National Police Chiefs' Council made it clear that even the police do not want this legislation?

Kevin Brennan: Indeed; the fact that they did not want it was clear from the evidence of the Police Federation in particular. Satire is a powerful tool, and even when the Government make proposals that are apparently beyond satire, my hon. Friend manages to make a good point with his remark about wildcat tweeting.

Picketing will now be lawful only if unions appoint a picket supervisor and notify the police of their name and contact details. The supervisors will be required to carry a letter of authorisation which must be shown to the employers or their representatives on demand. It is also astonishing that they will still be required to wear armbands to identify themselves. Sara Ogilvie of Liberty said the following during the oral evidence sessions:

"The thought that we would require a person in 2015 to wear an armband and carry a letter of authorisation at the behest of the state in order to exercise their rights does not seem right."—*[Official Report, Trade Union Public Bill Committee, 13 October 2015; c.58, Q157.]*

She was understating it. Any person with a feeling for freedom and liberty would feel uneasy at these provisions. They smack of a political culture alien to that which, whatever our political differences in this place, is normally shared across parties in this country. Why do trade unions engaged in a lawful trade dispute deserve to be singled out for what I can only describe as un-British treatment?

5 pm

I know that many right hon. and hon. Members on the Government Benches will be encouraged by their Whips to hold their noses and support clause 9, in the party interest, against some of their better instincts, but I have to say this to them: in terms of freedom and liberty, you can hold your nose all you like, but it still stinks.

Jo Stevens: Does my hon. Friend agree that this Bill in effect creates two tiers of civil liberties and human rights in this country? One tier has much higher restrictions for trade union members and the other tier is for the rest of the population.

Kevin Brennan: My hon. Friend is absolutely right about that. Why is it only trade unions that are being singled out in this way? I think we explored some of the reasons earlier in this afternoon's debate.

New clause 1, which stands in the name of the hon. Member for Glasgow South West (Chris Stephens) and his colleagues, is similar to the new clause 12 we tabled in Committee. It would insert in the Bill a ban on the supply of agency workers during industrial action. As we know, the Government are planning to remove the ban on agencies knowingly supplying agency workers to replace striking workers. Kate Shoosmith, the head of policy at the Recruitment & Employment Confederation, which has nearly 3,500 corporate members, has said:

"We are not convinced that putting agencies and temporary workers into the middle of difficult industrial relations situations is a good idea for agencies, workers or their clients."

[Kevin Brennan]

The CIPD, the professional body for HR, which has about 140,000 members, warned that the Government's plans to reform trade union laws are "an outdated response", given the challenges employers face today.

Rachael Maskell: In the dispute at Northampton hospital, the pathologists were locked out of the lab and the trust brought in agency workers. That escalated risk to such an extent that samples were not able to be used for testing. Is it not the case that agency workers can make things far worse rather than better?

Kevin Brennan: They can make matters far worse. When we look at this proposal alongside clause 7, it becomes clear that the introduction of an extended notice period is there to give the employer additional time to organise agency workers to undermine the industrial action, as well as to be able to prepare for legal challenges. My hon. Friend has hit the nail on the head: this is bad for safety and bad for service users, and bad because it could serve to prolong industrial action unnecessarily. It will also be bad for the general public. Conservative Members ought to care about the fact that it will also be bad for social cohesion in this country. Presumably, as a next step the Government will be getting the Department for Work and Pensions to sanction the unemployed for refusing to act as strike breakers.

Christian Matheson: Has my hon. Friend also considered that in the long term the resentment that will be caused in the business affected will also mean that those actions will be bad for business?

Kevin Brennan: My hon. Friend is absolutely right about that. He knows well, and Conservative Members ought to know, that the festering resentment that would arise as a result of this kind of approach to industrial relations would last for many years, and in some communities would never be forgotten.

The TUC is firmly opposed to this proposal, which in its opinion will breach international law. The International Labour Organisation's freedom of association committee has confirmed that

"the hiring of workers to break a strike in a sector which cannot be regarded as an essential sector in the strict sense of the term...constitutes a serious violation of freedom of association".

New clause 1 would insert in the Bill a ban on the supply of agency workers during strikes, and we will therefore support it if it is pushed to a vote tonight. I also want to press amendment 6 to a Division—the lead amendment in this group, which is in my name and the names of my hon. Friends.

Let me say a few brief words about amendment 5, which was tabled by the hon. Member for Stafford (Jeremy Lefroy). It would allow check-off if employers and unions agreed that they wanted it, provided that the unions paid for the service. I understand why the hon. Gentleman would table such an amendment, as it seems to reflect some of the basic values that I thought were supposed to be in the DNA of his political party. When one party is willing by agreement to provide a service to another party in exchange for payment, the state should not interfere unless the service forms some kind of criminal or immoral activity.

Check-off is a voluntary agreement by an employer to collect through its pay roll the union subscription of trade union members who are its employees. Despite what the Government seem to think, that is not a criminal or an immoral activity. Why on earth would a Conservative Government think it is right for the state to proscribe a voluntary agreement between an employer and an employee where a payment for that service is involved? I completely understand why the hon. Gentleman has tabled his amendment.

What is wrong with an employer, in whatever sector, voluntarily agreeing, as part of an attempt to maintain good relations with employees, to help collect the trade union subscription in exchange for an administrative payment? How on earth is it the responsibility of Government, particularly a Conservative Government, to introduce a provision of this kind?

Jeremy Lefroy: The hon. Gentleman has anticipated the remarks that I would have made had I caught Mr Deputy Speaker's eye. Does he agree that many employers in both the private and the public sectors have said how convenient, positive and mutually beneficial this arrangement is and how they do not see any downside to it whatsoever?

Kevin Brennan: Clearly, the hon. Gentleman is as baffled as I am as to why the Government are going down this road. It really is quite an extraordinary provision in the Bill. Can anyone on the Government Benches answer this: in what other sphere would a Conservative Government legislate to ban a simple, mutually beneficial transaction?

Several hon. Members *rose*—

Kevin Brennan: I am waiting for an intervention from a Government Member. Not even the hon. Member for Huntingdon (Mr Djanogly) can manage an intervention.

Several hon. Members *rose*—

Kevin Brennan: Whom shall I choose from the Labour Benches? I shall choose my neighbour first.

Stephen Doughty: There is also the absurdity that there are many other similar arrangements in place for charitable giving, cycle-to-work schemes or childcare schemes. It seems extraordinarily discriminatory to be acting in this way with regard to these voluntary arrangements for trade union subscriptions.

Kevin Brennan: My hon. Friend is absolutely right, and gives further power to the point that I am making and the point that the hon. Member for Stafford is trying to make by virtue of his amendment.

Dawn Butler: I noted that nobody on the Government Benches could help my hon. Friend with his question. The only reason I could think of for such a ban is to try to destroy the trade union movement.

Kevin Brennan: Well, I am quite shocked by that accusation from my hon. Friend. On a serious note, there are many colleagues on the Government Benches who are members of trade unions. It was not so long ago that my old union, the National Union of Teachers, used to sponsor Conservative Members of Parliament.

I will give hon. Members some benefit of the doubt here. I will actually believe for a moment that the majority of Conservative Members do not want to destroy the trade union movement, because they are democrats and we live in a democratic society. What conclusion could somebody looking at this proposal draw, other than that it exists to inflict damage in an illiberal and absolutely inappropriate manner on voluntary trade union associations and employees' voluntary agreements with their employers?

Mr Stewart Jackson (Peterborough) (Con): I know that in a former life the hon. Gentleman was a teacher, and he is making a very didactic case for his point of view. He is obviously a born-again libertarian. Is not the corollary of his argument that it is for individuals with free information to decide whether they wish to make a contribution to a trade union? That is the spirit of the Bill, rather than an element of compulsion.

Kevin Brennan: The hon. Gentleman is talking my language. I absolutely agree with that proposition, but has he read the clause? Does he understand what it means? Has he read the amendment tabled by the hon. Member for Stafford? The Government are banning any opportunity for an individual to enter into an agreement with an employer, and banning the employer from entering into such an agreement with its workforce, even in exchange for ready money. That service is not being given away, but its provision will be banned even when employees are paying for it. I was a teacher, and I was not trying to be didactic; I was trying to tease out a reaction, and obviously I got one from him. He should have a closer look at what his Government are actually doing and what he is actually voting for. A majority may be the best repartee, as Disraeli said, but I do not think Disraeli would have thought that this fitted with the principles of a one nation Conservative party.

Simon Hoare (North Dorset) (Con): I thank the hon. Gentleman for giving way to a fellow Cardiff Catholic. He may recall that similar predictions of the death of the trade union movement, of which I am a huge fan and supporter on this side of the House, were made when earlier legislation was passed—for example, in the early 1980s. The trade unions came through; they survived and blossomed. Why does the hon. Gentleman think this Bill sounds the death knell for trade unions, when in 13 years of Labour Government there was no repeal of previous legislation?

Kevin Brennan: I am glad that trade unions are strongly supported in the Hoare house, but the hon. Gentleman should read the provision and then the amendment in the name of the hon. Member for Stafford, which seeks to tease out the fact that this measure is particularly illiberal.

Several hon. Members *rose*—

Kevin Brennan: Before I give way to hon. Friends, I shall give way to the hon. Member for Huntingdon because he is usually paid by the word.

Mr Djanogly: I can tell the hon. Gentleman that I have now looked at amendment 5, and in support of my hon. Friend the Member for Peterborough (Mr Jackson), who made the point that an individual may want to

contract with his employer, I point out that the measure talks about the trade union contracting on behalf of employers, which is a rather different point.

Kevin Brennan: The hon. Gentleman does not understand that trade unions are democratic organisations. They do things on behalf of their members because they are elected and chosen to do so as democratic, voluntary organisations. There is no attack on the individual, and unusually for him his intervention is specious.

Steve Rotherham: Does my hon. Friend remember the Prime Minister's promise of a bonfire of red tape? Does he believe that this measure makes arrangements more or less bureaucratic for employers and trade unions?

Kevin Brennan: The so-called one regulation in, one regulation out rule—[*Interruption.*] Oh, it's two out, is it? The rule is not being followed in the case of trade unions. Clearly, regulation of trade unions is not considered to be regulation at all, when in fact it is an extraordinary piece of regulation.

Paula Sherriff: Does my hon. Friend agree that this move to end check-off discriminates against trade unions, as the ban is unlikely to extend to other payroll deductions, including those for charity payments, pensions and cycle-to-work schemes?

Kevin Brennan: Indeed. Other hon. Members have made that point and my hon. Friend is right to emphasise it.

5.15 pm

Clive Efford: Will my hon. Friend give way?

Kevin Brennan: I will give way one last time, then I will try to conclude so that other hon. Members can speak.

Clive Efford: I am grateful to my hon. Friend. The intervention from the hon. Member for Peterborough (Mr Jackson) gives away how the Conservatives are prepared to dance on a pinhead in order to support the Bill. To suggest that an employer would be better off to contract with each employee individually to collect their union dues, rather than to do so collectively through the trade unions, is barmy.

Kevin Brennan: The hon. Member for North Dorset (Simon Hoare) referred to our Catholic backgrounds, and my hon. Friend makes a veiled reference to St Thomas Aquinas when he refers to dancing on a pinhead. That is absolutely what the Government are doing—[*Interruption.*] My hon. Friend may not have known that he was doing so. His theological education is slightly lacking. The Government are dancing on a pinhead to try to justify an unjustifiable provision.

Given that no Conservative Member can understand why the Government would want to ban a simple mutually beneficial voluntary transaction which involves payment for a service by one party and its representatives to another, I congratulate the hon. Member for Stafford on his amendment. In its basic decency it has unmasked a fundamental illiberalism at the heart of the Bill.

Rachael Maskell: Many of the arrangements are contractual, so removing them would cost the employer a significant amount, estimated to be around £6 million.

Kevin Brennan: So much for the party of business, imposing costs on businesses that have entered into voluntary agreements.

I hope the hon. Member for Stafford will seek to divide the House on his amendment, which is thoughtful and moderate, rather like the hon. Gentleman himself.

Victoria Prentis (Banbury) (Con): The Trade Union Bill was my first experience of sitting on a Public Bill Committee. Our sessions were lively and often educational, like the previous speech. The bit about St Thomas Aquinas was greatly enjoyed in all parts of the House.

As a former public sector worker myself for 17 years, I know what it is like to cross a picket line. I enjoyed questioning union greats, including Len McCluskey. Today those on the Conservative Benches have been called Dickensian, Stalinist and draconian, but many of us firmly believe that trade unions are valuable institutions in British society. It is vital that they represent accurately the views of their members. This Bill aims to ensure that hard-working people are not disrupted by under-supported strike action, but it is the human rights considerations that run through the Bill that have been of particular interest to me.

The rights of workers to make their voices heard are, of course, important, and striking is an important last resort. We recognise that it is part of the armoury of trade union law. Article 11 of the European convention on human rights provides to everyone

“the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests”.

It is, however, important to recognise that article 11 is a qualified right.

Ian Lavery: Is the hon. Lady aware of the letter that the Prime Minister sent to Ministers only days ago—it was sneaked out—on the change to the ministerial code, informing Ministers that they can now ignore international law? Does that have anything to do with this issue?

Victoria Prentis: I am not aware of that letter, although I am aware that there is a debate on the issue. I am talking about the European convention on human rights. There is no proposal from the Government to renege on that at any time in the future, as far as I am aware.

Imran Hussain (Bradford East) (Lab): The hon. Lady talks a great deal about human rights and the European convention. Can she help me by telling me where article 11 talks about armbands and letters of authority?

Victoria Prentis: I would like, with your leave, Mr Deputy Speaker, to finish my point and come on to armbands later.

Article 11 allows for proportionate restrictions on the exercise of—[*Interruption.*] I am referring to article 11(2), which states:

“No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society”.

The European Court of Human Rights has repeatedly acknowledged, as recently as last year, that it is legitimate under article 11 for the Government to legislate to impose conditions on the right to strike where there is evidence that that is justified.

The Court has also acknowledged that the Government have a wide margin of appreciation in deciding how to legislate. Clause 9, as we have heard, introduces a set of requirements on the supervision of picketing, following some sensible concessions that were made by the Minister following the consultation period. The picket supervisor will have to wear a badge, armband or other item to ensure that they are easy to identify. This is hardly onerous.

Jo Stevens: The hon. Lady referred to article 11(2), which sets out the circumstances in which the right of freedom of association can be interfered with, including the protection of national security and the prevention of serious crime. All we have heard Conservative Members talk about is the “temporary inconvenience” that strikes cause. I am afraid that that is not listed in article 11(2).

Victoria Prentis: I do not believe that the wearing of a badge or armband, or some other means of identification, is onerous in the way that the hon. Lady suggests. In fact, it is something that unions widely do already as part of the code on picketing, which actually says that everybody should wear an armband.

I must admit that in Committee I was somewhat bemused by this part of the argument and the briefs provided by Amnesty International and Liberty in the evidence that was given. Both are excellent human rights organisations that undertake extremely important work around the world dealing with executions and torture, yet the wearing of an armband by one person so that they are identifiable during a strike presents them with a big issue. I do not agree. We are not asking everybody taking part in a strike to wear an armband, but simply asking the organiser of a particular event to do so in order to identify themselves.

Rachael Maskell *rose*—

Victoria Prentis: I am going to finish, if I may.

This seems to be an entirely reasonable and, more importantly, proportionate measure. There is a clear public interest in ensuring that trade unions take responsibility for the conduct of the pickets that they organise. It is only fair that the rights of those who belong to unions are balanced with the rights of hard-working taxpayers, including those in my constituency, who rely on key public services.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I must declare an interest as a member of Unite the union and a proud union representative for 14 years.

Our proposals in new clauses 1, 3 and 4 and amendments 27, 28, 37, 25, 26, 24, 23, 11, 12, 13, 36 and 35 cover a variety of areas in the Bill that pose particular difficulties for public sector workers, focusing on agency workers and political funds. New clause 1 attempts to retain within primary legislation the ban on the supply of agency workers during strikes. Legislation banning the use of agency workers to break strikes has been in

place in the UK since 1973. That position is in line with the majority of other European countries, which also prohibit or severely restrict the use of agency workers during industrial disputes. Removing that ban would be regressive and it would have significant implications for all workers.

Public opinion polls also indicate that such changes are not supported by the majority of the general public. The SNP therefore supports new clause 1, which aims to retain in primary legislation the ban on the supply of agency workers during strikes. Although the Bill does not specifically include provisions for that measure to be repealed, the Government have been consulting on draft legislation that would allow that to happen. Adopting our proposal would therefore be a failsafe against that occurring in future.

Chris Stephens: Does my hon. Friend agree that part of the difficulty is that the current penalty for an employer who hires agency workers to break strikes is very weak indeed? We need primary legislation to stop that practice.

Dr Cameron: I agree with my hon. Friend. It is also extremely important with regard to safety, including that of the public, which I will come on to discuss.

Repealing the existing prohibition on hiring agency staff to replace workers participating in industrial action fundamentally undermines the right to strike. It reduces the impact of strike action and upsets the power balance between workers and employers. It has also been argued that it is relatively ineffective with regard to dispute resolution, as it serves only to prolong the dispute, delay resolution and embitter industrial relations.

At a time when we are trying to encourage the living wage, the measure is also likely to drag down pay and working conditions for workers right across the country. It could have adverse implications for the agency workers themselves, as it would place them in a stressful environment.

Introducing inexperienced workers to take on the role of the permanent workforce in a workplace with which they are not familiar also has significant implications for health and safety and for quality of services. That will impact both on those workers and on the public at large, who may utilise those services.

Those matters appear to be of particular concern to the public. A recent YouGov poll found that 65% of those surveyed were against bringing in temporary agency workers to break public sector strikes, and more than half said they thought it would worsen services and have a negative impact on safety. Only 8% indicated that they believe that hiring agency workers during strikes would improve services.

Unlike the UK Government, the SNP believes in a modern and progressive approach to industrial relations and to trade unionism, which is at the very heart of being able to achieve fair work. We recognise that no one wants strikes, but the way to avoid them is not to promote confrontation by legislating them out of existence. The right way is to pursue a relationship, in partnership with both workers and employers, based on respect and co-operation.

Neil Gray (Airdrie and Shotts) (SNP): Would it not be better for this Government to value the work of our public sector workers in particular, rather than to undermine the role they play by bringing in agency workers to break strikes?

Dr Cameron: I agree with my hon. Friend. Workers who feel valued are much more likely to increase productivity and boost the economy.

New clause 3 would provide that, before the Government could introduce a Bill that would affect trade union political funds, they must first publish a statement specifying whether the Bill was being introduced with or without the agreement of all political parties represented in the House of Commons. The aim is to encourage the Government to seek political consensus with other political parties before introducing legislation that interferes with the ability of unions to engage politically.

Unions that wish to contribute to political parties or to engage in certain political activities, as defined by section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992, must establish a political fund. Before doing that, unions are legally required to ballot their members on whether they agree to the union maintaining a political fund through a political fund resolution.

Clause 10 will restrict unions' right to freedom of association and their ability to engage in political debates. The provisions will place huge administrative burdens on unions, and may reduce the level of contributions raised, as has been the case in Northern Ireland. Currently, union members have the right to opt out of their subscriptions being used for political fund purposes, and they are not required to renew their opt-in. The proposals in clause 10 exceed the duties that apply to companies when making political donations. It is widely known that opt-in processes reduce participation. Amendment 27 seeks to remove clause 10 from the Bill completely, as it will undermine unions' freedom of association.

5.30 pm

Amendment 1, tabled by the hon. Member for Clacton (Mr Carswell), would give union members the right to direct their union to pay donations straight to a UK political party of their choice, rather than contributing to a union's political fund. We oppose the amendment as it assumes the union's role is simply to act as a conduit for political donations. All individuals have the right to decide to donate to a political party of their choice. Unions cannot be required by law to associate them with any political parties whose values or objectives are not consistent with those of the union.

Tom Blenkinsop: Depending on the union, unions can have several political funds. For example, Unison does, which goes back to agreements made when the National Union of Public Employees and the National and Local Government Officers Association amalgamated.

Ian Mearns: Don't forget COHSE.

Tom Blenkinsop: They amalgamated with the Confederation of Health Service Employees, as my hon. Friend says. The legislation does not recognise internal agreements that have been reached over decades.

Dr Cameron: The hon. Gentleman makes an excellent point. I would add that we heard testimony from witnesses in the Public Bill Committee on the very good work that unions contribute in terms of political donations to campaigns.

[Dr Lisa Cameron]

Amendments 11 to 13 to clause 13 attempt to limit the ability of Ministers to use their powers under the Bill where such powers are in breach of treaty obligations by stating that the powers cannot be used unless they are “compatible with treaty obligations” arising from the Council of Europe and the ILO. The cap on facility time will reduce the capacity of trade unions to represent their members and resolve disputes in the workplace before they escalate. According to the TUC, there is a risk that the proposal for a cap could conflict with EU law protecting the rights of health and safety reps to have paid time off for their duties and training; the rights of union representatives to have paid time off and office facilities during consultations on collective redundancies and outsourcing; TUPE rights; and even rights under general information and consultation arrangements covered by the information and consultation of employees regulations.

Amendments 35 and 36 also attempt to limit the ability of Ministers to use their powers under the Bill where such powers are in breach of treaty obligations by stating that the powers cannot be used unless they are “compatible with treaty obligations” arising from the Council of Europe and the ILO. Clause 14 will prevent all public sector employees from deducting union subscriptions via payroll. That will make it harder for individuals, including lower-paid workers, to access union representation in the workplace. The TUC is concerned that clause 14 will apply only to trade unions, not to staff associations. That suggests that the Government want to make it harder for people to join trade unions and to access the benefits of trade union membership, including effective representation in the workplace and specialist advice on employment rights, health and safety, and other work-related issues.

Under clause 14, the Government will be able to introduce regulations imposing a ban on check-off arrangements across the entire public sector. In particular, the plans to impose changes to collective agreements voluntarily made by employers and unions do not comply with ILO standards. Minister Roseanna Cunningham made it clear during the evidence sessions that the Scottish Government do not support the proposed ban on check-off arrangements. In recent weeks, more than 50 local authorities, NHS employers and employer organisations have criticised the Government’s plans to ban check-off arrangements in the public sector.

The Government claim that the proposal will save taxpayers up to £6 million. However, many unions already cover the cost of check-off services, as has been said. In some cases, fees charged by public sector employers for check-off provision generate a net gain. Another great concern that was raised in Committee was that legal challenges to the Government could cost the public purse.

Amendment 5, which was tabled by the hon. Member for Stafford (Jeremy Lefroy), provides that the ban on check-off arrangements would not apply to public sector workplaces where the employer and the relevant unions had an agreement. We support that amendment.

In conclusion, this debate is about people, their lives, their pay, their conditions and their safety in their workplace. It deserves to be paid the utmost respect by Members in all parts of the Chamber.

Ian Lavery: On a point of order, Mr Speaker. I want to place it on the record that I am a member of Unite the union and the National Union of Mineworkers.

Mr Speaker: We are extremely grateful to the hon. Gentleman. It falls to each Member to declare his or her interests as they see fit. We are deeply obliged to him.

Jeremy Lefroy: I rise to speak to amendment 5, which appears in my name and those of my hon. Friends the Members for Stevenage (Stephen McPartland) and for Totnes (Dr Wollaston) and my right hon. Friend the Member for Haltemprice and Howden (Mr Davis). I do so with a heavy heart, because clause 14, to which the amendment relates, is entitled, “Prohibition on deduction of union subscriptions from wages in public sector”. As a Conservative, I am not greatly in favour of prohibition in many instances and I certainly am not in this instance. The clause was not in the Bill on Second Reading so we did not debate it and I am disappointed that it has been brought forward. Because it has been brought forward, I will speak to my amendment.

When we introduce a prohibition, we must ask what the penalties will be. If a union and an employer decide that this kind of arrangement is so important and so difficult to unwind that they will continue using it, what will happen to them? Will the police be involved? Will the employer and the union be fined? If there is a prohibition, there must be some way of enforcing it. There is no sensible way of enforcing this kind of prohibition on what is a relatively sensible arrangement between an employer and a union.

Let us be clear that we are talking about an agreement between an employer and a union, not something that is imposed on either of them. It is a partnership. In my view, it is generally a positive one as it enables people to work together. Surely that is what all of us are here to encourage. Nobody is required to have such an arrangement.

If my amendment were accepted by the Government at some point, it would require the cost to be reimbursed, as it is in many arrangements up and down the country, including in my county of Staffordshire, where there is a perfectly good arrangement between Unison and Staffordshire County Council.

Stephen McPartland (Stevenage) (Con): I support amendment 5 because it is my understanding that local authorities and other such organisations would be able to charge a commercial rate to recover the costs.

Jeremy Lefroy: Yes, and they do. As I mentioned in an intervention on the hon. Member for Cardiff West (Kevin Brennan), some councils make a surplus from it that goes towards their services.

As has been pointed out, clause 14 singles out union subscriptions. There is no prohibition on other deductions for which there might not be compensation to the employer, such as deductions for season tickets, which have been mentioned, or professional fees. Even on my payslip as a Member of Parliament, the top deduction every month is £2 for the Members fund. There will be no prohibition on that deduction, unless the Members fund is a national union of Members of Parliament, which I do not think it is.

Other people have made the case much more eloquently than I have, so I will not detain the House any longer on this point.

Stephen Doughty: The hon. Gentleman makes a convincing and measured case, and I have looked closely at the wording of his amendment and think it very reasonable. Given what he has just said, if the Government are unwilling to accept this reasoned amendment, does he think that we should test the view of the House on it this evening?

Jeremy Lefroy: I will wait to hear what the Minister says. He is an extremely reasonable person and there are other ways in which such things can happen. I encourage the Government to accept the amendment because I do not want to see this clause unamended in an Act of Parliament signed by Her Majesty.

Let me quote someone I greatly admire:

“In most parts of the world the suggestion that someone might be both conservative and liberal would be viewed as absurd...In the UK there is no finer tradition, no more established custom and no stronger institution than that of freedom under the law...That’s why in Anglo-Saxon countries conservatism is freedom’s doughtiest defender and why the advance of freedom gives conservatism its moral purpose.”

Those are the words of the Minister, my hon. Friend the Member for Grantham and Stamford (Nick Boles), and I entirely agree with him.

Catherine West: Does the hon. Gentleman agree that there are echoes in that speech of the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014, in which charities were almost proscribed for doing what they believed was right? There are also echoes from the attempts to change or alter the Human Rights Act 1998—it feels as if there is a creepy sense of authoritarianism, which I do not think Members in this place agree with.

Jeremy Lefroy: I respect the hon. Lady but I do not entirely agree with her. I would be interested to see whether the chilling effects that people so often claimed the 2014 Act would have on the 2015 general election campaign actually took place—indeed, we should have a review of that Act as it is important. I have made clear my views on the Human Rights Act: I believe that we should remain signatories to the European convention on human rights, and I hold to that. We look forward to seeing what the Government bring forward. I urge the Government, and especially the Minister whom I greatly admire, to have another look at the Bill, and to come forward with proposals that allow people who want to work together in this sort of format, and who are paying the right costs, to do so.

Stephen Kinnock (Aberavon) (Lab): I declare an interest as a proud member of Community union. I represent the south Wales constituency of Aberavon which is steeped in the history of the trade union movement—Members will imagine the strength of feeling and amount of correspondence that I have received in opposition to this unjust and vindictive Bill. We now need a cultural change in Britain’s industrial relations, and a move away from the Punch and Judy style that has evolved thanks to legislation such as this Bill. There is an urgent need to move towards more collective bargaining across

the economy, as that would have a direct and positive impact on productivity—something that the Government claim they are campaigning for passionately. Regrettably, the Bill will neither change the culture nor increase productivity. Instead, it will lead to an entrenching of the “them versus us” culture that is bad for workers, employers, customers, business, and the public at large.

Let me draw the House’s attention to the sections in the Bill that deal with picketing. Conservative Members have failed completely to demonstrate why the picketing provisions in this Bill are necessary or justified. The Government’s regulatory policy committee concluded that the Department for Business, Innovation and Skills impact assessment on picketing restrictions was not fit for purpose, and that no full impact assessment of the Bill has been published.

Under these new provisions, trade union pickets will be subject to levels of police scrutiny and control that go far beyond what is fair or necessary. Most importantly, the changes in the Bill will also be a waste of police time. That issue was raised by the National Police Chiefs Council and the Police Federation in oral evidence to the Bill Committee. Steve White from the Police Federation said:

“We are finding it extremely challenging to cope with day-to-day policing with the current resource levels, and the likelihood is that they are going to become squeezed even more. If there is an increased requirement for police involvement around the policing of industrial disputes, that would be more challenging.”

I understand that Conservative Members are friends and supporters of the police, so I hope they will listen carefully to that.

5.45 pm

Imran Hussain: When senior police officers are warning that neighbourhood policing is under threat, is it right that we should use police resources to further restrict the civil liberties of trade union members?

Stephen Kinnock: I agree entirely with my hon. Friend. We hear a lot from Conservative Members about smart government and deploying resources according to priorities. Does any hon. Member honestly believe that using police resources on this matter would be a good use of already stretched resources? I think not.

The digital age has brought a revolution in the world of work. That has thrown up several questions, but also offers employers, trade unions and Government alike a once in a generation opportunity to work in partnership—a chance to shape a framework that provides the blend of flexibility and security that this new reality requires. If all parties were to seize that opportunity, we could potentially see the green shoots of a 21st century industrial relations culture that would, in turn, enable the development of a labour market that is fit for purpose and resilient in this new age. Let us not waste that opportunity with an adversarial and counterproductive Bill such as this.

Mr Djanogly: *rose*—

Mr Speaker: Order. Before I call the hon. Gentleman, I would say to him that I wish to call the Minister at, or close, to 5.50 pm, so he has three or, at most, four minutes.

Mr Djanogly: Thank you for squeezing me in, Mr Speaker.

Given the Opposition's comments at various stages of the Bill, I am surprised that only the SNP—in new clause 4—has suggested amendment of the role of certification officer. As a shadow BIS Minister some years ago, I visited the certification officer, and everything I saw there shouted that it was a weak, toothless regulator crying out for reform. I wholly support the Government's attempts to do so.

As for new clause 4, I do not support the idea that the certification officer should have to have expertise in trade union law, although obviously some members of his staff will need to be experts, as much as others will need general legal or accounting skills. It is also somewhat ironic to hear that specific legal qualifications should be required when we know that the last Labour Government specifically excluded unions from regulation under the Legal Services Act 2007. The requirement in new clause 4 for a certification officer for Scotland may fulfil the SNP's political mandate, but it would be unhelpful for Scottish and other British businesses which want to see a single regulator dealing with unions equally.

Given the wide political and practical debates involved in the unions' political funds, it is surprising that it has been left to the hon. Member for Clacton (Mr Carswell) to initiate a debate on this important issue through amendment 1. To set up a political fund, trade unions must first ballot their members to adopt political objects as a union objective. Trade unions can then support political objects only with money from their political funds. The funds may also be spent on union objectives that are not political. The amendment is unnecessary because the Bill includes an opt-in provision.

On a connected issue, will the Minister confirm that I am right in thinking that failing to opt into the levy will not necessarily mean that a union member's overall contribution will be reduced by the amount of the political contribution? If so, should we not consider doing that? Furthermore, given that statute dictates that companies require an annual vote on political donations, why should not the political levy be voted on annually by trade union members? Perhaps that could be addressed as the Bill makes progress.

Mr Speaker: To wind up the debate I call the Minister, Mr Nicholas Edward Coleridge Boles.

Nick Boles: Thank you, Mr Speaker. I rise to support Government amendments 2, 3 and 4, and to resist Opposition amendments and new clauses.

The Government recognise picketing as a lawful activity when it is conducted in a peaceful way. We believe that when some people exercise their right to freedom of expression, it should not impact on others' right to disagree with that view. The main requirement set out in the Bill is a statutory duty for the union to supervise picketing, in particular by appointing a picket supervisor. The picket supervisor must either attend the picket line or be readily contactable by the union and the police, and be able to attend at short notice to ensure that picketing is lawful. As you may recall, Mr Speaker, none of the measures in clause 9 is new. They reflect key aspects of the picketing code, which has been in existence since 1992; most unions have been very happy to comply

with it in almost all cases. We have had no suggestions for its amendment from the Opposition, including in their 13 years in government.

Government amendment 2 deals with the requirement in clause 9 for the union to issue a letter of authorisation. I have listened very carefully to the different views expressed on this requirement. It is clear that there has been some confusion about the purpose of the letter of authorisation, its content with regard to the picket supervisor, and the entitlement to be shown it. I would like to state for the record that there was never any intention of having the personal details of the picket supervisor set out in the letter of authorisation, but given that there continues to be uncertainty about how the requirement will work in practice, we are clarifying that the purpose of the letter is to record the union's approval of a picket related to a particular dispute.

I took on board the concerns expressed about the entitlement to see the letter, and said that I would return to this matter on Report. I assure the House that I take matters relating to data protection very seriously, and do not want to create any room for misconceived entitlement or concern about misuse of personal information. That is why we are making it clear that the entitlement to see the letter of authorisation is restricted to the employer at whose workplace picketing is taking place, or the employer's agent. To remove any scope for the misunderstanding that the picket supervisor is required to supply their name during picketing, we have removed the reference to the constable from the clause. The police will already have been informed of the picket supervisor's contact details following the picket supervisor's appointment.

We have built in important flexibility; for example, the requirement should be to show the letter as soon as is reasonably practicable, to enable the picket supervisor to be at another picket line related to the trade dispute. The measures also help the employer by allowing them to ask their human resources manager or solicitor to act on their behalf. I comment the amendment to the House.

On agency workers, I simply say that new clause 1 seeks to pre-empt the Government's response to the consultation on agency workers. The Government consultation closed in September; we are analysing responses. We will publish a response in due course, and I resist any amendment that seeks to pre-empt it.

On political funding, the Conservative manifesto on which we stood for election in May said that a future Conservative Government would ensure that trade unions use a transparent opt-in process for union subscriptions. The public rightly expect us to deliver on these promises. It would be wrong, given our mandate, for us to engage in discussions behind closed doors and agree some kind of compromise that was then presented to the public and Parliament as a done deal. Many Opposition Members believe that this change will see political funding fall for certain political parties. That betrays an extraordinary lack of self-confidence in their ability to persuade union members of the merits of supporting their party. On that basis, I do not believe the amendment is necessary.

Mr Ronnie Campbell (Blyth Valley) (Lab): Will the Minister do the same with the shareholders of companies that give money to the Tory party?

Nick Boles: I am sorry, Mr Speaker; I will give the hon. Gentleman another go, because I had another message in another ear.

Mr Campbell: Will the Minister give that opportunity to shareholders in big companies that give money to the Tory party?

Nick Boles: As you will be aware, Mr Speaker, and as I am sure the hon. Gentleman is aware, any donations by public companies have to receive the approval of shareholders and are subject to the same declaration, at the exact same level, as we are proposing for trade unions, so when it comes to transparency and voting, things are equally clear.

I want to turn at some length to my hon. Friend the Member for Stafford (Jeremy Lefroy) and his arguments in support of his amendment 5. All Members will have heard a sincere and principled man making a sincere and principled argument. I say that not because he was so kind as to quote, rather awkwardly, a speech I made in a moment of delusion, but because I genuinely believe he seeks the best for the British people, British business and trade unions. I correct him on one point of fact, however: while some trade unions compensate employers for check-off arrangements, our understanding is that this relates to only 22% of check-off arrangements in the public sector.

Melanie Onn (Great Grimsby) (Lab): Is the Minister aware that the general secretary of Unison—the largest trade union in the public sector—offered in Committee to reimburse employers for any check-off costs they incur?

Nick Boles: I am aware of that, because I was in the Committee, and the general secretary of Unison is an unforgettable man, and no one forgets when he makes them an offer. However, the purpose of the Government's measure is not suddenly to undermine the representation of unions in the public sector—that is not what has happened in the civil service, where check-off has been removed—but to create a direct relationship between members and their trade unions by enabling them to make an active choice about which union will best represent them. We have heard from other unions that this has enabled them to compete for the membership of some in the civil service, and to form a more direct relationship with their members.

Jeremy Lefroy: I fully understand the Minister's point, but in that case, why not let them choose whether to do this?

Nick Boles: I understand my hon. Friend's argument, but of course the choice would be made by the employer and the union, not the individual members. I have not yet been persuaded by his arguments, and will resist his amendment, if he pushes it, but I hope I can reassure him that we absolutely do not intend the measure to be a way of making life difficult for unions or of reducing their membership. We will double the time trade unions have to transfer members from the existing check-off arrangement to the new direct debit arrangement from six months to one year. That will not satisfy him and those who support his amendment, but I hope that it will at least reassure him that we do not intend this to

be a way of making life difficult for unions. If there is anything further we can do on that point, I am happy to have further discussions with him.

On that basis, I hope that my hon. Friend will be persuaded not to press his amendment. We will talk about this more. I hope that I have reassured him that trade unions will have time to form the direct relationship with their members that the Bill seeks to provide.

Kevin Brennan: I just wish to confirm that we wish to push amendment 6 to a vote.

Mr Speaker: I am exceptionally grateful to the hon. Gentleman, but I had rather anticipated that.

Question put, That the amendment be made.

The House divided: Ayes 271, Noes 304.

Division No. 118]

[5.59 pm

AYES

Abbott, Ms Diane	Cox, Jo
Ahmed-Sheikh, Ms Tasmina	Coyle, Neil
Alexander, Heidi	Crausby, Mr David
Ali, Rushanara	Crawley, Angela
Allen, Mr Graham	Creagh, Mary
Anderson, Mr David	Creasy, Stella
Arkless, Richard	Cruddas, Jon
Ashworth, Jonathan	Cryer, John
Austin, Ian	Cummins, Judith
Bailey, Mr Adrian	Cunningham, Alex
Bardell, Hannah	Cunningham, Mr Jim
Barron, rh Kevin	Dakin, Nic
Beckett, rh Margaret	Danczuk, Simon
Benn, rh Hilary	David, Wayne
Berger, Luciana	Davies, Geraint
Betts, Mr Clive	Day, Martyn
Black, Mhairi	De Piero, Gloria
Blackford, Ian	Docherty, Martin John
Blackman, Kirsty	Donaldson, Stuart Blair
Blackman-Woods, Dr Roberta	Doughty, Stephen
Blenkinsop, Tom	Dowd, Peter
Blomfield, Paul	Dromey, Jack
Bradshaw, rh Mr Ben	Dugher, Michael
Brake, rh Tom	Durkan, Mark
Brennan, Kevin	Eagle, Ms Angela
Brock, Deidre	Eagle, Maria
Brown, Alan	Edwards, Jonathan
Brown, Lyn	Efford, Clive
Brown, rh Mr Nicholas	Elliott, Julie
Bryant, Chris	Ellman, Mrs Louise
Buck, Ms Karen	Esterson, Bill
Burden, Richard	Evans, Chris
Burgon, Richard	Farrelly, Paul
Burnham, rh Andy	Fellows, Marion
Butler, Dawn	Field, rh Frank
Byrne, rh Liam	Fitzpatrick, Jim
Cadbury, Ruth	Fletcher, Colleen
Cameron, Dr Lisa	Flint, rh Caroline
Campbell, rh Mr Alan	Flynn, Paul
Campbell, Mr Ronnie	Fovargue, Yvonne
Champion, Sarah	Gapes, Mike
Chapman, Douglas	Gethins, Stephen
Chapman, Jenny	Glass, Pat
Cherry, Joanna	Glindon, Mary
Coaker, Vernon	Godsiff, Mr Roger
Coffey, Ann	Goodman, Helen
Cooper, Julie	Grady, Patrick
Cooper, rh Yvette	Grant, Peter
Corbyn, Jeremy	Gray, Neil
Cowan, Ronnie	Green, Kate

Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh Mr David
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Mr Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Irranca-Davies, Huw
 Jarvis, Dan
 Johnson, rh Alan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Kendall, Liz
 Kerevan, George
 Kerr, Calum
 Khan, rh Sadiq
 Kinnock, Stephen
 Kyle, Peter
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Leslie, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 MacNeil, Mr Angus Brendan
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCaig, Callum
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, John
 McFadden, rh Mr Pat
 McGarry, Natalie
 McGinn, Conor

McGovern, Alison
 McInnes, Liz
 McLaughlin, Anne
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Monaghan, Dr Paul
 Moon, Mrs Madeleine
 Morden, Jessica
 Morris, Grahame M.
 Mulholland, Greg
 Mullin, Roger
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten
 Owen, Albert
 Paterson, Steven
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Powell, Lucy
 Pugh, John
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Marie
 Robertson, rh Angus
 Robinson, Gavin
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Ryan, rh Joan
 Salmond, rh Alex
 Saville Roberts, Liz
 Shah, Naz
 Shannon, Jim
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Spellar, rh Mr John
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Stuart, rh Ms Gisela
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Thomas-Symonds, Nick

Thompson, Owen
 Thomson, Michelle
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Watson, Mr Tom
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh

Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Corri
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Ms Rosie
 Wishart, Pete
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Ayes:
Vicky Foxcroft and
Sue Hayman

NOES

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

Coffey, Dr Thérèse
 Collins, Damian
 Colville, Oliver
 Costa, Alberto
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Byron
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Donelan, Michelle
 Dorries, Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evennett, rh Mr David
 Fabricant, Michael
 Fernandes, Suella
 Field, rh Mark
 Foster, Kevin
 Frazer, Lucy
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Gale, Sir Roger
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, Mr James
 Grayling, rh Chris

Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne

Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philp, Chris
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas

Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Swire, rh Mr Hugo
 Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Tugendhat, Tom
 Turner, Mr Andrew

Tyrie, rh Mr Andrew
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 White, Chris
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
 Sarah Newton and
 Simon Kirby

Question accordingly negated.

6.11 pm

Proceedings interrupted (Programme Order, this day).

The Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

Amendments made: 2, page 5, leave out line 16 and insert

“the picketing is approved by the union.”

This amendment would make clear that the purpose of the letter from the union, held by picket supervisor, is to confirm that the picketing has been approved by the union. Approval of the picketing would require the union to supervise the picketing in accordance with the requirements inserted by clause 9.

Amendment 3, page 5, leave out lines 17 to 19 and insert—

“(6) If an individual who is, or is acting on behalf of, the employer asks the picket supervisor for sight of the approval letter, the picket supervisor must show it to that individual as soon as reasonably practicable.”

This amendment would oblige the picket supervisor to show the approval letter as soon as reasonably practicable if requested to do so, and also specifies that such a request can be made only by the employer or someone acting on the employer's behalf.

Amendment 4, page 5, line 27, leave out “section “picketing”” and insert

“section—

“approval letter” means the letter referred to in subsection (5);

“employer” means the employer to which the trade dispute relates;

“picketing”” —(Stephen Barclay.)

This amendment inserts definitions of expressions used in amendment 3.

New Clause 10

APPLICATION OF PROVISIONS TO PUBLIC SECTOR EMPLOYEES ACROSS THE UK

“The extent and provisions of this Bill shall only apply to the public sector in the UK,

(a) By consent of the Scottish Parliament, Welsh Assembly, Northern Ireland Assembly, Mayor of London and other public bodies and local authorities in England in their areas of responsibility.

(b) Where consent has been granted, this consent can be withdrawn at any time.”—(*Chris Stephens.*)

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 267, Noes 306.

Division No. 119]

[6.12 pm

AYES

Abbott, Ms Diane
 Ahmed-Sheikh, Ms Tasmina
 Alexander, Heidi
 Ali, Rushanara
 Allen, Mr Graham
 Anderson, Mr David
 Arkless, Richard
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Bardell, Hannah
 Barron, rh Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackford, Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blenkinsop, Tom
 Blomfield, Paul
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Burnham, rh Andy
 Butler, Dawn
 Byrne, rh Liam
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, rh Ronnie
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Cherry, Joanna
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, rh Yvette
 Corbyn, Jeremy
 Cowan, Ronnie
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Piero, Gloria
 Docherty, Martin John
 Donaldson, Stuart Blair
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Dugher, Michael
 Durkan, Mark
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Gapes, Mike
 Gethins, Stephen
 Glass, Pat
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh Mr David
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Mr Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin

Hosie, Stewart
 Howarth, rh Mr George
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Irranca-Davies, Huw
 Jarvis, Dan
 Johnson, rh Alan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Kendall, Liz
 Kerevan, George
 Kerr, Calum
 Khan, rh Sadiq
 Kinnock, Stephen
 Kyle, Peter
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Leslie, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 MacNeil, Mr Angus Brendan
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCaig, Callum
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, John
 McFadden, rh Mr Pat
 McGarry, Natalie
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McLaughlin, Anne
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Monaghan, Dr Paul
 Moon, Mrs Madeleine
 Morden, Jessica
 Morris, Grahame M.
 Mullin, Roger
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten
 Owen, Albert
 Paterson, Steven
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Powell, Lucy
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Marie
 Robertson, rh Angus
 Robinson, Gavin
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Ryan, rh Joan
 Salmond, rh Alex
 Saville Roberts, Liz
 Shah, Naz
 Shannon, Jim
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Spellar, rh Mr John
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Stuart, rh Ms Gisela
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Thomson, Michelle
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Watson, Mr Tom
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Corri

Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wishart, Pete
Woodcock, John

Wright, Mr Iain
Zeichner, Daniel
Tellers for the Ayes:
Marion Fellows and
Owen Thompson

NOES

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

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

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

Morris, David
Morris, James
Morton, Wendy
Mowat, David
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Dr Matthew
Opperman, Guy
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Philp, Chris
Pickles, rh Sir Eric
Pincher, Christopher
Poulter, Dr Daniel
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Mr Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Mary
Rosindell, Andrew
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Julian
Smith, Royston
Soames, rh Sir Nicholas
Solloway, Amanda
Soubry, rh Anna
Spelman, rh Mrs Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Mr Desmond
Swire, rh Mr Hugo
Syms, Mr Robert
Thomas, Derek

Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Tugendhat, Tom
Turner, Mr Andrew
Tyrie, rh Mr Andrew
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Warburton, David
Warman, Matt

Watkinson, Dame Angela
Wharton, James
Whately, Helen
White, Chris
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williams, Craig
Williamson, rh Gavin
Wilson, Mr Rob
Wollaston, Dr Sarah
Wood, Mike
Wragg, William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Noes:
Sarah Newton and
Simon Kirby

Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Danczuk, Simon
David, Wayne
Davies, Geraint
Day, Martyn
De Piero, Gloria
Docherty, Martin John
Donaldson, Stuart Blair
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Fovargue, Yvonne
Gapes, Mike
Gethins, Stephen
Glass, Pat
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Haigh, Louise
Hamilton, Fabian
Hanson, rh Mr David
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Mr Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hillier, Meg
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Hunt, Tristram
Huq, Dr Rupa
Hussain, Imran
Irranca-Davies, Huw
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Gerald
Jones, Graham
Jones, Helen

Jones, Mr Kevan
Jones, Susan Elan
Kaufman, rh Sir Gerald
Keeley, Barbara
Kendall, Liz
Kerevan, George
Kerr, Calum
Khan, rh Sadiq
Kinnoch, Stephen
Kyle, Peter
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
MacNeil, Mr Angus Brendan
Mactaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCaig, Callum
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, John
McFadden, rh Mr Pat
McGarry, Natalie
McGinn, Conor
McGovern, Alison
McInnes, Liz
McLaughlin, Anne
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Monaghan, Dr Paul
Moon, Mrs Madeleine
Morden, Jessica
Morris, Grahame M.
Mulholland, Greg
Mullin, Roger
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Nicolson, John
O'Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Oswald, Kirsten
Owen, Albert
Paterson, Steven
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Powell, Lucy

Question accordingly negated.

Clause 14

PROHIBITION ON DEDUCTION OF UNION SUBSCRIPTIONS FROM WAGES IN PUBLIC SECTOR

Amendment proposed: 9, page 12, line 8, at end insert—

‘(3) None of the provisions of this section shall apply to services the provision of which is devolved wholly or partially to the Scottish Government, Welsh Government, Northern Ireland Executive, Mayor of London or local authorities in England.’—
(Kevin Brennan.)

The amendment would ensure that the provisions with regard to the prohibition on deduction of union subscriptions from wages in public sector would not apply to services devolved to the Scottish Government, the Welsh Government, the Northern Ireland Executive, the Mayor of London or local authorities in England.

Question put, That the amendment be made.

The House divided: Ayes 269, Noes 304.

Division No. 120]

[6.24 pm

AYES

Abbott, Ms Diane
Ahmed-Sheikh, Ms Tasmina
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Arkless, Richard
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blenkinsop, Tom
Blomfield, Paul
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn

Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Burnham, rh Andy
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Cherry, Joanna
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, rh Yvette
Corbyn, Jeremy
Cowan, Ronnie
Cox, Jo
Coyle, Neil
Crausby, Mr David
Crawley, Angela
Creagh, Mary
Creasy, Stella

Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Marie
 Robertson, rh Angus
 Robinson, Gavin
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Ryan, rh Joan
 Salmond, rh Alex
 Saville Roberts, Liz
 Shah, Naz
 Shannon, Jim
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Spellar, rh Mr John
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes

Stringer, Graham
 Stuart, rh Ms Gisela
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Michelle
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Watson, Mr Tom
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Corri
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Ms Rosie
 Wishart, Pete
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Ayes:

**Vicky Foxcroft and
 Sue Hayman**

NOES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Barwell, Gavin
 Bebb, Guto
 Bellingham, Mr Henry
 Benyon, Richard
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Blackwood, Nicola
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Borwick, Victoria
 Bottomley, Sir Peter
 Bradley, Karen
 Brady, Mr Graham
 Brazier, Mr Julian

Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair
 Cairns, Alun
 Carmichael, Neil
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Mr Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colville, Oliver
 Costa, Alberto
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Byron
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn

Davies, Dr James
 Davies, Mims
 Davies, Philip
 Dinanage, Caroline
 Djanogly, Mr Jonathan
 Donelan, Michelle
 Dorries, Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellison, Jane
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evennett, rh Mr David
 Fabricant, Michael
 Fernandes, Suella
 Field, rh Mark
 Foster, Kevin
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Gale, Sir Roger
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, Mr James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George

Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenner, Robert
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kaczynski, Daniel
 Kennedy, Seema
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David

Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philp, Chris
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob

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

Tellers for the Noes:
 Sarah Newton and
 Simon Kirby

Question accordingly negated.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): On a point of order, Mr Speaker. Have you had any indication of whether there will be a written or oral statement by any Minister, given the statement today from the chief executive of Tata Steel Europe reported in *The Economic Times* in India that the long products division within Tata will have no future within Tata beyond this financial year? This includes the beam mill at Redcar, Skinningrove special profiles in my constituency, and Scunthorpe long products site.

Mr Speaker: I am grateful to the hon. Gentleman for his point of order. The short answer is that I have had no such indication, but he has placed those serious matters on the record and I imagine that he will return to them when the House returns.

Third Reading

6.37 pm

Nick Boles: I beg to move, That the Bill be now read the Third time.

I start by thanking all Members who have taken part in our deliberations on this important Bill. We had a robust debate on Second Reading, and a lively and passionate debate continued in Committee. I thank the hon. Member for Cardiff West (Kevin Brennan), who led for the Labour Opposition, and the hon. Member for Glasgow South West (Chris Stephens) who led for the SNP. They kept me on my toes throughout, and I have to admit that on occasion their fancy footwork pushed me uncomfortably close to the ropes. It is only because of the superb support of officials in the Department for Business, Innovation and Skills, the unfailing vigilance of my hon. Friend the Whip, and my PPS, my hon. Friend the Member for Newton Abbot (Anne Marie Morris), and the stalwart resolve of hon. Friends on the Committee that we were able to resist their forensic fuselage.

This Bill seeks to do two things—to modernise the relationship between trade unions and their members, and to redress the balance between the rights of trade unions and the rights of the general public, whose lives are often disrupted by strikes. We have brought it forward as a party that believes in trade unions, that is proud to win the support of many trade union members at elections, and that wants trade unions to carry on doing the excellent work they do to encourage workplace learning and resolve disputes at work.

Madam Deputy Speaker, I am not sure whether you are as assiduous a reader of the ConservativeHome website as I am, but today the leader of the Scottish Conservative party published a superb piece about the importance of trade unions and hailed the launch of the Conservative Trade Unionists group by the Minister without Portfolio, my right hon. Friend the Member for Harlow (Robert Halfon).

The measures in this Bill are rooted in the manifesto, on the basis of which we won a majority of the seats in the House of Commons at the election in May. They are supported by members of the public whose interests as parents, as patients and as commuters we were elected to defend. The measures have secured clear majorities on Second Reading, in Committee and on Report, and I hope they will secure a similarly clear majority on Third Reading.

Mr David Burrowes (Enfield, Southgate) (Con): Is it not important to ensure that the Bill is properly targeted and looks to where there is genuine support for changes, not least in relation to the removal of check-off? May I invite the Minister, as the Bill proceeds to the other place, to reflect on the arguments made by my hon. Friend the Member for Stafford (Jeremy Lefroy) in speaking to amendment 5, with the recognition that there should be an agreement to compensate taxpayers for the financial burden, and the proposal for an agreement? It is important that we properly reflect on these arguments to ensure that we have this targeted approach to dealing with issues of trade unionism in the right way.

Nick Boles: I have already told my hon. Friend that I am happy to carry on talking to him about this as the Bill proceeds through the other place, and if he would like to join these discussions, I would be absolutely delighted.

Mark Durkan (Foyle) (SDLP): Will the Conservative Trade Unionists group, which the Minister mentioned, be able to join online, or, given the dodginess of the internet, will they have to wait five or 10 years for that?

Nick Boles: I am tempted to say that they will have to buy a small donkey and write it on the side, but no, of course they will be able to join through the usual routes.

I look forward to engaging with Members of the upper House, alongside my noble Friend Baroness Neville-Rolfe, and we will listen carefully to any concerns they may have. I hope that I have demonstrated through amendments to the provisions on the picketing supervisor and the letter of authorisation that the Government are willing to hear persuasive arguments and to respond. In turn, I trust that noble Lords and Baronesses will respect the clearly expressed will of the British people, which is established not by retweets or by protests in Parliament Square but through the votes of their elected representatives sitting here in the House of Commons.

6.41 pm

Ms Angela Eagle (Wallasey) (Lab): As I did on Second Reading, let me begin by drawing the attention of the House to my entry in the Register of Members' Financial Interests and declaring that I am a lifelong and proud trade unionist.

I believe that our country succeeds when government, employers and employees work in partnership to tackle our economic and social challenges. Evidence shows that good industrial relations are more likely to lead to increased productivity, higher skills, and greater safety in the workplace, so any Government who were serious about economic progress and wellbeing would be working to improve industrial relations, but this Bill demonstrates that we have a Tory Government hellbent on doing the exact opposite.

On Second Reading, I called the Bill "draconian, vindictive and counterproductive", and during its passage through Parliament, this Government's malign intent has been proved again and again. This Bill will do absolutely nothing to improve industrial relations in our country; in fact, it risks making them worse. It will do nothing to help build the modern economy we all want to see; in fact, it is an outdated response to the problems of decades past. It is bad for workers and bad for business.

What is it about this Conservative Government that they are so afraid of checks and balances on their power, including challenges from free trade unions and unshackled civil society? This Government are pursuing a very deliberate strategy to legislate their critics into silence or submission, whether through the gagging Act or the war being waged by those on the Tory Benches on the charities that dare to have an opinion contrary to the Government's. They are attacking the Human Rights Act 1998, targeting the Freedom of Information Act 2000, and issuing threats against the House of Lords for daring to ask them to think again on tax credits. This Government increasingly like to use the law to clamp down on dissent. Now the Conservatives have the trade unions in their sights again.

In Committee, the Government gave no adequate justification for the many draconian measures in this Bill, and no evidence was provided to justify them. The sweeping changes to the opt-in for political funds go well beyond the current practices in Northern Ireland

which have been used to justify the change. They are a nakedly partisan attack on Her Majesty's Opposition. If enacted, these proposals would mark the abrupt end of the Churchill convention and of the long-standing consensus in British politics that the Government of the day should not introduce partisan legislation unfairly to disadvantage their political rivals. This is an abuse, and they know it.

The Bill does nothing to deal with the issue of big money in politics and it leaves Tory funding sources completely untouched, while all the while forcing through changes that threaten the very existence of all political activity and campaigning by trade unions, most of which is entirely unrelated to the Labour party, and which, by the way, is already heavily regulated.

In a healthy democracy, governing should be uncomfortable. Governments should be subject to real challenge. The Government should not use legislative means to shut down debate or dissent, as this Government are now doing. That is why Liberty, Amnesty International and the British Institute of Human Rights have opposed the Bill on the grounds of civil liberties. It breaches the international standards of the International Labour Organisation and the European convention on human rights.

The Bill gives an inadequate transitional period of just three months to re-recruit the 4.9 million current members of trade union political funds, which this Bill would arbitrarily and retrospectively set at zero. It deliberately allows insufficient time for trade unions to change their own rule books to accommodate that sudden, draconian legislative requirement.

The intrusive new investigatory powers for the certification officer make him the judge, jury and executioner on complaints, which flies in the face of the principles of natural justice.

The provisions on picketing were described by the Government's own Regulatory Policy Committee as "Not fit for purpose". The very minor concessions, which were made after Opposition pressure in Committee, do not go nearly far enough.

This Bill just does not fit with modern Britain. It acts as though devolution to our nations and regions never happened, with the Government seeking to ride roughshod over both check-off and facility agreements freely made between employer and employee in the devolved authorities and in English local government. If those agreements work well and facilitate good industrial relations, why do the Government wish to destroy them by central diktat? The obvious conclusion is that this Government want to destroy trade union finances and organisation and to effectively legislate trade unions out of existence.

Throughout the Bill's passage, Labour has pushed for the introduction of e-balloting and secure workplace balloting, which are already used for a variety of purposes in both the public and the private sectors, including, of course, to choose the Tory mayoral candidate for London. I can think of no organisations besides trade unions where technological change and progress is not only discouraged by the Government, but actually banned by proscriptive legislation. There are no reasonable grounds for the Government's continued refusal to countenance that wholly sensible change. Trade unions must be allowed to modernise and bring balloting into the 21st century, and I very much hope that my noble Friends in the other place will pick up on that.

[Ms Angela Eagle]

We know that trade unions have a vital role to play in a modern economy where business, employees and Government work together for the mutual benefit of our country. It is time that the Government treated trade unions as an equal in that partnership and not as the enemy within.

The Bill is divisive and undermines the basic protections that trade unions provide for people at work. It is poorly drafted, legally unsound and in conflict with international obligations, and it undermines the devolution settlement. It does nothing to tackle the pressing national challenges our public services, businesses and industries alike are facing; instead, it tries to drive a false wedge between Government, industry, employees and the public.

Stopping this Bill requires a UK-wide and united response. I urge Members on both sides of the House to join Labour in the Division Lobby to oppose this nasty, vindictive Bill in its entirety.

6.48 pm

Chris Stephens: Today we have heard, once again, divisive rhetoric against this country's trade union movement. We have heard from some Government Back Benchers that trade unionists who are on strike get paid by their employer. That will be news to the millions of trade union members in this country. The real difficulty with and objection to some of the rhetoric we hear is the suggestion that trade union members are somehow different from taxpayers and the public. Trade union members are taxpayers and they are members of the general public.

The Bill infringes human rights and civil liberties, and if unaltered, it can only lead to more work for the courts and, sadly, more blacklisting for trade union members in this country. The Bill attacks the ability of trade unions to organise, as we have seen with the proposals on facility time and check-off. This is not just about party political funding; it is an attack on the trade union movement's ability to fund general campaigns, such as anti-racist campaigns and campaigns in favour of public services.

It is quite astonishing that the Government believe that aspects of the Bill do not require a legislative consent motion, either from the Scottish Parliament or from the Welsh Assembly, on public services across the board. I predict that that will come back to bite them.

The Minister for Skills was very kind in his words to me, so I will reiterate the words of my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron): he gives the appearance of moderation, but his rhetoric is entirely disingenuous.

6.51 pm

David Rutley: It is an honour to speak on Third Reading. I congratulate my hon. Friend the Minister for Skills on his hard work. He has worked tirelessly on this very important Bill, which is vital in terms of accountability and transparency.

Like many Members of the House, I was fortunate enough last week to meet a delegation from Macclesfield of good, hard-working union members. They are very sincere in their support of their fellow union members.

They rightly pointed out that unions do a lot of work to support members and others in the workplace. However, not all union leaders share those motives and some strikes can cause major disruption, so the Bill is important. I stress again that its importance is in terms of accountability and transparency. Who should be fearful of those principles in relation to the practices in the Bill?

The Bill will ensure that union members have the right to better information about any industrial action a union proposes to take. It ensures that union members have the right to be consulted in another ballot, so that saying yes to action in the winter does not necessarily still mean yes the following summer. The union will have to ask members if they want to opt in to political levies, and then ask them again if they want to be opted in some five years later. These are reasonable proposals and reasonable policies.

This is a profound and timely shift of power in favour of the public and of the grassroots in the union movement—Conservative democracy and accountability in action once again. We Conservatives have a democratic mandate to introduce the reforms. We are accountable to the electorate for following through on our manifesto commitments. Union leaders must now be held to a higher level of accountability when planning action that could lead to serious disruption to important public services.

It is only right that ballots for industrial action should need to reach certain thresholds of support among union members, particularly when such action relates to public services. It is right that the fear of intimidation at the picket line should be removed, which will protect the public and their services from any excessive zeal by an unrepresentative minority within the union movement. If such people are not unrepresentative, why do they fear the threshold? This is about accountability to union members and to the British public.

Of course, the hard left has always had a foothold in the Labour party, and now it has the whip hand. That far-left whip hand, Labour's new leadership, has been busy building up momentum behind its agenda. That is Momentum with a capital M by the way: Momentum for real change—on the Labour Benches, that is—is a movement inspired by militant trade unionists who want to do to the country what they now have the momentum to do in the Labour party.

I talked earlier about how the shadow Chancellor wants to encourage more militant approaches and no doubt wants to inspire militant trade unionism. Conservative Members have been hearing that, and we have to finish the job of trade union reform that we started in the 1980s and carried on in the 1990s because there are leading Labour Members who saw the industrial strife of the 1970s and 1980s as a dry run for where they want to go next. They will not protect the regular members of trade unions and the public, but Conservative Members will, and that is why I support the Bill.

6.55 pm

Jack Dromey (Birmingham, Erdington) (Lab): My dad came here as a navy from County Cork, joined the British Army to fight Hitler and then became a train driver. Like generations before him and generations after him, he wanted to get on.

The evidence is absolutely clear that those who are in a trade union are more likely to be better paid and to enjoy equal pay, less likely to be unfairly dismissed, bullied or discriminated against, and more likely to work in a safe workplace and to enjoy a decent pension.

I have worked for 40 years in the trade union movement with good employers, including those in the automotive industry such as Jaguar Land Rover, who praise their trade unions for the transformation of the industry to a high-pay, high-quality, high-productivity culture. I have also fought the bad. My whole experience is that trade unions are a force for good and for liberty.

Now, the so-called party of working people wants to weaken working people. It is part of a wider agenda that will brook no opposition: first the charities, then the BBC, even the House of Lords and now the trade unions. The Tory party wants a one party, one nation state.

The great Jack Jones once said that the way for working people to access power was through their union card on the one hand and their right to vote for the Labour party on the other.

Let me show what is so obnoxious about this Bill. When I was treasurer of the Labour party in 2006, against the background of the secret loans scandal and the Hayden Phillips process, it was put to me, “Jack, if we impose a cap on donations of £5,000, it will bankrupt the Tory party.” I said no to doing that because it would be immoral for one party to abuse its power to bankrupt another party. Would that the Conservative party had the same moral compass now.

In conclusion, this is a pernicious and iniquitous Bill. It is born out of malice, informed by prejudice and has no place in a democracy. That is why the true party of working people, the Labour party, will vote against it tonight.

Question put, That the Bill be now read the Third time.

The House divided: Ayes 305, Noes 271.

Division No. 121]

[6.57 pm

AYES

Adams, Nigel	Blunt, Crispin
Afriyie, Adam	Boles, Nick
Aldous, Peter	Bone, Mr Peter
Allan, Lucy	Borwick, Victoria
Allen, Heidi	Bottomley, Sir Peter
Amess, Sir David	Bradley, Karen
Andrew, Stuart	Brady, Mr Graham
Ansell, Caroline	Brazier, Mr Julian
Argar, Edward	Bridgen, Andrew
Atkins, Victoria	Brine, Steve
Bacon, Mr Richard	Brokenshire, rh James
Baker, Mr Steve	Bruce, Fiona
Baldwin, Harriett	Buckland, Robert
Barclay, Stephen	Burns, Conor
Baron, Mr John	Burns, rh Sir Simon
Barwell, Gavin	Burrowes, Mr David
Bebb, Guto	Burt, rh Alistair
Bellingham, Mr Henry	Cairns, Alun
Benyon, Richard	Carmichael, Neil
Beresford, Sir Paul	Cartledge, James
Berry, Jake	Cash, Sir William
Berry, James	Caulfield, Maria
Bingham, Andrew	Chalk, Alex
Blackman, Bob	Chishti, Rehman
Blackwood, Nicola	Chope, Mr Christopher

Churchill, Jo	Harper, rh Mr Mark
Clark, rh Greg	Harrington, Richard
Clarke, rh Mr Kenneth	Harris, Rebecca
Cleverly, James	Hart, Simon
Clifton-Brown, Geoffrey	Haselhurst, rh Sir Alan
Coffey, Dr Thérèse	Hayes, rh Mr John
Collins, Damian	Heald, Sir Oliver
Colvile, Oliver	Heapey, James
Costa, Alberto	Heaton-Harris, Chris
Cox, Mr Geoffrey	Heaton-Jones, Peter
Crabb, rh Stephen	Henderson, Gordon
Crouch, Tracey	Herbert, rh Nick
Davies, Byron	Hinds, Damian
Davies, Chris	Hoare, Simon
Davies, David T. C.	Hollingbery, George
Davies, Glyn	Hollinrake, Kevin
Davies, Dr James	Hollobone, Mr Philip
Davies, Mims	Holloway, Mr Adam
Davies, Philip	Hopkins, Kris
Dinenage, Caroline	Howarth, Sir Gerald
Djanogly, Mr Jonathan	Howell, John
Donelan, Michelle	Howlett, Ben
Dorries, Nadine	Huddleston, Nigel
Double, Steve	Hunt, rh Mr Jeremy
Dowden, Oliver	Hurd, Mr Nick
Doyle-Price, Jackie	Jackson, Mr Stewart
Drax, Richard	James, Margot
Drummond, Mrs Flick	Javid, rh Sajid
Duncan, rh Sir Alan	Jayawardena, Mr Ranil
Duncan Smith, rh Mr Iain	Jenkin, Mr Bernard
Dunne, Mr Philip	Jenkyns, Andrea
Ellis, Michael	Jenrick, Robert
Ellison, Jane	Johnson, Gareth
Elphicke, Charlie	Johnson, Joseph
Eustice, George	Jones, Andrew
Evans, Graham	Jones, rh Mr David
Evennett, rh Mr David	Jones, Mr Marcus
Fabricant, Michael	Kawczynski, Daniel
Fernandes, Suella	Kennedy, Seema
Field, rh Mark	Knight, rh Sir Greg
Foster, Kevin	Knight, Julian
Frazer, Lucy	Kwarteng, Kwasi
Freeman, George	Lancaster, Mark
Freer, Mike	Latham, Pauline
Fuller, Richard	Leadsom, Andrea
Fysh, Marcus	Lee, Dr Phillip
Gale, Sir Roger	Lefroy, Jeremy
Garnier, rh Sir Edward	Letwin, rh Mr Oliver
Garnier, Mark	Lewis, Brandon
Gauke, Mr David	Lewis, rh Dr Julian
Ghani, Nusrat	Liddell-Grainger, Mr Ian
Gibb, Mr Nick	Lidington, rh Mr David
Glen, John	Lilley, rh Mr Peter
Goldsmith, Zac	Lopresti, Jack
Goodwill, Mr Robert	Lord, Jonathan
Gove, rh Michael	Loughton, Tim
Graham, Richard	Lumley, Karen
Grant, Mrs Helen	Mackinlay, Craig
Gray, Mr James	Mackintosh, David
Grayling, rh Chris	Main, Mrs Anne
Green, Chris	Mak, Mr Alan
Green, rh Damian	Malthouse, Kit
Greening, rh Justine	Mann, Scott
Grieve, rh Mr Dominic	Mathias, Dr Tania
Griffiths, Andrew	May, rh Mrs Theresa
Gummer, Ben	Maynard, Paul
Gyimah, Mr Sam	McCartney, Jason
Halfon, rh Robert	McCartney, Karl
Hall, Luke	Mercer, Johnny
Hammond, Stephen	Merriman, Huw
Hancock, rh Matthew	Metcalfe, Stephen
Hands, rh Greg	Miller, rh Mrs Maria

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

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

Tellers for the Ayes:

Sarah Newton and
 Simon Kirby

NOES

Abbott, Ms Diane
 Ahmed-Sheikh, Ms Tasmina
 Alexander, Heidi
 Ali, Rushanara
 Allen, Mr Graham
 Anderson, Mr David
 Arkless, Richard
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Bardell, Hannah

Barron, rh Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackford, Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blenkinsop, Tom
 Blomfield, Paul

Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Burnham, rh Andy
 Butler, Dawn
 Byrne, rh Liam
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Cherry, Joanna
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, rh Yvette
 Corbyn, Jeremy
 Cowan, Ronnie
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Piero, Gloria
 Docherty, Martin John
 Donaldson, Stuart Blair
 Doughty, Stephen
 Dowd, Jim
 Dowd, Peter
 Dromey, Jack
 Dugher, Michael
 Durkan, Mark
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Fellows, Marion
 Field, rh Frank
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Gapes, Mike
 Gethins, Stephen
 Glass, Pat
 Glendon, Mary

Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh Mr David
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Mr Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Irranca-Davies, Huw
 Jarvis, Dan
 Johnson, rh Alan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Kendall, Liz
 Kerevan, George
 Kerr, Calum
 Khan, rh Sadiq
 Kinnock, Stephen
 Kyle, Peter
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Leslie, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 MacNeil, Mr Angus Brendan
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCaig, Callum
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy

McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, John
 McFadden, rh Mr Pat
 McGarry, Natalie
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McLaughlin, Anne
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Monaghan, Dr Paul
 Moon, Mrs Madeleine
 Morden, Jessica
 Morris, Grahame M.
 Mulholland, Greg
 Mullin, Roger
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten
 Owen, Albert
 Paterson, Steven
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Powell, Lucy
 Pugh, John
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Marie
 Robertson, rh Angus
 Robinson, Gavin
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Ryan, rh Joan
 Salmond, rh Alex
 Saville Roberts, Liz
 Shah, Naz
 Shannon, Jim
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula

Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Spellar, rh Mr John
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Stuart, rh Ms Gisela
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Michelle
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Watson, Mr Tom
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Corri
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Ms Rosie
 Wishart, Pete
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Noes:
 Vicky Foxcroft and
 Sue Hayman

Question accordingly agreed to.

Bill read the Third time and passed.

Business without Debate

SPEAKER'S COMMITTEE FOR THE INDEPENDENT PARLIAMENTARY STANDARDS AUTHORITY

Ordered,

That Mr Nicholas Brown, Chris Bryant, Mrs Cheryl Gillan, Mr Charles Walker and Pete Wishart be appointed to the Speaker's Committee for the Independent Parliamentary Standards Authority

until the end of the present Parliament, in pursuance of Schedule 3 to the Parliamentary Standards Act 2009, as amended.—
(Dr Thérèse Coffey.)

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

FINANCIAL SERVICES AND MARKETS

That the draft Small and Medium Sized Business (Finance Platforms) Regulations 2015, which were laid before this House on 7 September, be approved.

That the draft Small and Medium Sized Business (Credit Information) Regulations 2015, which were laid before this House on 7 September, be approved.—*(Kris Hopkins.)*

Question agreed to.

EUROPEAN UNION DOCUMENTS

Motion made, and Question put forthwith (Standing Order No. 119(11)),

THE EU AND THE POST-2015 DEVELOPMENT AGENDA

That this House takes note of European Union Document No. 5902/15 and Addendum, a Commission Communication: A Global Partnership for Poverty Eradication and Sustainable Development after 2015; welcomes this document as a contribution to a debate that is central to sustainable development policy; and supports the Government's approach to the post-2015 development agenda.—*(Kris Hopkins.)*

Question agreed to.

PETITION

Funding Formula for Leicestershire Constabulary

7.10 pm

Keith Vaz (Leicester East) (Lab): I wish to present a petition on the funding formula for Leicestershire constabulary, which was collected over the past 10 days. Of course, that was prior to the Government's decision, because of the problems we heard about in the urgent question on Monday, to pause the formula to allow local constabularies to make fresh representations. Happily, that is exactly what the Government decided to do on Monday, so I present the petition in celebration: the results of the petition have already been accepted and there will be a further review.

I thank the 216 people who signed the petition, which was collected by volunteers in the north Leicester area: Sanjeev Sharma, Baljeet Singh and Pradeep Dullabh. I also thank Councillors Mo Chohan, Manjula Sood, Ross Willmott and Rita Patel for their support.

The petition states:

The petition of residents of Leicester East,

Declares that current proposals to change Leicestershire's policing budget through the revision of the funding formula as well as other cuts could jeopardise the safety of thousands of residents; further that this will result in an unacceptable loss of £700,000 from the force's budget; and further that the proposals will lead to fewer officers keeping Leicester safe and give a green light to criminals.

The petitioners therefore request that the House of Commons urges the Government to immediately review the proposed funding formula for Leicestershire Constabulary.

And the petitioners remain, etc.

[P001553]

Hedgehog Conservation

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

7.12 pm

Oliver Colville (Plymouth, Sutton and Devonport) (Con): Thank you, Madam Deputy Speaker, for giving me an Adjournment debate on hedgehog habitats and the need to protect the species. Before I go any further, I draw the attention of the House to my entry in the Register of Members' Financial Interests. I still retain an interest in a small public relations company that gives advice to developers, although I am not sure they will want to talk to me after this. I thank the British Hedgehog Preservation Society and the People's Trust for Endangered Species, and especially Henry Johnson, who has spoken to me about the importance of hedgehog conservation.

An article in *The Guardian* in July 2013 pointed out that hedgehogs are prickly in character, have a voracious appetite and a passion for gardens, and have a noisy sex life. I leave it to you, Madam Deputy Speaker, to decide which of those traits I share. In a BBC wildlife poll, hedgehogs were chosen as the best natural emblem for the British nation, beating the charismatic badger and the sturdy oak. The victory for the ultimate underdog came about with 42% and more than 9,000 votes cast for the hedgehog. I know what it is like to be an underdog, because that is how I felt in the run-up to the last general election, when I placed a bet on myself with Paddy Power at 4:1 against.

In short, the British people have taken hedgehogs to their hearts. Even though we are a nation of animal lovers and have played a key role in the emergence of the modern conservation movement in the western world, Britain does not have a designated national species, unlike many other countries, including Russia, Australia and South Africa. That is why I am calling on my hon. Friend the Minister to hold a national campaign to identify which animal should be our designated national species. Needless to say, I will be launching a petition after this debate to name the hedgehog as our designated national species.

Jim Shannon (Strangford) (DUP): I was interested to hear the hon. Gentleman set the scene for us, but there are more than 100 priority species across the UK, many of which reside within my constituency. Does he agree we need a strategy for all those species, including the hedgehog?

Oliver Colville: Yes, I am happy to agree, but I am talking about, and campaigning for, the hedgehog.

Perhaps the BBC might like to run a competition similar to one to find the greatest Briton, with a series of people arguing the case for their preferred animal over a series of weeks. I would be willing to do the job on behalf of the hedgehog.

Martin John Docherty (West Dunbartonshire) (SNP): Does the hon. Gentleman agree that hedgehogs are a devolved issue to be decided on by the Scottish Government?

Oliver Colville: I am told that in the Western Isles, there are no hedgehogs at all.

My relationship with the hedgehog goes back to my own childhood in suburban Woking, when I was read by my actress mother Beatrix Potter's "The Tale of Mrs Tiggly-Winkle"—hon. Members will not be surprised to learn that this is not the only Mrs T who has been important in my life. I was therefore deeply shocked to discover that in the last 10 years, hedgehog numbers have declined by about one third nationally. According to the House of Commons Library, the principal reason for this prickly animal's decline is the loss of habitats. Likely factors in the hedgehog's demise are the loss of permanent grasslands, larger field sizes, the use of pesticides and herbicides and a reduction in hedgerow quality. I understand that badgers are a natural predator of hedgehogs and that consequently they avoid sites where badgers are present.

Gavin Williamson (South Staffordshire) (Con): Does my hon. Friend recognise the importance of using our gardens as a vital habitat for hedgehogs? I recently built a hedgehog house in my garden. Sadly, as yet I have no residents in it, but I hope it will encourage diversity and a growth in hedgehog numbers in South Staffordshire.

Oliver Colville: I will be making a similar point in a moment.

Hedgehogs seem to thrive in urban and suburban areas, but the move to tidy, sterile gardens—I am sure the garden of my right hon. Friend the Member for South Staffordshire (Gavin Williamson) is not sterile—has also contributed to their demise. However, these suburban habitats are broken up by fences and roads, pushing hedgehogs into unsuitably small areas.

Rebecca Pow (Taunton Deane) (Con): Another fascinating fact about hedgehogs, which my hon. Friend might be aware of, is that they run up to 1.2 km a night, but they have to find a mate. Thinking about wildlife gardening, I wonder if he might make a hole in his garden fence so that the hedgehogs can run through to find a mate? This is essential.

Oliver Colville: My hon. Friend has been reading my speech or has had prior notice of it.

Hedgehogs need to move a surprising distance to search for food, mates and nesting sites, so we need to make it easier for them to move between gardens, perhaps by making holes in fences. During a visit to Plymouth's hedgehog rehabilitation and care centre this autumn, in the constituency of my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer), I learned that the way to tackle this problem is to stop habitat loss. I was also rather surprised to learn that we should not leave milk and bread out for hedgehogs. Additionally, slug pellets are a great danger that can be fatally harmful to them.

Julian Knight (Solihull) (Con): I congratulate my hon. Friend on securing this debate. Does he agree that the advent of specific hedgehog conservation areas, such as the one in Elmdon in my Solihull constituency, can play a major part in arresting the alarming decline in the numbers of the great British hedgehog?

Oliver Colville: I am delighted to hear about the area in my hon. Friend's constituency, and I think it important to continue with the theme of ensuring how we can look after the hedgehog.

I was also told that elastic bands, which postmen discard when delivering letters, are also detrimental to hedgehog survivals. There is no robust evidence on this point, but it is one of many concerns that have been raised with me about the pitfalls that hedgehogs must dodge.

Not only do we need hedgehog-friendly gardens, but I also want my hon. Friends and the Government to give local authorities advice on ensuring that hedgehogs do not get caught up in bonfires. Last week, we celebrated bonfire night and I raised my concerns about hedgehogs making nests in the bonfires before they were set alight. One of my hon. Friends suggested that this might be a Catholic plot to ensure that attention was taken away from Guy Fawkes—but I rather dismissed that.

Although it is not thought that badgers are the principal culprit in the demise of hedgehogs, they cannot be totally blame free. In a major DEFRA study, which assessed the ecological consequences of badger removal during the randomised badger culling trial lasting from 1998 to 2006, it was found that removing badgers from a habitat had a number of consequences for other species. The report said that hedgehogs rarely encountered badgers in rural sites, but were found relatively frequently in amenity areas.

Population density increased by over 100% over the course of the randomised badger culling trial in amenity sites in proactive cull areas, while declining slightly in no-cull control sites. No similar increases were detected in rural sites. The report also found that there is strong evidence that badger predation restricts hedgehog populations and that amenity areas in villages act as a spatial refuge for hedgehogs.

In 2011, a further report on the state of British hedgehogs concluded that, while badgers are a natural predator of hedgehogs, where there are good foraging opportunities for worms and beetles, badgers and hedgehogs can coexist. However, when there is no safe refuge, and badgers and hedgehogs compete for these scarce resources, hedgehogs may be in serious trouble.

A more recent study in 2014 found that in areas of preferred habitat, counts did not change where there was no badger culling. An analysis of the original badger culling experiments, published in April 2014, shows that while at some sites hedgehog numbers did increase, following a reduction in the number of badgers, it was thought that some of the sample sizes might have been too small.

I must point out that there have been widespread calls for more research into the effects of the badger, and I welcome this. As I explained earlier, badgers are not the sole cause of the decline in the hedgehog population, but I believe that there is a real danger that if more research is not put into the badger cull, hedgehog numbers will continue to decline. I hope that the Minister will take note of that.

There is a pressing need to support hedgehogs in urban areas. It is very important to focus on the barriers created by walls and impermeable garden fences and the consequent fragmentation of the hedgehog population. The House may like to know that I am pressing my

fellow neighbours at the Royal Naval hospital in Plymouth to ensure that we can create a hedgehog-friendly community and increase the number of hedgehogs in this part of my inner-city constituency.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I congratulate the hon. Gentleman on securing this debate. I am just reading on the British Hedgehog Preservation Society site that Saturday 21 November is hedgehog day, so I wish to congratulate the hon. Gentleman on one of the timeliest debates on this issue.

Oliver Colville: Everybody else seems to have had notice of my speech before I ended up making it.

The progressive loss of suitable feeding areas through intensive gardening or inappropriate management of amenity grasslands are also major issues about which we can take action. When new garden fences are installed there are “hedgehog-friendly” options, such as a small hole so that hedgehogs do not become trapped in gardens, and I urge people to consider those in future. More than 36,500 hedgehog champions are campaigning to create hedgehog-friendly neighbourhoods. I have now volunteered to be one, and I am the 150th hedgehog champion from Plymouth to sign up to this excellent scheme.

I am sure, Madam Deputy Speaker, that you will want to know what you can do. Like me, you can sign up to be a hedgehog champion on the “Hedgehog Street” website, where you can report sightings of hedgehogs on the “big hedgehog map”. Although it is not a scientific survey, it is an excellent way in which to engage the public, and I challenge as many right hon. and hon. Members as possible to sign up to the cause.

I am delighted to report that Saturday 21 November is the day of the hedgehog, and that hundreds of people are expected to descend on the International Centre, in the constituency of my hon. Friend the Member for Telford (Lucy Allan). I myself will be attempting to set up an all-party parliamentary group for hedgehogs, so that we can advance the cause of those prickly characters. If any Members are interested, I should be delighted if they contacted me on oliver.colville.mp@parliament.uk. On the same day, the next report reviewing the four main surveys covering hedgehogs in rural and urban areas will be released. It must be remembered that hedgehog numbers are a good indicator of the state of the natural environment, which is why these creatures are so important to the United Kingdom's ecology.

I think that there is more to be done, and I have therefore suggested to the Chairman of the Environment, Food and Rural Affairs Committee, my hon. Friend the Member for Tiverton and Honiton (Neil Parish), that it should hold an inquiry into how we can save hedgehogs.

I hope that I have set out the case for hedgehogs clearly, Madam Deputy Speaker, and that you too will become a hedgehog supporter. Now is the time to increase the public's awareness of the plight of these plucky characters. I trust that the aforementioned Mrs T would be delighted that someone is taking up this important cause.

Madam Deputy Speaker (Mrs Eleanor Laing): I think I had better confirm, lest my customary silence be taken as negative, that I will of course do so.

7.27 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rory Stewart): *Multa novit vulpes, verum echinus unum magnum*, Madam Deputy Speaker.

Tom Tugendhat (Tonbridge and Malling) (Con): In every happy home is a hedgehog, as the Pashtuns would say. I urge my hon. Friend to encourage our Pashtun community in this country to follow that example.

Rory Stewart: I am very grateful for that Pushtun intervention, but my hon. Friend refers, of course, to the Asian variety of the hedgehog rather than the western hedgehog, which is the subject of our discussion today.

The fox knows many things, but the hedgehog knows one big thing.

I am extremely pleased to have the opportunity to respond to my hon. Friend the Member for Plymouth, Sutton and Devonport (Oliver Colvile). I believe that this is the first time that Parliament has discussed hedgehogs since 1566, when the subject was famously raised in relation to the attribution of a bounty of tuppence for the collection of the hedgehog throughout the United Kingdom.

The hedgehog has undergone an extraordinary evolution. The year 1566 seems very recent, but the hedgehog was around before then. It was around before this Parliament. The hedgehog, and its ancestor, narrowly missed being crushed under the foot of *Tyrannosaurus rex*. The hedgehog was around long before the human species: it existed 56 million years ago. It tells us a great deal about British civilisation that my hon. Friend has raised the subject, because the hedgehog is a magical creature. It is a creature that appears on cylinder seals in Sumeria, bent backwards on the prows of Egyptian ships. The hedgehog has of course a famous medicinal quality taken by the Romany people for baldness and it represents a symbol of the resurrection found throughout Christian Europe.

This strange animal was known, of course, in Scotland, Wales and Ireland originally in Gaelic as that demonic creature, that horrid creature, and is the hedgehog celebrated by Shakespeare:

“Thorny hedgehogs, be not seen...

Come not near our faerie queen”,

and famously of course in “Richard III” there is that great moment when Gloucester is referred to as a hedgehog. It tells us something about Britain today; it represents a strange decline in British civilisation from a notion of this magical, mystical, terrifying creature to where it is today, and I refer of course to my own constituent, the famous cleanliness representative of Penrith and The Border, Mrs Tiggy-Winkle.

I want to be serious for a moment. The hedgehog is of course an important environmental indicator, with its habitat, its ability to occupy 30 hectares of land, and its particular relationship to the hibernaculum, by which I mean the hedgehog’s ability, almost uniquely among animals in the United Kingdom, to go into a state of genuine hibernation. Its heartbeat goes from 240 a minute to only two a minute for six months a year. It has a particular diet—a focus on grubs and beetles. The street hedgehog initiative, which my hon. Friend has

brought forward, reminds us that, by cutting holes in the bottom of our hedges, we can create again an opportunity for hedgehogs to move.

The hedgehog provides a bigger lesson for us in our environment—first, a lesson in scientific humility. The hedgehog has of course been studied for over 2,000 years. The first scientific reference to the hedgehog is in Aristotle; he is picked up again by Isidore of Seville in the 8th century and again by Buffon in the 18th century, and these are reminders of the ways in which we get hedgehogs wrong. Aristotle points out that the hedgehog carries apples on his spine into his nest. Isidore of Seville argues that the hedgehog travels with grapes embedded on his spine. Buffon believes these things might have been food for the winter, but as we know today the hedgehog, hibernating as he does, is not a creature that needs to take food into his nest for the winter.

Again, our belief in Britain that the five teeth of the hedgehog represent the reaction of the sinful man to God—the five excuses that the sinful man makes to God—is subverted by our understanding that the hedgehog does not have five teeth. Finally, the legislation introduced in this House, to my great despair, in 1566 which led to the bounty of a tuppence on a hedgehog was based on a misunderstanding: the idea that the hedgehog fed on the teats of a recumbent cow in order to feed itself on milk. This led to the death of between of half a million and 2 million hedgehogs between 1566 and 1800, a subject John Clare takes forward in a poem of 1805 and which led my own Department, the Ministry of Agriculture, in 1908 to issue a formal notice to farmers encouraging them not to believe that hedgehogs take milk from the teats of a recumbent cow, because of course the hedgehog’s mouth is too small to be able to perform this function.

But before we mock our ancestors, we must understand this is a lesson for us. The scientific mistakes we made in the past about the hedgehog are mistakes that we, too, may be mocked for in the future. We barely understand this extraordinary creature. We barely understand for example its habit of self-anointing; we will see a hedgehog produce an enormous amount of saliva and throw it over its back. We do not understand why it does that. We do not really understand its habit of aestivation, which is to say the hedgehog which my hon. Friend referred to—the Pushto version of the hedgehog—hibernates in the summer as well as the winter. We do not understand that concept of aestivation.

For those of us interested in environmental management, the hedgehog also represents the important subject of conflict in habitats. The habitat that suits the hedgehog is liminal land: it is edge land, hedgerows and dry land. The hedgehog is not an animal that flourishes in many of our nature reserves. It does not do well in peatland or in dense, heavy native woodland. The things that prey on the hedgehog are sometimes things that we treasure. My hon. Friend mentioned badgers.

Rebecca Pow: Does the Minister agree that the successful survival of our hedgehog population is a direct reflection of how healthy and sustainable our environment is? It is important that we should look after the environment, because the knock-on effect of that will be that our hedgehog population will be looked after.

Rory Stewart: That is an important point. The hedgehog is a generalist species, and traditionally we have not paid much attention to such species. We have been very

good at focusing on specialist species, such as the redshank, which requires a particular kind of wet habitat. The hedgehog is a more challenging species for us to take on board.

As I was saying, the hedgehog is a good indicator for hedgerow habitat, although it is not much use for peatland or wetland. The hedgehog raises some important environmental questions. One is the question of conflict with the badger. Another is the question of the hedgehog in the western isles, which relates to the issue of the hedgehog's potential predation on the eggs of the Arctic tern.

Patrick Grady (Glasgow North) (SNP): On the point about the hedgehog in the western isles, we have established that hedgehogs are a devolved matter. My hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil) is not in the Chamber at the moment. Scottish Natural Heritage is doing careful work to humanely remove hedgehogs from the Hebrides, and it would be interesting to hear how the UK Government intend to support that work.

Rory Stewart: This is an important reminder that things that matter enormously to our civilisation, our society and our hearts—such as the hedgehog—have to be in the right place. In New Zealand, hedgehogs are considered an extremely dangerous invasive species that has to be removed for the same reasons that people in Scotland are having to think about controlling them there. It does not matter whether we are talking about badgers, hedgehogs or Arctic terns—it is a question of what place they should occupy.

Finally—and, I think, more positively—what the hedgehog really represents for us is an incredible symbol of citizen science. The energy that my hon. Friend the Member for Plymouth, Sutton and Devonport has brought to the debate is a great example of British, or perhaps English, eccentricity, and it is on the basis of English eccentricity that our habitat has been preserved. Gilbert White, the great 18th century naturalist, was himself an immense eccentric. It has been preserved thanks to eccentrics such as my hon. Friend and, perhaps most famously of all, Hugh Warwick, the great inspiration behind the British Hedgehog Preservation Society. He has written no fewer than three books on the hedgehog, and he talks very movingly about staring into the eyes of a hedgehog and getting a sense of its wildness from its gaze. These enthusiasts connect the public to nature, sustain our 25-year environment programme and contribute enormously to our scientific understanding of these

animals. This is true in relation to bees, to beavers and in particular to Hugh Warwick's work on hedgehogs. I am also pleased that the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) mentioned national hedgehog day in an earlier intervention.

Ultimately, we need to understand that the hedgehog is a very prickly issue. The reason for that is that my hon. Friend the Member for Plymouth, Sutton and Devonport has raised the question of adopting the hedgehog as our national symbol. Some hon. Members will remember that the hedgehog was used by Saatchi & Saatchi in an advertising campaign for the Conservative party in 1992 general election. We should therefore pay tribute to the hedgehog's direct contribution to our election victory in that year. But I would like to challenge my hon. Friend's assertion that the hedgehog should become our national symbol. I ask you, Madam Deputy Speaker, as I ask those on both sides of this House, because this question concerns not only one party, but all of us: do we want to have as our national symbol an animal which when confronted with danger rolls over into a little ball and puts its spikes up? Do we want to have as our national symbol an animal that sleeps for six months of the year? Or would we rather return to the animal that is already our national symbol? I refer, of course, to the lion, which is majestic, courageous and proud.

If I may finish with a little testimony to my hon. Friend and to those innocent creatures which are hedgehogs, perhaps I can reach back to them not as a symbol for our nation but as a symbol of innocence to Thomas Hardy. He says:

“When the hedgehog travels furtively over the lawn,

One may say, ‘He strove that such innocent creatures should come to no harm,

But he could do little for them; and now he is gone.’

If, when hearing that I have been stilled at last, they stand at the door,

Watching the full-starred heavens that winter sees,

Will this thought rise on those who will meet my face no more,

‘He was one who had an eye for such mysteries’?

Madam Deputy Speaker (Mrs Eleanor Laing): I paused because I wanted to encourage some more positive noises for the Minister, who has just made one of the best speeches I have ever heard in this House.

Question put and agreed to.

7.41 pm

House adjourned.

Westminster Hall

Tuesday 10 November 2015

[*VALERIE VAZ in the Chair*]

British Council

9.30 am

David Warburton (Somerton and Frome) (Con): I beg to move,

That this House has considered the British Council.

It is a great pleasure to serve under your chairmanship, Ms Vaz. As co-chair, with Lord Bach, of the all-party parliamentary group on the British Council, I am pleased to have the opportunity for this debate. I am grateful to the hon. Member for Aberavon (Stephen Kinnock) for his efforts not only in securing the debate, but in supporting the APPG and the British Council as a whole.

In its founding articles, the British Council was charged with the mission,

“to make the life and thought of the British people more widely known abroad; and to promote a mutual interchange of ‘knowledge and ideas’ with other peoples.”

The phrasing of those aims seems all the more relevant today as the idea of mutual interchange is the crux of the opportunities and the challenges thrown up by globalisation.

The British Council’s work is sometimes seen as divided between English teaching and furthering British interests and influence, but the transmission of our language is in itself an exercise in extending our influence. Of course, George Steiner said that

“when a language dies, a way of understanding the world dies with it”.

Therefore, the work of nearly 9,000 British Council staff—most of them teachers—sprinkled around the globe in conveying our language should be recognised as being of enormous objective value. A language both shapes and reflects a world view, so at a time when both the Alliance Française and the Goethe-Institut have been expanded, it is vital that the huge contribution made by our British Council’s education work is properly appreciated and valued. The British Council’s educational reach is truly staggering and has a projected income of more than £800 million. However, though those educational services might be profitable, they are not only financially driven.

I hesitate to mention opinion polls, because hon. Members will have spotted one or two recent unreliable examples, but research by Ipsos MORI has shown that participation in educational or cultural relations with the UK vastly increases trust in the country and its people. In fact, participants in the British Council’s active citizens programme in Pakistan, in which more than 40,000 people have taken part, said that their perceived trust in the UK increased by a quarter—in so far as such things can be measured. Those same figures show that such increased confidence and trust is not extended to the British Government—sad though that might be—but is centred quite rightly on our people and our culture. That is why the British Council is so ideally equipped to enhance our standing abroad.

Mr John Baron (Basildon and Billericay) (Con): On that point, does my hon. Friend agree that the British Council is not just a great institution with a great history, but that it makes a valuable contribution to our country’s soft power capability? In fact, Joseph Nye cites the founding of the British Council in the 1930s as being the originator of the concept of soft power. Does he agree that funding cuts by the Foreign and Commonwealth Office mean that there is a greater commercial burden on the British Council that risks eroding its credibility and integrity as it tries to become more commercial to make up for those cuts? Does he also agree that those cuts—I include the BBC World Service—are false economies, because money spent on our soft power capability can save on conflict and greater cost further down the line?

David Warburton: My hon. Friend reads my mind—obviously he has been looking ahead to what I am about to say. I entirely agree with all those points. Although soft power is a nebulous concept that is perhaps a little overused, I will touch on it shortly. It is crucial that the British Council’s budget is protected in the best possible way and that it does not become a commercial organisation.

I recently had the privilege of chairing an event in Parliament as part of the British Council’s Young Arab Voices programme. I am confident in saying that all the parliamentarians present were enormously impressed by those young people’s articulacy and breadth of knowledge. That programme instils and distils the idea that conflict resolution and decision making should and can be achieved through argument and reason rather than by force. Therefore, by creating alternative pathways for young people, by offering a platform and a voice for young Muslims and Arab leaders, for example, and by changing lives and life chances through sport and a variety of cultural activities, the British Council provides a special, and arguably unique, way to address our security and stability.

I mentioned mutual interchange of ideas, which is not only vital, but something that the British Council is ideally placed and equipped to take on in the UK’s interests. Perhaps soft power, mentioned by my hon. Friend the Member for Basildon and Billericay (Mr Baron), might be considered a bit of a tired novelty, but it is particularly relevant to the debate. I am sure that all hon. Members were delighted by the result of the Soft Power 30 in which Joseph Nye ranked the UK as wielding more of that intangible but critical quality than any other nation on Earth. That is a tribute to the splendid vibrancy of British culture and to those who, like the British Council, work to share the benefits of that culture as widely as possible.

Hon. Members will recall how Nikola Tesla spoke of the ways in which science can annihilate distance. As the world becomes increasingly globalised, that idea possibly terrifies some, but it inspires others to forge links with people and communities whose concerns in the past may have been rather distant from their own.

In reality, few agencies or organisations are better placed or have the reputation or cultural memory to take on the task of forging such links in the interests of British culture and our long-term security. For example, a society that precludes half its population—women and girls—from accessing education or the wider economy

[David Warburton]

is only half an economy. Therefore, with many western and British values perhaps facing something of an ideological challenge, the British Council's work in providing education for 90,000 refugees in Lebanon, its progressive focus on the role of women and girls in transforming the societies of north Africa and its role in training Iraqi teachers, reaching more than 100,000 children, show how it can change the nebulous currency of soft power into solid, tangible results.

Fiona Bruce (Congleton) (Con): My hon. Friend is making a powerful point about the British Council's humanitarian work. Does he agree that that is particularly valuable in North Korea, where the English-teaching programme, which will reach about 400 teachers and 200 students this year, is one of the only ways in which there is meaningful contact with the outside world for many people in that repressed country? Should we not ensure that that work continues?

David Warburton: I absolutely agree with my hon. Friend; she makes a good point. By connecting with those countries and offering education and skills for growth through arts, culture, social enterprise and investment, the British Council is able to tease out prosperity and tap vast reservoirs of human potential. All that benefits not only the emerging economies, but the UK's long-term national interest.

We all appreciate the imperatives of the financial situation that the country faces and the obvious need for a hard look at areas of Government spending, so it is hugely important to put the British Council's work in its true—it is often hidden—perspective. It provides positive pathways for young people, giving them a stake in society, as we heard in the discussion at the Young Arab Voices event. It strengthens institutions, supports economic and social development, develops creativity and experience of the arts, builds relationships with the UK and enhances our influence and reputation. As I have said, its work increases trust in the UK and, whether face-to-face, or through exhibitions, digital communities, broadcasting or publication, it reaches some 600 million people. In total, the council represents outstanding value for money, and all its work will surely be recognised when decisions are taken on the next financial settlement.

Around two thirds of the British Council's FCO funding forms part of the ring-fenced official development assistance budget, but the remaining third may well face a squeeze. It is therefore imperative that the ODA portion is structured in a way that compensates for any shortfall if we are to maintain the council's successful record. As we approach the spending decisions to be taken over the coming weeks, I hope we will see undertakings to that end.

Finally, I must mention that, in the triennial review last year, the Government reaffirmed their commitment to cultural diplomacy, saying that the British Council's "strong brand, well established networks and committed staff" meant it was uniquely well fitted to continue as "the main official UK body for cultural diplomacy."

All of us here today will be conscious of the three tenets of the British Council: security, prosperity and influence. By seeing those as working together, the full range of

benefits that flow to the UK from the British Council's work and the exceptional value that it provides globally become clear.

9.41 am

Stephen Kinnock (Aberavon) (Lab): It is a pleasure to serve under your chairmanship, Ms Vaz. I congratulate the hon. Member for Somerton and Frome (David Warburton) on securing this important debate.

I must declare an interest. I worked for many years at the British Council, with overseas postings in Brussels, St Petersburg and Sierra Leone. I will always remember my time at the council fondly and with a sense of pride. In Brussels, I saw how British skills and know-how could be deployed to support the transition of the former eastern bloc countries to democracy and the market economy, through the European Commission's aid programmes. In St Petersburg, I was proud to be the director of an operation offering young Russians the opportunity to learn English and engage in a range of cultural and educational projects. In Sierra Leone, I was honoured to be a part of the huge impact of the council's work in building the capacity of that country's Government. It is for those reasons and more that I am such a firm believer in the organisation we are discussing today.

As hon. Members will know, the British Council is the world's outstanding example of a successful soft power institution. It is the model that all other countries try to emulate when developing their soft power networks. It is respected, professional and diversified and we are fortunate to have such a positive face to present to the world. As the hon. Member for Somerton and Frome has already mentioned, the council was founded to create

"a friendly knowledge and understanding between the people of the UK and the wider world"

and has been promoting the values of fairness, democracy, tolerance and dialogue across the world for decades. But the magic of the British Council is that it does not promote those values by way of megaphones or propaganda; rather, it operates through the mediums of exchange and long-term relationship building.

The council understands that communication at its best will be a two-way conversation between the UK and the rest of the world, with each side listening to and learning from the other. It is founded on the principle that the Brits do not have all the answers. It is a vehicle for building trust through honest and open dialogue, as opposed to banging the drum for Britain, which can be so counterproductive. At a time when we are more interconnected as a planet than ever before and trust is a rare commodity, the long-term trust and confidence-building work of the British Council has never been more important; its values are the ones we require if we are to minimise culture clash and the violence that can often result from it.

Through the British Council, we engage civil society in countries where the Governments are not always our closest allies. We propagate a love for our art and music around the world. We can build grassroots understanding of democratic practices, harness the power of sport to inspire and engage young people from all over the world, and promote ourselves as a top-rung tourist destination and trading partner. Through the council,

we ensure that the propaganda our enemies disseminate about us is dismantled. Why then is the council facing such huge cuts, when we can all agree that its work is more important than ever?

This year, the council's FCO grant was increased by £10 million, to reflect its effectiveness in delivering ODA.

Mr Gregory Campbell (East Londonderry) (DUP): On the issue of spending and the ODA, does the hon. Gentleman agree that the British Council's valuable work is put in jeopardy by a reduction of more than 50%, looking back just five years, in terms of ODA spend and that that needs to be examined very closely in the forthcoming review?

Stephen Kinnock: I do. The ODA has been given as a demonstration of the effectiveness of the council's work in least developed countries. The major challenge the council faces is the reduction in the FCO grant, which has been eroded constantly over the years. As the hon. Member for Somerton and Frome mentioned, the fundamental problem is that that increases the council's reliance on commercially generated funding. We all acknowledge and welcome the council's ability to raise that type of funding, but the reduction in grant funding reduces its flexibility to operate wherever it needs to in this rapidly changing world. I absolutely agree that the reduction in the grant is having a negative impact on the council's ability to deliver across the board.

Mr Baron: In addition, is not there another concern about the decrease in FCO funding? It will not simply be a case of having to make up the lost income—and with regard to commercial activities, that can be many times the factor of the income required, as a turnover of £100 million may just about produce a profit of £10 million, and the reduction from the FCO grant would be £50 million over five years. As the British Council becomes more commercial to make up the lost revenue, its integrity and credibility could also be threatened. Does the hon. Gentleman consider that a risk as well?

Stephen Kinnock: I do. Also, as I will go on to argue later, the council's English language teaching and exam work is important, makes a big impact and is very lucrative, but it tends to be for the elites in the societies where the council is operating. It is the high end of English language learning and people pay top dollar for it. If we are saying that it is important that we engage with the disaffected, disfranchised youths who are potentially going to become a security risk for us, it is arguable that that section of society will not be able to pay for those English language courses. Looking at the council's strategic objectives and values, it is important that its reach is wide and that it goes into sections of society that its English language teaching and exams administration simply cannot reach.

The grant represents just 16% of the British Council's funding. The rest is earned, as we have been discussing, and those earnings are projected to increase. Despite that good news, all is not financially rosy at the council. The FCO grant was reduced to £154 million in 2014-15, down from £201 million in 2009-10, so despite the extra £10 million in ODA, cuts to projects are having to be made. The choice for the council is stark: either a

managed decline in its scale and reach, or growing its self-generated income to continue its work. The council has been forced to choose the latter, but should it have to and do we want it to?

Of course, it is truly commendable that the council's English teaching and exam management can generate enough income from those who can afford to pay to fund projects aimed at those who cannot. Work done administering exams, managing international contracts and fostering corporate partnerships is important, but the more money that is raised from commercial sources, the more the British Council's core purpose becomes divorced from its soft power potential. My concern is also that language teaching and exams are expensive, and so tend to benefit elites. Grant-funded activity is far more likely to have a wider reach.

We must recognise that, if the British Council is to remain an important wing of British diplomacy, public funding must remain an important element of its financial base. That is crucial for accountability and flexibility, and to supporting the council's activities in fragile, unstable states, where it is harder for the council to raise the private funds to enable it to build long-term, mutually beneficial relationships with future leaders. It is an important fact that one in five world leaders studied in the UK; we are talking about a brand that we can, and do, export, but without public funding, it stops being linked to Britain as a country and becomes just another product.

ODA money is specifically for British Council work in areas that are of key interest from a security and stability perspective. Those areas are current flashpoints, and the money is crucially needed. In Tunisia, for example, a fledgling democracy is trying to embody all the original hopes of the Arab spring, but more of the foreign jihadists in Iraq and Syria originate there than from any other country. The British Council runs debating clubs across Tunisia—a programme that it wants to grow tenfold and that successfully engages young people at risk of radicalisation. For Tunisia, whose economy relies so much on tourism, the good publicity afforded by successful British Council projects feeds into confidence that the country can move on and rebuild after recent horrors.

ODA funding also goes towards co-operation work with countries such as China and India, where engaging with societies that are growing increasingly prosperous is an investment in our future.

The debate is about how best to build trust between Britain and the rest of the world, and nobody does that better than the British Council. More ODA money would maintain its public funding and consolidate its position as a respected arm of British diplomacy. The Government's spending review is coming up, and my colleagues and I urge the Minister to communicate that request in the strongest terms to the Chancellor.

During his Grant Park acceptance speech in 2008, Barack Obama famously stated that the true strength of a nation is demonstrated

“not from the might of our arms or the scale of our wealth, but from the enduring power of our ideals”.

I urge the Minister to take note and to ensure that the outstanding nature of the work done by the British Council is adequately reflected in the comprehensive spending review.

9.52 am

Tristram Hunt (Stoke-on-Trent Central) (Lab): It is a pleasure to serve under your chairmanship, Ms Vaz. It is also a great pleasure to follow my hon. Friend the Member for Aberavon (Stephen Kinnock). At a time when we are seeing an awful lot of hard power on display in the middle east, it is excellent that we are having this debate about the role and virtue of soft power. As he said, soft power often lasts longer.

I pay tribute to the staff of the British Council. Before I entered this place, I was a practising historian, and I would sell my wares around the world. When I met British Council staff, whether in Dubai, Macedonia or Singapore, they were, to a man and a woman, incredibly professional and committed. They were great public servants, and they presented the best of British, often in quite constrained circumstances.

Those people did not necessarily have easy relationships with our embassies. There were sometimes tensions between the inevitable creativity and dissent that the British Council rightly sought to generate—in a helpful manner—and the sometimes narrow policy constraints of Her Majesty's Government. Where embassies and the British Council had good working relationships, they could achieve a great deal, but where the embassy—not in a controlling manner—did not regard the British Council as part of a partnership for Britain, not nearly as much was achieved as we might have hoped.

In the past 10 to 15 years, the British Council has been a really successful part of a post-imperial, post-colonial reimagining of the meaning of Great Britain. It is hard to overplay that work, particularly in parts of the world where we have a colonial past. The British Council's work in shaping the reputation, image and meaning of modern Britain for new audiences has been quite profound. Nowhere is that truer than in our relationships with India, as we will see next week when we welcome India's Prime Minister to the UK.

The Minister of State, Foreign and Commonwealth Office (Mr Hugo Swire): This week.

Tristram Hunt: Things happen so fast these days. We are all looking forward to the remarkable events that will take place in Wembley, and I hope the Minister will be assisting with them. We have a very complicated and long relationship with India, and although many young Indians have a relative lack of interest in the colonial past, they have a great interest in, and passion for, Britain and the meaning of Britain. The British Council has helped to shape some of the debate on that.

Colleagues have rightly made the case for funding and support for the British Council. Its work is profound and important. When I visited its offices, however, I got a sense that the demands of English language teaching and the business model that that involves sometimes overwhelmed the broader functions of those offices. Clearly, we need those offices to be income generators, but we should not lose sight of the British Council's broader functions and purpose.

I would be delighted to see more money going to the British Council and a return to its previous funding. I have no problem with more of those resources coming from the Department for International Development. It is no secret in Whitehall that DFID cannot get the stuff

out of the door quick enough, although it does not always go in the most effective directions. The British Council, however, is incredibly effective.

Stephen Kinnock: As my hon. Friend will know, one of the council's important functions is to manage programmes such as Erasmus, as well as English language teaching assistants going out to other countries, particularly those in the European Union. Does he agree that Britain's membership of the European Union is an important aspect of the backdrop to the British Council's work in demonstrating that the United Kingdom is an engaged international partner that, in particular, gives opportunities to young people in other European countries?

Tristram Hunt: My hon. Friend is absolutely right. In a sense, the British Council serves two purposes: promoting an understanding of modern Britain in modern Europe; and providing young people with extraordinary opportunities to learn other languages on the European continent and to see themselves as part of a broader European culture. It is one of the sadnesses of recent years that we have seen the decline of linguistic abilities in our schools, and the British Council is working to counter that.

There are broader trends that pose a risk to the British Council's work. First, as my hon. Friend said, we have a great tradition of world-class universities in this country and an extraordinary history of people from around the world coming here to take part in higher education. It is crazy that we include those people in the migration figures. That is an example of the dark hand of the Home Office holding Britain back from achieving what it needs and wants to do. We should welcome those young people, who will build up relationships with the British Council and build cultural relationships in the future.

Britain's cultural footprint is something that we all celebrate. A very good series by Dominic Sandbrook about Britain's modern cultural power is on the television at the moment, and I am afraid that the Government's education reforms are undermining that. Yesterday I was at a very good school: Burntwood school in south London, which won the Stirling prize for architecture. I was told that as a result of reforms, it is beginning to strip away art, music, drama and photography, so a different Department is progressively undermining the things that we celebrate as elements of Britain's reach in the world. If a debate such as this happens in 20 or 30 years, will Members be celebrating British cultural achievements to the same extent and will they be able to celebrate British cultural reach in relation to young people's opportunities in state as well as private education? If we are to feed the British Council and support its work in the future, we should not turn our eyes from our education system.

I am taking part in the debate to support the work of the British Council and the hon. Member for Somerton and Frome (David Warburton), whom I congratulate on securing the debate. He has put his neck on the line, and his future career will depend on achieving real-terms increases to the British Council's budget—we will watch with interest how he achieves that. As ever, I am sure that he will have the full backing of the Labour party.

10.1 am

Mr John Baron (Basildon and Billericay) (Con): I was not going to speak in the debate, but given that there is a little time available, I shall contribute briefly—I am grateful for the opportunity. I congratulate my hon. Friend the Member for Somerton and Frome (David Warburton) on securing this important debate, which is timely, given the advent of the spending review at the end of the month.

I think that all those who have spoken in the debate accept that the British Council is a valuable institution. It does great and sterling work in encouraging co-operation and improving communication, and it makes a great contribution to Britain's soft power capability. I mentioned earlier that Joseph Nye cited the British Council as the original forerunner of the concept of soft power when it was formed in 1934. The concept has moved on, obviously, and we now talk about smart power as well as soft power, but it is important to bring the discussion back to soft power. Although the term is somewhat abused, the concept is perhaps more relevant today, in this uncertain world, than it has been for a long time. Joseph Nye defined it as

“the ability to get what you want through attraction rather than coercion or payment”.

We are not alone in recognising the importance of soft power. Many other countries, including some—without wishing to name names—whose credibility is far less than ours in this context, if only because they are not democracies, are realising that soft power is an increasingly important part of an effective, full-spectrum response to the threats that they face. We would do well to learn from that in the UK. We have been through a decade, if not 12 years, when we have seen examples of hard power not providing the solutions that the Government hoped for, including our interventions in Iraq, Afghanistan post-2006, when we allowed the mission to morph into one of nation building, and Libya. Another is our positioning on Syria, where initially the objective was to support the rebels, although we have now realised that that is where the greater threat lies, so we have rightly turned on them—or elements of them, such as ISIL, al-Nusra and al-Qaeda.

We should realise by now that hard power solutions are not always what we hope they will be. That should remind us of the importance of soft power in this increasingly complex and uncertain world, yet we are cutting funding to the Foreign and Commonwealth Office, which is in turn cutting funding for its various activities, including its support of the British Council. My right hon. Friend the Minister of State may disagree with me about one or two aspects of our hard power interventions, but I think that he and I can agree—he may not be able to do so publicly—that we should not cut funding to the FCO in these times. If anything, we should increase its funding, at a time of increasing uncertainty, because we need our eyes and ears on the ground. We need our expertise in foreign policy issues generally to be properly funded as that can save additional costs and prevent mistakes further down the line.

I rail against further cuts to the British Council. We have heard about funding being cut from £201 million to, I think, £154 million. Okay, there has been a £10 million increase since, but that is still a substantial cut of something like £40 million to a budget of £200 million

in the past five years. The British Council has been left in a difficult situation because it must either scale back its activities, which cannot be good for many people around the world, including the UK, when it comes to soft power capability, or become more commercial. A sum of £40 million may not sound a lot in today's world where figures of billions are bandied around, but to generate that £40 million, assuming a profit margin of 10%, the British Council will really have to gear up its commercial activity.

Although there are early indications that the British Council is coping, there is a risk that as it tries to become more commercial and enterprising—I accept that there is always room for improvement in such areas—its activity will begin to feed back against it, in the sense that its commercial activities will begin to erode its credibility and integrity. A great part of its strength is its quasi-independent approach, but if it is becoming more commercial, the danger is that that will be eroded in many respects. Will the Minister address that fundamental point? This concern is shared by not only me and other hon. Members, but many people within the British Council, as well as outsiders and experts.

Stephen Kinnock: Does the hon. Gentleman agree that the effect on the reputation of the British Council and the United Kingdom is an important aspect of the discussion of financing? Is there a risk of a negative reputational effect if the British Council starts to be perceived as a money-making machine in the economies where it works, rather than an organisation concerned with building mutually beneficial partnerships?

Mr Baron: I tend to agree, but there is a balance. In defence of what happened previously, I would say that when the funding was £200 million, there were always commercial activities in the British Council, especially through the teaching of English overseas, for which its reputation is second to none. I agree, but I am trying to get across the point that as the British Council must increasingly gear up, in a commercial sense, to make good sizeable funding cuts—something like 20% in the past five years—there is a risk of losing sight of the balance. I ask the Minister of State to consider that and give us his response, because I, like the other Members in the Chamber, worry about the integrity and credibility of the British Council. That needs to be addressed, and it is a concern that has been expressed by those at the top table of the British Council itself.

I am conscious of time, but I will quickly move to another aspect of the funding that worries me. This might be partly the fault of the five-year political cycle, but we lose sight of the longer term when it comes to these sorts of funding issues. I suggest to the Minister that although these short-term cuts might meet a financial envelope set over a relatively small timeframe, there is a real danger that by making them now, we are creating false economies. The very nature of the British Council's work means that we are talking about intangible benefits: the improvement of communication; fostering good relations with future world leaders when it comes to the UK; and increasing communication and education links. The benefit of all those intangibles cannot, in all honesty, be quantified, but we know they exist and can become more valuable in times of crisis. These short-term cuts could create false economies over the longer term.

[Mr Baron]

Most generations that have preceded us believed that they lived in a safe and stable environment, certainly compared with their predecessors, but if history teaches us one thing, it is that this is an increasingly uncertain world, with variables that need to be catered for and anticipated as far as possible. The value of soft power in helping us to meet and address those uncertainties will increase as time passes, yet what is this country doing? It is cutting funding to its soft power capabilities, and not only the British Council. Although one accepts that funding for the BBC World Service has been transferred to the licence fee, there is still pressure on it, so that is another aspect of our soft power that is having to tighten its belt.

I argue that the FCO itself should be better funded and should not have to face the current cuts. We need a properly sighted foreign policy apparatus with the expertise to face increasing challenges, yet what are we doing? We are making further cuts to that as well. As long as I am a Member of this place, I will continue—unpopular though it may be for certain Front Benchers—to make the case for increased funding for the FCO, in the hope that one day someone will listen. To be better sighted and to have the in-house expertise to ensure that we do not make the sorts of mistake we have made over the past 10 or 12 years in our foreign policy interventions, for example, is a saving that is well worth making. Such an approach would lead to considerable savings further down the line that would far exceed the short-term savings we are achieving by having to cut the FCO budget.

10.13 am

Robert Jenrick (Newark) (Con): I thank my hon. Friend the Member for Somerton and Frome (David Warburton) for securing the debate. I was not intending to speak, but I want to make two brief points arising from my personal experiences with part of the British Council.

As other Members have done, I praise the staff of the British Council, who helped me in my former life, before coming to this House, to take a British business—Christie's—out to China. They enabled us to negotiate with the Shanghai Government and to win the first licence for a British auction house to hold a stand-alone auction in China. That, perhaps, has led me to take a different view from that of my hon. Friend the Member for Basildon and Billericay (Mr Baron) about the tangible benefits of the British Council for British businesses operating in the wider education and cultural sector on a daily basis.

It is primarily not UK Trade & Investment or British business councils such as those in China or India but the British Council to which businesses such as Christie's, or education providers and great universities such as those near my own constituency in Nottingham, turn to for expert advisers and ambassadors when trying to forge links, whether cultural or commercial ones. Those links have tangible benefits for the British economy—in many cases, important commercial benefits—and, of course, are the drivers of soft power in new economies such as China in particular, where Britain's brand is as much dependent on Christie's, "Sherlock" or "Downton Abbey" as it is on education opportunities. We have to

appreciate the role of the British Council. I hope the Treasury will appreciate that it is providing not only intangible benefits in economies and countries around the world but very tangible ones as well. I hope the Minister will take that up in his negotiations.

The need for a new commercial focus at the British Council requires new skills for its employees, who are not simply providing education opportunities and intangible benefits but negotiating links between British universities and universities in the field, sometimes involving multimillion-pound—and, indeed, bigger—contracts. With the help of the British Council, my own local university in Nottingham has founded one of the UK's only stand-alone universities in Ningbo in China. It is not a joint venture with a Chinese university, but an independent university—a model that others around the world have sought to follow, which the Chinese Government have in fact prevented because it has been so successful. That is a huge benefit, both financially and in terms of education opportunities, to a UK university. Those are important factors that I hope the Treasury will take into account.

Through my experience at Christie's, I have seen that there are enormous opportunities internationally for the British cultural sector—the arts and museums—particularly in emerging markets such as China. More museums are being created in China today than anywhere in the history of the world. There are 400 museums looking for new collections; all the auction houses and art dealers around the world are keen to get involved in that, for obvious reasons. The British Council is, again, crucial to that. Primarily commercial organisations but also our own museums, which are strapped for cash with reducing budgets, are turning to the British Council for help. There are huge tangible benefits that make the British Council essential.

Having spoken to my noble Friend Lord Maude, who is now at the helm of UK Trade & Investment, I know he is very conscious that one crucial element of his work in the education and cultural sphere is, in fact, in the hands of the British Council. Funding for the British Council and upskilling its staff, which costs money, is therefore crucial. British Council staff are paid less in general than those who work in the Foreign Office or UK Trade & Investment; if we want the highest-skilled and, particularly, the most commercially-minded employees, we need to pay them.

My second point is perhaps a contrarian one, given other points made today. Despite the fact that our soft power is extremely strong in the world today, I do not think the UK Government give sufficient priority to cultural diplomacy. Some of the UK's greatest cultural ambassadors, such as Neil MacGregor, the outgoing director of the British Museum, say that the Foreign Office could and should give more priority to cultural diplomacy, particularly in comparison with some of our neighbours, who have systems such as cultural attachés in our embassies and people acting as principal ambassadors, forging powerful links. We see that in the British Council. For example, Carma Elliot, the head of the British Council in China, is arguably—I mean no disrespect—better connected than our ambassador, having spent an entire working lifetime operating in China and forging links at every level, whether those are cultural, political or commercial.

Greater investment in the British Council and in particular giving it greater priority within the Foreign Office are important. I have recently been involved in a campaign to create a greater role for the UK in protecting sites at risk in Syria and Iraq—on which we have made great strides, as I hope will be reflected in the Chancellor's statement in a few weeks' time. At an important summit that we held a few weeks ago at Lancaster House, the British Government committed £3 million to a cultural protection fund to support the brave men and women operating in the field through the British Council.

The British Council was integral to the success of that work; it was really the only point of contact in the British Government that those of us campaigning on it could go and see. The Foreign Office, at times, struggled to give us a contact and there was nobody else—neither the Department for International Development nor the Department for Culture, Media and Sport—to be the glue at the heart of our cultural diplomacy. It was the British Council that could take that forward and work with us to reach a point where, ultimately, the British Government will be the world leader in an important element of cultural diplomacy in the world today.

10.20 am

Deidre Brock (Edinburgh North and Leith) (SNP): The temptation is to rise to my feet and proclaim the work of the British Council to be a jolly good show—to some surprise in this room, perhaps. Amid the hurly-burly of politics, we sometimes forget to acknowledge the very good work done by many people and organisations, and it is well worth our while taking the time to note that and congratulate them. I therefore very much welcome the debate and congratulate the hon. Member for Somerton and Frome (David Warburton) on securing it. I am very pleased to be able to contribute to it under your chairmanship, Ms Vaz.

The British Council represents the kind of international intervention that most of us can support. As we have heard, it exists to create a better understanding between the people of the UK and the wider world—and, it is probably safe to contend, among peoples generally. Much of the comment around the work of the council is concerned with the projection of the UK's soft power and the contribution that that makes to security. I have to admit to some feelings of unease with that phrase but, as an Australian, I can see how it is infinitely preferable to the form of power that the UK used to project around the world. The talking, listening and engaging of the British Council is very impressive, too; as I understand it, it reaches more than half a billion people every year.

The British Council is clearly a success and its reach continues to extend. It is to be hoped that the ethos of the council remains intact and keeps driving in the right direction. Even as it has had to rely more and more heavily on raising funds, it needs to keep going. Given how successfully it has managed that balancing act so far, we can have a fair degree of confidence that any failure will certainly not be for want of trying.

As has been said throughout the debate, we live in an age when funding cannot always be certain. I join other voices here in asking the Minister to say whether the Government are keeping an eye on how the British Council is doing in that respect, and whether there is a

contingency plan to step in with support should it become apparent, at any stage, that the council is facing difficulties.

We should support the British Council's work around the world and ensure, as far as possible, that its positive engagement with other nations and peoples continues. We should not only consider it a gift to the world, but look on the development of that understanding and co-operation as a gift to our children and to future generations. If we can make peace and discussion the more normal state of affairs, we will have done them a great service.

I turn to the comments made by colleagues. First, the hon. Member for Somerton and Frome spoke of the benefits of a mutual interchange of knowledge, saying it is the crux not only of opportunity but of the challenges thrown up by international situations. That was an important point. Importantly, he also paid tribute to the more than 9,000 staff sprinkled around the world, as he put it; their commitment and ability cannot be praised highly enough. He pointed out that given that the Goethe-Institut and Alliance Française are expanding, it is only appropriate that we further recognise the good work of the British Council and the importance that the council is supported properly by Government and does not become a purely commercial organisation, which is a theme that other speakers returned to. He spoke of its progressive focus on women and girls, which is a subject close to my heart, and of its forging relationships with the world's young people. He also spoke of its ability to turn the nebulous concept of soft power into tangible results.

The hon. Member for Aberavon (Stephen Kinnock) spoke of his work with the British Council, his firm consequent commitment to its benefits and the importance of exchange and long-term relationship building. He did not speak of the British Council, however, as banging the drum for Britain, which, as he said, could be viewed counter-productively. He said that it propagates a love of art, music and sport throughout the world—again, subjects close to my heart—and asked why we are thinking about cuts to it when its work is needed more than ever before.

The hon. Gentleman made the point that any reduction in grant funding reduces the flexibility of the council in delivering those very important parts of its work around the world. Continuing the theme from the hon. Member for Somerton and Frome, he warned that a commercial edge threatens the integrity of the British Council's reputation. He pointed out that the grant is only 16% of the British Council's income; I certainly agree about the importance of the perception of Government support to an organisation of this sort's reputation. Grant-funded activity is far more likely to have a wide reach.

The hon. Member for Stoke-on-Trent Central (Tristram Hunt) spoke of his view that a re-imagining of the UK has taken place over the last 15 years. In particular, he mentioned the development of the important relationship with India and the British Council's role in shaping the debate over its relationship.

Tristram Hunt: The hon. Lady is making a beautiful speech. I want to commend her on this celebration of a British identity. Will she expand on that? Do she and her party regard the British Council, which celebrates

[Tristram Hunt]

the notion of the UK and its culture and identity around the world, as inimical to what her and her party wish to achieve?

Deidre Brock: The Scottish Government do a lot of work with the British Council; in fact, I have done some work myself in my role as convenor for culture and leisure in Edinburgh council. The tenets that the British Council supports are security, prosperity and influence, and of course we also support those. I also think that such a soft-power approach to dealing with other countries that are in difficulty is absolutely the right way to go. Our own Minister for external affairs is very active in that role himself. I assure the hon. Gentleman that the Scottish Government support that approach from wherever it comes.

The hon. Member for Basildon and Billericay (Mr Baron) spoke about the ability, as he quoted,

“to get what you want through attraction rather than coercion or payment”,

which I thought was an interesting point. He said that other countries around the world are learning from the British Council’s approach that soft power, such as it is, offers a better opportunity for the sort of change that they are looking to effect in their relationships with other countries. He warned, therefore, of cutting funding, first, to the FCO, as its work saves additional costs further down the line, and similarly to the British Council. He pointed out that a great part of the council’s strength is a quasi-independent approach and that a commercial approach could, as has been mentioned, erode that. He mentioned a 20% cut over five years and the short-sightedness of creating false economies over the longer term, despite the difficulty of quantifying intangible benefits.

I particularly enjoyed the points made by the hon. Member for Newark (Robert Jenrick)—as I said, I have a background in culture and sport—who praised the British Council staff for their work, particularly in assisting his business in liaising, for example, with the Chinese authorities in the past. He spoke of the very tangible benefits that the council brings to business, cultural, educational and social organisations in forming important links across the world. I also very much liked his point about cultural diplomacy and how important it is to raise that as a priority.

Finally, the message rings out very clearly from the speakers here today that we mess with the successful formula of the British Council at our peril. I look forward very much to the Minister’s contribution.

10.28 pm

Catherine West (Hornsey and Wood Green) (Lab): It is a pleasure to serve under your chairmanship, Ms Vaz. I congratulate the hon. Member for Somerton and Frome (David Warburton) on securing this debate on the excellent work of the British Council and the continuing importance of its global exchange of knowledge. We know that the strength of the council lies in its reach and the diversity of the programme that it offers, with over 20 million direct engagements with people from more than 100 different countries.

My first experience of the British Council was in 1996, when I met some teachers teaching in Nanjing; I was also teaching English at the time. It was great fun to go out with them after a day of teaching 30 undergraduates the same lesson 10 times in a row; it was also fabulous to see the soft power going out from the UK and the relationships develop. The benefits go both ways: our young people gain, particularly when they are involved in the work of the British Council abroad, and it makes them better citizens as well.

I had the privilege of joining parliamentary colleagues as part of a delegation of new Members, hosted by the British Council, on a visit to Pakistan in the summer. It was an excellent trip. We had an opportunity to talk not only about the importance of Arsenal football club when it came to running around with girls on the pitch, but about serious issues—particularly the terrible loss of life because of the war on terror, as it is known, and its impact. We were at an incredibly touching musical performance by some children whose teachers had been in Peshawar when the terrible assault occurred. The terrorist who performed that dreadful murder was recorded as saying that he had finished killing all the teachers and students and asking whom he should kill next. That was a turning point in that dreadful conflict because the Government realised they had to redouble their efforts to tackle terrorism.

Throughout that period and following the dreadful loss of life, the British Council was with Pakistanis. Up to 50,000 civilians have died and there has been a post-traumatic impact on young people from not just that dreadful assault, but so many more that we do not hear about in our press because they happen all too regularly. When such experiences occur, the British Council is present daily to deal with the effects of conflict. As we approach Armistice Day tomorrow, we must think about how to contribute to create a world that is peaceful and where prosperity and stability are given a chance. I cannot praise more highly the British Council’s work in moving us towards that.

It is marvellous to see the level of consensus in the Chamber on the importance of the British Council’s work and the creative power of education, language learning and the creative sphere. The hon. Member for Newark (Robert Jenrick) referred to Christie’s, whose work in the cultural sphere is important. We do not talk about such things enough here, but the creative industries contribute much more to the economy than we think. We should praise them and think about how to help to build them up, not just here but abroad.

I want to talk briefly about the excellent work with women. The British Council has a vein running through it: a commitment to women’s equality. As this week the world marks Equal Pay Day, which raises the continuing persistence of gender inequality in the workplace, we should reflect on the British Council’s work to support women through key skills training. That is an essential first step in addressing the problem and helping other social groups to be fully included within the economy.

The Springboard programme’s work is a great example. It is a leading UK-based women’s development programme designed by women for women. The British Council is drawing on its close relationship with the Arab world where it has been working for more than 30 years, having adapted the programme to the Arab culture and translated it into Arabic to help women release their

potential and achieve success in both their personal and professional lives. The British Council built capacity in Arabic-speaking countries and certified more than 100 professional women as licensed trainers qualified to run its Springboard programme within its organisations. Those of us with an interest in development know that if we educate women, we educate the next generation, which is why the work is so crucial.

I want to draw attention to yesterday's screaming headline in *The Guardian*—it is unlike *The Guardian* to have a screaming headline—

“UK losing clout overseas, warn top diplomats”.

In the same fortnight, we saw question marks about the School of Oriental and African Studies, of which I am an alumna; there were suggestions that some of the courses in those precious languages are so expensive to teach that it is not certain whether they can continue to be taught. Once such things have gone, they have gone, so we must work together to maintain that fragile network. The commitment to language learning and teaching, the creative industries, media, sport and culture is a great way of communicating with one another.

On realpolitik and as we move towards the Chancellor's autumn statement, will the Minister bear in mind the context of any proposed cut: the deteriorating situation in Israel, Gaza and the west bank; the eruption in the middle east and Europe of the largest global refugee crisis since the second world war; an uncertain and unstable future for many north African states emerging from the “Arab spring”; and a worrying trend of radicalisation that is drawing in UK nationals and citizens from across the world? We must ensure that we continue to provide the necessary funding to the British Council as a clear investment in the UK's foreign and security policy. It also has a responsibility to ensure that it continues to deliver and expand programmes that deal with those social groups and communities most at risk from modern security threats.

The Hammamet conference, launched in 2011, is one such programme that is leading the way in building relationships through engaging political leaders and civil society organisations in a practical and mutually beneficial series of workshops and plenary sessions.

I look forward to the Minister's assurances that we need not have a debate such as this. We know that the Foreign Office and the Chancellor will do the right thing and invest in this important area of work abroad.

10.36 am

The Minister of State, Foreign and Commonwealth Office (Mr Hugo Swire): I congratulate my hon. Friend the Member for Somerton and Frome (David Warburton) on securing this debate, and I am grateful for the contributions of all those present. The quality of debate today has been considerably higher than it sometimes is in this Chamber. That reflects the fact that people have come to this debate with knowledge and a genuine interest in the subject—we cannot say that about all debates—but there is an inherent danger in debates when there is virtual consensus on both sides of the House.

This debate underlines the fact that the British Council and its value remains as true today as it was in 1940-41, the year it received its royal charter and when its annual report stated that the council's aim was

“to create overseas a basis of friendly knowledge and understanding of the people of this country”

and our foreign policy, something that is as valuable in times of peace as in times of war. When that was written, the battle of Britain was raging over our skies and the blitz of our nation's cities was beginning. Even at that most critical moment, we knew the value of cultural relations and the role the British Council could play in our long-term security and prosperity.

Today, as ISIL's destructive and intolerant influence spreads across Syria and as Russia continues to undermine the principles of international law and the sovereignty of its neighbours, the British Council, its values and the values it exports are needed perhaps more than ever. I would like to take this opportunity to thank Sir Vernon Ellis, who steps down as chairman next year, for his valuable work. I welcome the efforts of Sir Ciarán Devane, the new chief executive, whom I have met on a number of occasions, and his desire to align more closely the council's purpose with our objectives: to make Britain safer; to build prosperity; and to expand the UK's influence overseas.

It is sometimes difficult to communicate the nature of the British Council's work because in fulfilling its purpose, its impact on foreign policy sometimes goes unsung. So it is worth reminding the House of some of its key programmes. In promoting the English language internationally, the British Council administered 3 million English language exams in the academic year 2013-14. During the same period, it taught 388,000 people in nearly 50 countries and reached an additional 132 million viewers, listeners and readers through print and digital products. Why is that important? It is because the world has a huge appetite to learn English. Almost 1.75 billion people already speak some English, and the United Kingdom publishes more books per capita than any other country. It is arguably our greatest asset—soft power or otherwise.

The hon. Member for Aberavon (Stephen Kinnock) mentioned the number of people, including world leaders, who had studied in the United Kingdom. I am sure that if he had had time, he would also have mentioned the main Government scholarship programmes: the Marshall scholarship programme, one of the most prestigious programmes around, which currently has 31 scholars; the Commonwealth scholarship programme—two hon. Members who have spoken this morning have a strong Commonwealth heritage—which now has more than 900 students studying here in any one year; and the Foreign and Commonwealth Office's flagship programme, the Chevening scholarship programme, which we have tripled to more than 1,800 students studying here this year.

All the work that I have described has a direct impact on some of our key foreign policy priorities. The British Council has maintained its public teaching operation in Kiev through the ongoing conflict in Ukraine. The council is now scaling up its work with an additional investment of more than £1 million in each of the next two financial years, which will deliver an English for Universities programme, helping to transform the ability of 12 leading Ukrainian universities to teach in English and operate internationally. The council's work is building important links with the people of Ukraine and mutual trust in a country at the very top of our agenda and at a time when they will value our support most.

[Mr Hugo Swire]

My hon. Friend the Member for Somerton and Frome, whom I congratulate on being one of the architects of the debate, mentioned Young Arab Voices. That programme works, as he knows, in six countries in north Africa and the middle east—Morocco, Algeria, Tunisia, Libya, Egypt and Jordan—reaching more than 100,000 people in 2013 and a further 75 million through broadcast media such as BBC World Service Arabic. Through training and development of skills such as listening and debate, the programme helps young people to learn from others—to connect to their local communities through discussions on the issues that matter most to them, from unemployment and education to the media and women's rights. I hope that hon. Members in this Chamber agree with me on the fundamental importance of building a stable future in north Africa and the middle east. By creating a space in which meaningful debate can take place without conflict, this work will, I hope, make a valuable contribution.

Looking ahead, next year, to the 400th anniversary of Shakespeare's death, Shakespeare Lives—[*Laughter*—] will be a major programme of events and activities, aiming to reach more than half a billion people worldwide. The anniversary is arguably the most significant soft power opportunity for the UK in recent times. The hon. Member for Stoke-on-Trent Central (Tristram Hunt) guffawed when I said “Shakespeare Lives”. Perhaps he is one of those people who thinks either that Shakespeare never wrote anything or that Shakespeare never lived at all, but I hope that he will take part in the activities, which he is well qualified to do.

Tristram Hunt: My colleagues and I were just reflecting on having a celebration called “Shakespeare Lives” on the anniversary of Shakespeare's death.

Mr Swire: Well, I had to check the title because at one point I thought it was “Shakespeare Lives”—life plural—which could have meant something completely different, but I have no doubt that we all look forward to that great celebration. It is arguably the most significant soft power opportunity for the UK since the Olympics. My hon. Friend the Member for Somerton and Frome and others talked about the British Council and cultural diplomacy. I will return to that in a minute. The British Council is working with the GREAT campaign, British theatres, museums, artists and many others to put on an unprecedented programme of global activity that will include brand-new productions of Shakespeare's plays, film adaptations, art exhibitions, public readings and educational resources for schools and English language learners of all ages.

The British Council must undertake all this activity in a rapidly changing world. This Government are determined to play a leading role in global affairs and we will continue to influence the international agenda. Our status as an international leader in soft power—something close to my hon. Friend's heart—is incredibly important. Therefore, the British Council will play a fundamental role in ensuring the UK's place at the top table.

Incidentally, I think that it was my hon. Friend the Member for Basildon and Billericay (Mr Baron) who talked about the importance of science diplomacy.

Mr Baron indicated dissent.

Mr Swire: If my hon. Friend did not, I apologise; I thought that he had mentioned science. I would just like to point to the work in the Foreign Office of Professor Robin Grimes and his team on scientific diplomacy. We have a new fund called the Newton fund, which is providing £75 million a year for five years; that is £375 million in total. We have 15 partner countries, including Brazil, China, India, Indonesia and South Africa, and so far £190 million of business wins and £250 million of leveraged funding have been delivered. Further work is being done to combat global issues such as dementia and antimicrobial resistance. Scientific diplomacy—forging links with others around the world—is another key part of soft power.

As hon. Members may know, the British Council went through a triennial review, published last year, which found the following:

“With its longstanding worldwide presence the British Council makes a significant contribution to the UK international profile... Its role is more relevant than ever: the potential return to the UK globally is enormous in terms of ‘soft power’, reputation and prosperity.”

The review also found that activity was not always well aligned with other bodies representing British interests overseas, and concluded that transparency, accountability and clarity of purpose should be improved.

I am pleased to say that the British Council has responded well to the review's conclusions, taking action to ensure that those issues are addressed. The council is currently moving to a new operating model, so that its finances and commercial operations will be more transparent and accountable to the Government, Parliament and the British taxpayer. The Foreign and Commonwealth Office is already chairing a new committee that aligns the Government's priorities with the British Council's activities overseas and, as I mentioned, the British Council has rearticulated its purpose in a way that aligns itself more directly with our international objectives to make Britain safer, to build prosperity and to increase British influence overseas.

Later this month, the Government will publish the initial results of their spending review and strategic defence and security review, which to a large extent will determine how we will meet the challenges of the future and adapt to this changing world. The hon. Member for East Londonderry (Mr Campbell), who is now not in his place, and others commented on this. I confirm that we are working with the Treasury to help ensure that the Foreign and Commonwealth Office and the British Council continue to be funded in a manner that reflects our global ambition.

I will not be tempted to travel into the trap carefully laid by my hon. Friend the Member for Basildon and Billericay when he spoke so convincingly about the importance of having a Foreign and Commonwealth Office that punches above its weight. He will not hear me dissent from that as an aspiration, although I will not go into the funding implications of it. I will say that, during the past five to six years, within an extraordinarily tight spending envelope, the Foreign Office has been able to increase our international footprint around the world. I myself have opened up a number of new posts, not least an embassy in Asunción in Paraguay, an embassy in El Salvador, most recently a consulate in Belo Horizonte in Brazil, offices in China and so on. I think the Foreign Office is spread wide and punching

well above its weight already, but he and others will look with close interest at our fate after the Chancellor's autumn statement, and rightly so.

Mr Baron: I assure my right hon. Friend that no trap was intended, but I will leave him to muse on that. I suggest to him that footprint is one thing, but expertise and knowledge can be quite another. Where the FCO has been caught wanting—for example, during Russia's annexation of Crimea it had no in-house expertise covering that area so it had to pull in other experts, and it had to pull in middle east experts during the Arab spring—it has been about expertise.

I want to bring my right hon. Friend back to the British Council. When it comes to funding, does he accept that many more cost savings could be made further down the line by avoiding conflict, by being better sighted and by influencing through soft power than will be achieved by the cuts that are being made to the budget? Does he agree, therefore, that we should adopt a much longer-term view of funding for our soft power capabilities, including the FCO and the British Council? Many would argue that the short-term savings are simply false economies, given the greater cost savings that could follow further down the line.

Mr Swire: I entirely concur with my hon. Friend's views about the importance of soft power, or preventive power, and I argue that the United Kingdom is doing well in that respect. I do not share his nervousness about the increased commercial activities of the British Council. In fact, I would argue that the threat from the commercial activities of the British Council has been real. Our concern is that in some ways, particularly in the provision of English language teaching and exams, it can freeze out the private sector. That is why I am pleased that the British Council has introduced a new independent complaints process run by Verita, which will help it better to hear and understand stakeholder concerns, including the concerns of the English language teaching and education sector, and take steps to address them.

Furthering British interests overall, the British Council has agreed with UK Trade & Investment a new business opportunity development process to help British companies to enter difficult markets. I was particularly pleased to hear from my hon. Friend the Member for Newark (Robert Jenrick) about his experiences with Christie's, for whom he worked previously, and the assistance provided by the British Council in Shanghai. That seems to me precisely the sort of work that the British Council should do.

I listened carefully to my hon. Friend's comments about British cultural diplomacy. I had the honour of working alongside Neil MacGregor for many years in a previous incarnation, and I saw him again the other night at the "Days of the Dead" event at the British Museum. I am delighted that, when he stands down from his role at the British Museum, he will take up an advisory role in Berlin and in India. That is eminently sensible, because although he would hate to be called one of our great icons, he is in danger of becoming one of the most valuable of the British objects that influence the world. He would hate me to say that, so I hope that he does not read the debate.

I congratulate my hon. Friend on his work to promote the salvaging of overseas cultural centres and places. This is not new. I refer him to the 2005 Conservative cultural manifesto, of which I was the author, in which we planned to create a fund, if we won the election, to do exactly the sort of thing that he has been doing. When one looks around the world and sees what has been going on in places such as Palmyra, it is clear that the need for such work has never been greater. There is a greater role for British cultural diplomacy.

Britain remains a leader on the world stage, with the networks that are necessary to promote our interests—despite all the pressures on those networks—to protect our people and values, to tackle complex and ever-changing threats, and, to use the words of the British Council's 1940 report, to maintain our ability to

"create overseas a basis of friendly knowledge and understanding of the people of this country".

There can, surely, be no safer or more prosperous world for the British people than one that sees Britain as a friend and understands our values. On that subject, I listened carefully to the hon. Member for Stoke-on-Trent Central, who suggested that he would be taking part in the Wembley event for Prime Minister Modi, along with some 60,000 or 70,000 others—including, probably, the Under-Secretary of State for Justice, my hon. Friend the Member for North West Cambridgeshire (Mr Vara), who is the Minister for the next debate. We look forward to that visit.

It was interesting to hear what the hon. Member for Stoke-on-Trent Central said about a new generation of young Indians who come to the table without so much knowledge, or perhaps even baggage, about our colonial history, but who are interested in what modern Britain has to offer, our values and our culture—particularly our music, our fashion and our literature. That is hugely exciting, and it is why we have increased our diplomatic presence in India. The work of the British Council somewhere like that is a key priority, because I do not think we should just assume that a modern generation of Indians feels anything like the same link to this country as did their fathers and their grandfathers. It is abundantly clear that we have to work at it.

To conclude, I cannot put it better than the report of last year's exacting triennial review process, which stated that the British Council was a

"valuable national asset and should be retained as the main official UK body for cultural diplomacy".

The debate has benefited from the knowledge brought by the likes of the hon. Member for Aberavon, who worked for the British Council. It is something of a family business for him, and, as a Conservative, I am keen on family businesses. He may be as well, depending on which wing of the contemporary Labour party he sits. Other hon. Members who have touched on the work of the British Council see its long-term importance in the promotion of British soft power.

The Government are hugely proud of what the British Council does, and we want to continue to work with it under Sir Ciarán and whoever succeeds the chairman. I believe that Sir Ciarán is an ideal new chief executive to take the council forward. It is important to work with the council as it creates lasting friendships overseas and builds an appreciation of the United Kingdom—what it is, what it stands for and what it can offer—and as it

[Mr Swire]

helps to challenge some of the warped and hideous ideologies that are creeping up in this extraordinarily dangerous world. Ultimately, we must help the council to promote the values that we all hold dear.

10.57 am

David Warburton: There is not much time left, but I want to thank you, Ms Vaz, for your chairmanship of the debate. I thank all hon. Members for their fascinating contributions and the Minister for his encouraging response. I will not go through the contributions in detail, because the hon. Member for Edinburgh North and Leith (Deidre Brock) has given us a great summation of people's views, but I will say that I enjoyed listening to the hon. Member for Aberavon talk about his experiences, which, like those of the hon. Member for Stoke-on-Trent Central (Tristram Hunt), were very interesting. I support the concern raised by the hon. Member for Aberavon about funding, which was echoed by my hon. Friend the Member for Basildon and Billericay. Funding is the key point here, and I am sure that the Minister will go back to the Department and pass on the things that have been said.

It is clear that the British Council's founding aim of encouraging friendly knowledge and understanding between the people of the UK and the wider world continues to grow. I hope that the debate has emphasised that that work has a powerful effect on the UK and its international standing, influence and global reach. It increases our prosperity and the prosperity of others, and it makes them and us safer. Those are noble aims indeed. Long may they continue and long may they be supported.

Question put and agreed to.

Resolved,

That this House has considered the British Council.

Court Closure (Buxton)

10.59 am

Andrew Bingham (High Peak) (Con): I beg to move,

That this House has considered the matter of court closure in Buxton.

It is a pleasure to serve under your chairmanship, Ms Vaz. I think this is the first time that I have spoken while you have been in the Chair.

I have called this debate on the closure of the court in Buxton, which is in my constituency of High Peak. The proposal is part of a recently concluded consultation on the future of many courthouses across the country. Let me be clear from the outset that I understand the need to look at the situation of courts and to investigate the possibility of rationalising the service. However, there are serious flaws in the rationale that has been applied to Buxton, as is the case for other parts of the country, which was highlighted recently in this Chamber by my hon. Friend the Member for Burton (Andrew Griffiths) in relation to courts in his constituency. My concern today, however, is about my constituency and its court.

First, I will provide some context to the debate. High Peak is a large area covering more than 200 square miles, and the two main towns, Buxton and Glossop, are 15 miles apart. There are many smaller towns and villages in between and around those two towns. The constituency sits in the east midlands, yet much of it faces the north-west, particularly Greater Manchester, for many of its services. Leisure, employment and news are all predominantly accessed from the north-west. Part of the constituency, Hope Valley, faces Sheffield for all of its services. There is very little traction with the east midlands. Similarly, public transport links feed into Greater Manchester and Sheffield, and I will come to that issue later.

Despite High Peak's proximity to those two great cities of the northern powerhouse, Manchester and Sheffield, we should be in no doubt that it is very much a rural constituency. It therefore faces lots of problems that are common to many such areas across the country, particularly access to and ease of travel. Not that long ago, High Peak was served by two courts—one in Buxton and one in Glossop. The Glossop court was then closed, so there is now only one court serving the whole of this large constituency.

The Minister is aware of my views on the consultation—I have aired them before in this room and the main Chamber—but I wish briefly to reiterate one or two points. I have been involved in public service for more than 15 years, first as a councillor and then as a Member of this House. During that time, I have read many consultations on a variety of subjects. They have varied in their quality and scope, but I can honestly say that I do not think I have seen one so riddled with errors and mistakes as the one relating to this court. I shall run through some of the glaring errors.

The consultation's biggest error was that it said that there was no public lift in the courthouse, but it is patently obvious that there is. I am absolutely baffled about how such a fundamental mistake could be made. I assume that the author of the consultation did not visit the court because a lift is not an easy thing to miss—it is pretty obvious. I concede that an acknowledgement was sent out about that error, but only after several

people protested in response to the consultation. The circulation of the acknowledgement—I was going to say “apology”, but I do not think that that is the right word—of the mistake is still open to question, however, as some people did not receive clarification about the lift.

The consultation claimed that the building was not compliant with the Disability Discrimination Act 1995, ironically citing the lack of a lift—we have dealt with that issue—but the building is fully compliant with disability legislation under the Equality Act 2010. It also claimed that the consulting rooms were poor. Those were rebuilt five years ago and have had panic strips installed. There are three consulting rooms, of which two have been redecorated recently, and those three rooms are for two courts. I have visited those rooms and they seem perfectly fine to me, so I struggle to understand what allows them to be termed “poor”. Interestingly, if I look at some of the offices in the Palace of Westminster, including mine and perhaps that of my researcher, William Crook, those consulting rooms stand up very well in comparison.

The consultation claims that segregation is not possible. However, in 2010, the waiting areas were reconfigured to create a separate entrance and waiting room, thereby segregating witnesses and defendants. The consultation writers choose, creatively, to state that vulnerable witnesses have to use a waiting room across the road. The ability for vulnerable witnesses to give evidence via a video link without even having to enter the courtroom is an invaluable asset to Buxton court, not a liability. When vulnerable witnesses attend court, probably for the first time, and have to give evidence, the experience can be traumatic. It is a great reassurance for those witnesses to know that they do not have to go into the same court as the defendant by whom they feel threatened. It seems somewhat bizarre for the consultation to make such comments about a lack of segregation and then to cite segregation, where that exists, as evidence against the court.

The consultation claims that the court is utilised to 27% of its capacity, but I cannot reconcile that figure with what I see. I have never seen it justified anywhere. I am told that the justices’ clerk for Derbyshire and Nottinghamshire has publicly admitted that the figure is wrong. Despite requests from the magistrates—I know they have put requests in—for a justification for and breakdown of that figure, such information is yet to be seen. It appears that the figure of 27% was almost plucked out of the ether. I have spoken to lots of people about this. I am told that the delivery director for the Courts Service has said that, in the case of Buxton, the utilisation and travel figures, which are two key facts in the consultation, act “as a guide only”.

Even if we assume that the figure of 27% can be justified—at this stage it has not been, and I wait for it to be—it is worth noting that a shortage of legal advisers available to the court in Buxton is often the reason for its restricted use. There are no legal advisers on Monday at all in Buxton court—none can be found—so we immediately lose 20% of the working week. However, the Minister should not take that as an indication of a lack of demand, because there is a demand for Buxton court.

There is currently a lead-in time of about 14 weeks before a court listing comes to trial. Effectively, there is therefore a 14-week waiting list for a case to come to

trial in Buxton. Again, that situation is created by a shortage of legal advisers to support the magistrates. For any consultation to cite lack of use for any service when there is a 14-week waiting list is completely nonsensical. Those are just a few issues in the consultation, although I could go on about it for longer.

I recently had a meeting at the court with representatives of the Courts Service and two local magistrates, Michael Hilton and Pam Ashton. Officials were still unwilling to hold their hands up and admit that there were mistakes in the consultation document, or even to make a concession that the contents were in any way wrong, other than regarding the mistake about the lift. I would not even call the comments about the lift a full and frank apology—they were almost a begrudging admission. The officials refused to acknowledge all the rest of the facts. They even stood in the consulting rooms, which seemed fine to me, but they just did not seem to like them.

I do not want to dwell on the consultation document, as I have had my say on that here and in the main Chamber some weeks ago, so I shall move on to the actual issue. The court in Buxton provides a valuable service to the whole of High Peak, not just Buxton. The subject of this debate is “court closure in Buxton”, but this is not a Buxton issue; it is a High Peak issue. The suggestion that the court should close is wrong and the case for that has not been made. Furthermore, should the case be made—that is a very big “should”—the proposal that the usage should be moved to Chesterfield borders on ludicrous.

As I have outlined, the court serves the large area of High Peak. There are reasonable public transport links between some of the towns and villages, but such transport is by no means universal. The loss of the Glossop court some years ago made life very difficult for my constituents in Glossop and the north of the constituency, but they manage. Anecdotally, I think that about two thirds of the work that goes through the court in Buxton is from the Glossop area, so closing the court in Buxton will add further burdens to the people of Glossop, as well as having an impact on those nearer to Buxton.

The idea that the work should be moved to Chesterfield will be ridiculous to anyone who has studied carefully the geography of High Peak, which would have been apparent to the author of this lamentable piece of work if they had paid proper care and attention. Chesterfield might look nice and convenient on a map or in a road atlas, but I assure the Minister that it certainly is not. For most people in High Peak, public transport routes to Chesterfield are limited to say the least. I know the area intimately—I was born in the area and have always lived there—so I know every road in and out of both Chesterfield and High Peak, but I decided that I should not rely on my anecdotal knowledge from a mere 53 years of residency. Yesterday, therefore, I went on the Traveline website and found out that to be in Chesterfield for a 9 am appointment using public transport, someone travelling from Glossop would have to get a bus at 6.30 am, with two train journeys on top of that. I am using Glossop as an example because it is the biggest and most populous town in High Peak, and because, anecdotally, about two thirds of the court’s work comes from that area. However, there are many other towns and villages in High Peak, including New Mills, Whaley

[Andrew Bingham]

Bridge, Chapel-en-le-Frith and, indeed, Buxton itself, and getting to Chesterfield from any of those places borders on the impractical.

I stress again to the Minister and his officials that just because the court is in Buxton, they should not think of it as serving only Buxton; it serves the whole of High Peak—all 208 square miles of it. I believe that the court should stay in Buxton, but whatever court is used has to be accessible from all corners of the constituency, not just a small area. It is a fact that more than 70% of the population of High Peak—I think the figure is 73%, so this is almost three quarters of the population—will be more than two hours away from the suggested replacement in Chesterfield by public transport.

I have read many submissions and spoken to a lot of people about this. Buxton Civic Association made many good points in its submission, but the key line in it states that the proposal is not exactly

“access to justice for all”.

That is absolutely right.

David Rutley (Macclesfield) (Con): As always, my hon. Friend makes a powerful point about the implications for rural communities. There are not only concerns in Derbyshire about having to travel from Glossop or Buxton to Chesterfield, because we have similar concerns in east Cheshire about having to travel from Macclesfield over to Crewe. Does he agree that it is vital for the Minister to consider the implications of added travel costs? When such things are considered, the cost savings, if any, of the proposed closure of the courts in Buxton and Macclesfield will be much lower.

Andrew Bingham: My hon. Friend and neighbour makes a good point. I will address the costs in a while, but he is right that moving the courts to different areas will increase expenditure.

I have talked about travelling to Chesterfield from High Peak using public transport, but that is not the easiest of journeys for car owners. The clue is in my constituency's name. High Peak is high, which means that we probably have some of the worst winters in England, although I would not challenge our friends from north of the border because they have it worse than we do. The road from High Peak to Chesterfield, the A623, is probably one of the country's highest roads. I have travelled it many, many times, and in the winter it is often closed or passable only with care—it does get the weather. The road will add another barrier to getting to court not only for defendants, but for magistrates and witnesses.

Due to the problems of getting to Chesterfield, there may be the further problem of an increased number of defendants failing to present themselves at the appointed time, which will lead to the issuing of arrest warrants and increased costs. We must also consider the effect on officials who are required to attend court, be they police officers, officers from the council, who often have to attend court for various matters, or any other official. At present, they can attend the court in Buxton as part of their working day, as Buxton town hall is opposite the courthouse and the police station is within walking distance. Officials can attend a court hearing and be back behind their desk or, in the case of police officers,

back on the beat, very quickly. We all want to see policemen out on the beat, but there will be implications for that if they have to drive to and from court all day. A journey to Chesterfield for an official from High Peak would effectively remove them from their post for at least half a day and frankly, in many cases, for a full day. As my hon. Friend the Member for Macclesfield (David Rutley) said, the increased expenses incurred will erode the financial benefits of the proposal, if there are any.

On the subject of costs, let us talk about savings. The consultation claims that the annual operating costs of the courthouse in Buxton are £89,000, which I assume is the savings figure. I ask the Minister to consider such figures carefully because, of that £89,000, £43,000 are the magistrates' expenses. I am sure that everyone in the Chamber will join me in thanking all those who serve as magistrates. They do it for no remuneration and for little thanks, and we should all be grateful for their valuable work. Magistrates are rightly entitled to claim for their expenses, and they will retain that right wherever they sit. Moving the court to Chesterfield will serve only to increase the expenses of those sitting on the High Peak bench, which chips away at the savings.

If the running costs of the courthouse in Buxton are £89,000, of which £43,000 are magistrates' expenses, we are looking at a £46,000 saving. If magistrates' expenses were to increase by 20%, which is reasonable given the increased distance to Chesterfield in terms of both time and mileage, that would reduce the saving by a further £8,000, so we would be down to £38,000. That does not even begin to account for the extra costs incurred by witnesses. In short, I do not see how there will be any significant financial benefit, if any, from closing the courthouse in Buxton.

Another concern we should consider is that the extra travel will prove prohibitive, meaning that we will start to lose our local magistrates, whose local knowledge and background helps them to discharge their important duty. At a time when we all seek to get people involved in public service, we are putting a barrier in the way of people from High Peak who might think, “I would like to do something for the community by being a magistrate.” Faced with having to travel to Chesterfield several times each week or month, they might think, “Actually, I'm not sure I want to do that.” However, they might wish to take up such a role if the courthouse was in Buxton.

If the consultation had suggested moving the court to Stockport, I could have seen the logic, as transport links to the north-west and Greater Manchester are better from almost all parts of High Peak. It is easier to get to and from Greater Manchester for all those who are likely to use the court. I am sorry to say that the real work has not been done. A thorough and proper investigation as part of the consultation would have shown that to be the case, and the reality of the situation would have become apparent. I think that the regional and county boundaries have been allowed to get in the way of common sense. The proposal has been made after looking at the boundaries on a map; no one has considered the unique situation and geography of High Peak. My hon. Friend the Member for Macclesfield will probably concur that it is a lot easier to get to Stockport from not only my constituency, but his.

I have known the Minister for many years, and he is an honourable and reasonable man.

David Rutley: Hear, hear.

Andrew Bingham: That was only one “Hear, hear,” but I would say “Hear, hear” myself if I could.

The Minister has been very fair and open with me about the proposals. I thank him for the time that he has taken to speak to me, but I am afraid that he has been badly let down by his officials. He has been presented with a consultation document that is so flawed, erroneous and inaccurate that it is driving him towards a decision that appears to be straightforward, but is anything but. I hesitate to use the phrase “stitch up”, because those are the words of tabloid newspapers, but this consultation appears to have been written to fit an outcome and the Minister is being driven down that road.

I could have gone into the consultation in greater detail, and I could have detailed all the combinations of journeys to Chesterfield from all the towns and villages in my constituency. I could have taken apart the financial aspects of the proposal even further, but I have already demonstrated that the savings are increasingly coming down and will dwindle to zero. Given the errors everywhere else in the consultation, if the Minister’s officials had bothered to get a breakdown of the usage figures, I am sure that they would be similarly incorrect and that I could very easily dispute them, too.

I want to give the Minister ample time to respond. I will meet him later this month, but I hope that he will take on board some of the points that I have raised today. I conclude by saying that I would like the court at Buxton to be retained. There is a case for it, and very good reasons support that view. I repeat that those are not just my assertions, or those of High Peak magistrates; they are those of the local council, which has considered the proposal and come out against it, of local people and of court users. I speak on their behalf, and I trust that the Minister will take my comments on board. They are factual and accurate, and they are the voice of the people of High Peak.

11.20 am

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): It is a pleasure to serve under your chairmanship, Ms Vaz. I believe it is the first time that I have done so. I congratulate my hon. Friend the Member for High Peak (Andrew Bingham) on securing this debate. As he said, we have known each other for many years, and I have always known him to be a diligent and conscientious Member of Parliament. His response to the consultation does him enormous credit, and his constituents should be proud of him. He spoke in the main Chamber when we had a debate there, and he and I have spoken about this issue on several occasions, as well as corresponding. He secured this debate, and there is a meeting to follow. His constituents cannot fault him for his sterling work in representing them.

My hon. Friend referred to a number of inaccuracies, and was unhappy with the apology given. I unreservedly and sincerely apologise for the inaccuracies in the consultation, and I add that whenever such inaccuracies have been brought to our attention, we have sought to clarify them as quickly as possible. I have before me a letter, which is dated 30 July and was sent to a number of people, from Lucy Garrod, the midlands delivery director. She refers to the absence of a lift and the travel times used as a guide, and specifies how the utilisation figures were calculated, simply saying that there were 248 sitting days every year and the calculations were made on the basis of five-hour days.

My hon. Friend the Member for Macclesfield (David Rutley), who generously said, “Hear, hear” during the comments made by my hon. Friend the Member for High Peak, made a very good contribution, referring to travel times and costs. We envisage a modern 21st-century court structure in which people do not travel as much as they do now. I will come to that a little later.

Notwithstanding the inaccuracies, which we have sought to clarify as quickly as possible, I believe that there is merit in including these two courts for consideration in the consultation. The world outside the courts is changing rapidly. When we speak of access to the courts, we must acknowledge how the 21st century is progressing. People expect to be able to transact their business online, quickly and efficiently, at a time that suits them, and modern technology allows them to do so. Cheques and paper forms have been replaced by contactless payment cards and smart apps, while shopping for almost anything can be done from the comfort of one’s home. It is such technology that gives us an opportunity to invest in our courts and modernise them to meet the present and future requirements of court users and improve the delivery of justice.

Such improvement cannot be secured without difficult decisions. We must recognise that one third of our courts are used at less than half their capacity. As we have been told, the utilisation of Buxton magistrates and county court in the last financial year was approximately 27%, and operating costs were approximately £88,000, excluding staff and judicial costs. When such utilisation figures incur such costs, we must ask in the interests of the taxpayer whether we are using that money effectively.

We must also appreciate that the way in which the public access our courts is changing rapidly. Access to justice need not happen only by attendance at a conventional court building. For example, we are exploring whether there are opportunities to hold hearings in local buildings, which would help just as effectively to maintain a local presence for justice. There is already proven technology in my hon. Friend’s constituency: a video conference facility is available at Buxton citizens advice bureau, and the police already give evidence via live links to courts in the west midlands. The citizens advice bureau with the video conferencing facility is just across the road from the court, but it could just as well be five, 10 or indeed 25 miles away. Through that facility, the courts can be accessed.

Our reform programme must also be considered in the wider context of our plans to transform how courts and tribunals operate and deliver services to the public. As my right hon. Friend the Lord Chancellor and Justice Secretary has said, the reform of the Courts and Tribunals Service offers a once-in-a-generation opportunity to create a modern, user-focused and efficient service.

Many people encounter our justice system when they are at their most vulnerable, when they are a victim or a witness in a criminal case, or as an individual, business or family trying to resolve a dispute. We must ensure that we make better use of technology to provide easier access to a more responsive system, with swifter processes and more proportionate services. Front-line staff work incredibly hard to provide a high-quality service to the public. However, they and our customers are often poorly served by the infrastructure supporting the administration of a system in desperate need of improvement.

[Mr Shailesh Vara]

Of course we must respect our traditions, and we must ensure that there is a place for the most serious cases in the courts in the traditional way. However, progress towards a more proportionate approach to court attendance would eliminate wasted time and enhance confidence in the administration of justice. We have a duty to offer more convenient and less intimidating ways for citizens to interact with the justice system while maintaining the court's authority for serious cases.

Andrew Bingham: I am sure that the Minister will come to this in his closing remarks, but he mentioned convenience. Will he address the issue that I raised about the potential of going to Stockport instead of Chesterfield? As I said, Chesterfield is completely and totally inconvenient. If the Government are to pursue that path, which I believe is wrong, will he at least give me some indication that despite the regional and county boundary, Stockport will be given serious consideration as an alternative?

Mr Vara: I can certainly give my hon. Friend that assurance, and I can tell him that we are crossing borders and boundaries wherever necessary. He has made a powerful case for Stockport as an alternative. My officials are at hand, and I will personally see to it after this debate that they seriously consider that option.

I am mindful of the time restriction. I will round up by saying that we propose a reform programme fit for the 21st century. It is our intention that modern technology should make it unnecessary for many people who currently go to court to do that. That includes lawyers, who at present can find themselves hanging around at court for hours to have a 10-minute hearing before a judge. We envisage two sets of lawyers booking a 10-minute slot with a judge, who can then have a video conference or a telephone conference.

The world has moved on, and we must move on with it. The Lord Chancellor and I face difficult decisions. Many people have responded to the consultation. Generally speaking, the consultation has had more than 2,000 replies from members of the public and the legal fraternity. It will not be easy to take decisions, but I assure my hon. Friend that all his contributions, including the comments that he has made in this debate, will be considered seriously when we come to those decisions. I congratulate him again on securing this debate.

Question put and agreed to.

11.29 am

Sitting suspended.

Houses of Parliament (Family-friendliness)

[FABIAN HAMILTON *in the Chair*]

2.30 pm

Jess Phillips (Birmingham, Yardley) (Lab): I beg to move,

That this House has considered the family-friendliness of Parliament.

It is a pleasure to serve under your chairmanship, Mr Hamilton, and I thank all the hon. Members who have come to Westminster Hall today; it is a pleasure to see people from all parties here. In particular, I thank the Deputy Leader of the House and my hon. Friend the Member for Great Grimsby (Melanie Onn), the shadow Deputy Leader of the House, for attending. Although only one of those women is my hon. Friend, I have experienced sorority from both, and have felt them both urging me and other women forward in this place, and I wish to state very clearly that this issue is not a party political one.

We are here to discuss the family-friendliness of the Houses of Parliament. I wrote and amended this speech last night. Because of the Scotland Bill debate, I once again failed to ring to wish my children goodnight before bed or to check in with my husband, who was ill yesterday. As I typed this speech at 11.29 pm and the chimes of Big Ben began, the importance of this debate seemed incredibly acute.

I am not the first person to raise this issue; there have been champions, male and female, from all parties. As I seem to do every single day, I must give credit to my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman). I credit her work over the years in changing Government policy, party policy and this place for the reason that I am standing here today. However, Mr Speaker has also been a champion, and I have just been hearing of other champions, including male champions from the Government Benches. In the spirit of full cross-party support, I must mention that it was a Liberal Democrat MP, the former hon. Member for East Dunbartonshire, who was the first MP to carry her baby through the voting Lobby. Every week now, I see Members with their children walking through the Lobbies, and guess what? Nobody dies. That change is absolutely a credit to her.

People have been campaigning on this issue for a very long time—I think that today we will hear about some people who campaigned on it before I was even born—and progress has definitely been made. We have come a long way from the bad old days of the 1970s. For me, that is best symbolised by the example of what was Bellamy's Bar. Once, it was no doubt smoke-filled and gin-fuelled; I say that, although I have no experience of it myself. It sounds like quite good fun. Now, however, it has been turned into a nursery, so hurrah for progress. However, we still have an incredibly long way to go before this place is a proper family-friendly environment.

Mrs Maria Miller (Basingstoke) (Con) *rose—*

Tom Brake (Carshalton and Wallington) (LD) *rose—*

Jess Phillips: In the spirit of gender solidarity, I will give way to the right hon. Lady.

Mrs Miller: I thank the hon. Lady, who is a fellow member of the Women and Equalities Committee, for giving way and I commend her for securing this debate. I applaud her focus on a family-friendly Parliament, but should she not also consider a people-friendly Parliament? I want to see a Parliament that is representative of the country that we live in, so does she share my concern that the number of MPs who are from different ethnic, religious and social backgrounds, and the number of disabled people in Parliament, is not as high as it should be?

Jess Phillips: I thank the right hon. Lady for her intervention. I could not agree more. The two issues are potentially distinct but have an enormous crossover, and much of what I will go on to say today is about how there are so many barriers to so many different people coming into this place that Parliament is not a particularly healthy working environment for anybody: people with families and people without families; older Members and younger Members. An awful lot goes on in that place that acts as a huge barrier to people working here.

Tom Brake: First, the hon. Lady is right to say that things have moved on slightly. When my daughter was born 18 years ago, during Divisions I had to leave her in the Lib Dem Whips Office with members of staff in their early 20s who did not have the foggiest idea of what they were supposed to do with a six-month-old. Things have improved slightly since then.

I apologise for not being able to stay for the duration of this debate, but I would like to take this opportunity to say how appalled I was by the abuse that the hon. Lady received recently. However, the point of my intervention is to say that I sit on the House of Commons Commission and clearly there is work under way, with which she will be familiar, which Sarah Childs is doing in relation to a gender-sensitive Parliament. I will make sure that, on Monday, when the Commission meets, this debate is taken into account, to see if there are issues that the hon. Lady and other hon. Members have raised that the Commission should examine.

Jess Phillips: I thank the right hon. Gentleman for his support in regard to my own experiences during the last few weeks of what it is like to be a woman in this place. I also thank him and the other members of the Commission for its continued work, and for offering to take back to it anything that is discussed here today. I very much hope that this debate and any debates on this subject become part of the bigger picture of the Commission's work.

I will now say why this issue is so important, before going on to talk about some of the specific problems and some of the possible ways to address them. I am not trying to present any one possible solution as a silver bullet that will make us a family-friendly place. I am contributing to a debate that has been going on for decades and that I am sure will continue in the future.

Next spring is particularly important. As has been highlighted, Professor Sarah Childs will be publishing her final report on delivering a gender-sensitive Parliament, and there will be a parliamentary debate on the implementation of the recommendations of the Speaker's Conference on Parliamentary Representation, which reported in 2010. That seems to me to be an excellent

opportunity to debate this issue, and to build cross-party consensus to achieve real change. I stress again that we will get such changes only when we work hard together and not combatively, so that everyone in this place feels that they have been involved in this process.

First, why is having a family-friendly Parliament so important? I am not sure if I have made it particularly clear yet—I can be a bit shy about it—but I am a feminist and this is a feminist issue. However, that should not make anyone think that it is an issue that affects only women. It directly affects all people in Parliament who have families, and it indirectly affects every single person up and down the country. Parliament not being family-friendly affects MPs and parliamentary staff immediately and directly, but it also has a wider effect and impact in terms of representation.

On Saturday night, I was having a chat with my husband, who is and has always been the primary carer of our children, and a friend of ours, who is a single mum. We mulled over some of the ideas about how to make this place a more family-friendly parliament. Very quickly, they turned to the idea that, "Well, you knew what the job was going to be like. You don't expect family-friendly oil rigs. It is just the nature of the job." That is a fair point and one that I am sure will be expressed to me in the below-the-line comment sections of any newspaper that chooses to report this debate.

However, Parliament is fundamentally different. Yes, there are many jobs that are still not that family-friendly. It is the nature of jobs with a predominantly male workforce—something, of course, that we should challenge. However, it is not the job of oil rigs to reflect society; it is not the job of oil rigs to push for laws and regulations to improve families' lives; and the world does not look at the people who work on oil rigs for an example of what our culture should be. But it is the job of Parliament to do those things.

My friend concluded our discussion on Saturday by saying that, as a single mother and sole provider for a young child, for her to be a Member of Parliament is virtually impossible. That statement alone should highlight the fact that we still have such a long way to go before this place truly represents the world outside.

The immediate impact is easy to see. Think of the large number of MPs who are mothers who stood down at the last election. Often, debate on this issue has mainly focused on female MPs, which is quite understandable, as the current situation is a huge contributor to the under-representation of women in Parliament. However, all too often we do not recognise that it does not affect just women MPs. It affects all MPs with care-giving responsibilities, and not just MPs who are parents. It affects those of us who have sick relatives, including husbands who have been unwell or ageing parents who we have to look after. All those factors should be considered in the round.

Male and female parliamentarians with young children or dependent family members undoubtedly need extra help, but they are only part of the story. The issue does not affect only MPs. Every MP has staff, as does Parliament itself. There are thousands of people who protect the building, work in the kitchens, sort the mail and do the research in the Library—there are even people who write down every word we say. Those people keep this place going. If it were all left to MPs to do, I am fairly certain that the place would grind to a halt in just a few days, if not hours.

[*Jess Phillips*]

Problems with the availability and affordability of childcare, parental leave, unpredictability, and unsocial hours affect everyone in this place who has family responsibilities. When a Parliament is structured in such a way as to make balancing work and family difficult, it excludes people with families, and the wider effects of not being family-friendly are hugely troubling. The best people are put off applying, and we want the best people shaping the laws and opposing and supporting the process. Ultimately, that is what is best for the country, but someone with family responsibilities would definitely think twice about working here.

I come from working in a women's refuge where all the staff were women and most of the service users were women and children, and I often joke that when I first walked into Portcullis House it seemed to me as though it were staffed entirely by young men called Will, Tom or Ben. I am sure that the huge workforce of young men is absolutely brilliant, but we must be more reflective of society. In my old job, we used to joke that we could employ a full-time obstetrician such was the pregnancy rate among our staff, but here weeks will go by without anyone seeing a pregnant woman walking around the estate. This is about our wanting the best people, and if we want fair competition and to attract the best, we should remove the barriers that prevent those exact people from applying to be Members and to work in this place.

In many ways, normal workplaces are much more family-friendly than Parliament. We have an awful lot of catching up to do. If at some point in the future we go beyond our current work practices, that will be good. We should be leading the way and setting an example. Not being family-friendly sends the wrong message to the country. We are a highly visible workplace—I feel like waving at the cameras now. The only jobs in which there are more cameras and microphones are those on chat shows. So what we do here matters. We should be a beacon of a proper 21st-century family-friendly workplace.

While we are thinking about scrutiny—the eyes and ears of the world on us—no one could fail to notice when glancing up at the benches in the Press Gallery that women are grossly under-represented in the press lobby, and I will wager—I do not have any empirical research—that mothers are even more so. I remember introducing the previous leader of the Labour party, my right hon. Friend the Member for Doncaster North (Edward Miliband), to the press pack on the day when he talked about how he was going to change the Labour party's rules and make it so that more people could be involved, so that we could reach out and, essentially, reflect society a bit better. After he spoke, the press lobby grilled him and grilled him: "Do you really think that your party, or any party, or Westminster, is particularly reflective?" After he had walked out of the room, I sat in front of the press lobby—I was not a Member of Parliament then, just a woman called in to introduce the leader of her party—and I chastised them. There was not a single woman among them—these opinion formers, the people who tell others what happens in this place—and they dared to have a go at him about not being representative. The way in which this place is run undoubtedly changes what gets reported here—how the world sees us—and we cannot go on like this.

While we continue with the status quo and push back at any challenge, we are guilty of huge hypocrisy. I have spent all morning with the members of the Women and Equalities Committee discussing, for example, the barriers employers put before women who are pregnant, and thinking about the best strategies for reducing the gender pay gap caused by women having children. But how can we lecture others when our House is not in order? If we look around at this place, with its fancy history and ancient carvings—and the rather glam curtains in this room—we can see that are in a huge glass house. Yet we are chucking stones. We should sort ourselves out so that I and the other members of the Women and Equalities Committee have a leg to stand and do not look like fools when we make recommendations. What business do we have asking big business and big employers to do something we are simply not willing to do ourselves?

Almost everyone in this place, I think, gets this. There are still a few dinosaurs in Parliament, gradually hardening into fossils, but most people in here want this. So, what is standing in the way? What are some of the aspects of Parliament's dominant culture that hold us back, and what can we do about them?

The week before last, my children ran around these halls and in the canteen. There was a notable singing—or rather screaming—competition between my youngest son and the little boy of my hon. Friend the Member for Manchester Central (Lucy Powell). It was half-term and, for some reason, the recess in the House does not marry with that occasion. My hon. Friend the Member for Great Grimsby has raised the good—and seemingly obvious—idea of making recesses coincide with school half-terms. That idea has been proposed by men and women from all parties, and it is an idea whose time has come.

Several hon. Members *rose*—

Jess Phillips: I will give way first to the right hon. Member for Chelmsford (Sir Simon Burns) and then to the hon. Member for Airdrie and Shotts (Neil Gray).

Sir Simon Burns (Chelmsford) (Con): Will the hon. Lady accept that apart from the October half-term, the progress we have made means that most recesses dovetail with the state holidays and half-terms, except for Scottish MPs?

Jess Phillips: I absolutely agree. Progress has definitely been made. The October half-term is somewhat of an anomaly. I imagine that the hon. Member for Airdrie and Shotts was going to make that exact point about Scotland, as I will go on to do.

Neil Gray (Airdrie and Shotts) (SNP): The right hon. Member for Chelmsford (Sir Simon Burns) did, in fact, steal my thunder in that the recess dates do not follow the Scottish school holidays, almost at all. That is important not just from a family-friendly point of view but from a representation point of view, and there needs to be some cognisance of that from the House authorities and the Leader of the House. They need to consider whether there can be some movement—a week here and there—that would allow us to perform our duties both as parents and as representative MPs.

Jess Phillips: I very much welcome those interventions—they both stole my thunder. I will come on to talk about how our holidays have definitely moved more in line with the UK's school holidays, except where Scotland is concerned.

Going back to the idea of moving the October recess, I am aware of the well-rehearsed arguments about how that would make it too soon after the conference recess, but I simply bat that back and ask, "Why do we have a three-week conference recess?" This might be a scandalous idea, but why do we not have our conferences a bit earlier or, God forbid, hold them, as the Scottish National party does, on a Friday, Saturday and Sunday so that they do not get in the way of parliamentary business? We could then consider moving our holidays around to fit everyone in this place.

In solidarity with my Scottish colleagues, I must raise the issue of the Scottish education system. As has been outlined, its holidays—all the half-terms and the summer break—run completely out of kilter with the recesses in this place. I am not certain, but I think that Christmas might be at the same time in Scotland—it is a fairly national thing. The hon. Member for Paisley and Renfrewshire North (Gavin Newlands) told me that the overlap between the recess here and the Scottish school holidays is only two weeks, which will allow him only the same fortnight each year to go on holiday with his family. He will therefore miss the same annual events each year in his constituency, which will affect his ability to represent his constituents. That seems completely unfair, given that my summer recess falls exactly in line with my children's summer holidays. The hon. Gentleman asked me to raise with the Deputy Leader of the House the possibility of a three-week overlap, at the very least, for his family, and for other Scottish Members with children. That is a reasonable request, so it would be crass of me not to make it; this is, after all, the UK Parliament.

There will be push and pull between parents whose children live in London and the surrounding areas and those whose children live elsewhere. I would prefer longer hours in Parliament and to be at home in my constituency for more days of the week, but I know that that would not work for everyone. I was warned by people who have been in this place for much longer than me that if I ever wanted to see my children, I should move them to London, but my kids' school, their friends and their life are in Birmingham. I could not expect my dad or my parents-in-law to up sticks to help me with the childcare as they do now. We should not want or need to encourage people to live in London, because that would make this place even more divorced from the lives of most of those whom we are here to serve.

Neil Gray: Perhaps the hon. Lady will reflect on the fact that Members of the Scottish Parliament do not feel the need to move their families to Edinburgh, despite having to travel great distances, because that Parliament's Chamber and parliamentary week are structured to ensure that things are more family-friendly. Perhaps we could learn something from that.

Jess Phillips: I spend an awful lot of time in this place, particularly with the Women and Equalities Committee, learning that there are many areas on which we could learn from Scotland and how it runs things. There are many, many things about how the Scottish

Parliament is run, such as how the Members vote—the Divisions are held in a completely different way—that seem to be much more family-friendly. I encourage any commission that is taking place and the Deputy Leader of the House to consider how we might be able to mirror some of the existing models in Scotland. Scotland, much like Sweden, is some sort of panacea of all the good things that happen in people's lives.

Tom Brake: I hope that I am not stealing the hon. Lady's thunder, as she might be about to come on to this, but has she considered the idea of job sharing for MPs as a way of ensuring better representation of women, for instance, and people with disabilities?

Jess Phillips: It is something that I have considered, and I was going to ask the Deputy Leader of the House what she thought of the idea. I am not entirely sure how it would work. I feel that if I were to job share, I would still end up doing exactly the same as I do now, which incidentally was what happened to me when I worked part time—I was paid for three days a week and worked for five. I therefore have some concerns about the idea. Constituents will want their MP regardless of whether it is their day. I know that Professor Childs has been looking into that, and it should be part of the debate.

When looking at a gender-sensitive Parliament, as opposed to a family-friendly Parliament, there is certainly an argument for considering the idea of job shares for those with Government positions. That would allow people with children—this largely affects women, I suppose—to take up positions in government from which they might otherwise be barred. While there might be an argument for that, I cannot see how job sharing for MPs would work, although I am willing to be proven wrong.

Work on timetabling would be a far less complicated way of making things a little easier. Why do we not find out about future business further in advance? Things have definitely improved in terms of hours, as I am sure we will hear from people who have been Members for a while. If we knew further in advance that we would have to be in Westminster or to stay late, it would make it easier to combine work and family responsibilities. It would make it easier to organise childcare in advance and would stop me constantly making promises to my sons that I often cannot keep when it comes to the day.

What does the Deputy Leader of the House think of giving us more warning in the business statement of future business, albeit recognising that issues can emerge that we cannot predict? Does she think that MPs or Ministers should be allowed to job share? What models could be considered around proper systems of parental leave, maternity leave, paternity leave and carers leave for everyone who works in Parliament, including Members, and what are the Government's proposals?

The all-party group on women in Parliament produced a report last year that asked the House to reconsider the age at which children are allowed in the Lobbies. I think that some Members might be breaking that rule already, but does the Deputy Leader of the House agree the age should be raised from one year to cover all pre-school children—those aged from nought to four? Childcare costs are recorded and published as individual MP's expenses, while disability allowances are aggregated, but that effectively disincentivises MPs from claiming

[*Jess Phillips*]

for childcare costs, as they will have higher expenses claims than other MPs. What does she think about changing the Independent Parliamentary Standards Authority system to deal with that?

Mrs Miller: The hon. Lady refers to IPSA. Does she feel that there is any room for a family impact assessment of some of the IPSA rules, especially regarding how children over 18 are not treated as part of the family? Does she have any comments on that?

Jess Phillips: There needs to be an overarching look at what IPSA provides and how it reports in respect of families. The right hon. Lady mentions dependents over 18, and while my children are much smaller, I remember how long I was dependent on my parents. We must always be careful in Parliament about making a rule for us that does not reflect the rules we make for those outside. Thinking about IPSA, I suppose this goes back to my point about how the press lobby often reflects some of the issues around this place not being a family-friendly environment.

I often hear of those MPs who are lauded for having lower expenses. My leader is a good example of that, but the truth behind the headline is that those MPs who live outside London, who have dependents and who claim the top-up for dependent children will always be seen to be claiming more, even though in my case that is only so that I can afford a place for my children to sleep when they are with me in London. The headline of “Greedy MP” will never tell that story. As has been suggested, I sometimes wonder whether this relates to how women are treated in the media. The idea of a greedy woman or a woman being away from her children is delicious to the media, and some of the ways in which IPSA reports on childcare costs and our expenses exacerbates the situation for women MPs.

Does the Deputy Leader of the House think that women should be allowed to breastfeed in the Chamber and in Committees? I realise that that would be ridiculously controversial, but I can tell Members from years of experience that putting off breastfeeding a baby makes you feel like you are going to die or explode at any minute. I can totally sympathise with colleagues with new-born babies who sometimes need to do that quickly and suddenly.

How can we send out the message that we are family-friendly? The possibility of family days has been raised, when people in Parliament would be encouraged to bring their children to this place and we could discuss issues specifically affecting families inside and outside Parliament. We must be seen to be more like the people outside for them to trust us again. Would the Deputy Leader of the House encourage that idea?

Having a crèche is a lifesaver for many parents who work in Parliament. What does the Deputy Leader of the House think about keeping it open later on nights when officials, security staff, MPs and their staff, Clerks and others have to stay later? I am always wary when I have a deadline to pick my children up from childcare. We must be careful that we do not have one rule for in here and one rule for out there, but until the rules in here look like normal working practice out there, I think that we could get away with having the crèche open later.

Those are just some of the ideas I would like the Deputy Leader of the House to consider, and I look forward to hearing other Members’ ideas. My hero of the week is the Canadian Prime Minister who, when asked last week why he had appointed a 50% female Cabinet, said simply, “Because it’s 2015.” As a mum of two young children, a Member of Parliament and a resident of a different bit of the UK, I say that it is 2015, so let us get on with this.

Several hon. Members *rose*—

Fabian Hamilton (in the Chair): Order. Before we continue the debate, I need to say that because of the number of Members who have indicated that they wish to speak, I am imposing, with the authority of the Chairman of Ways and Means, a five-minute time limit on Back-Bench speeches. I remind Members that for each of the first two interventions accepted during a speech, the clock will be stopped, with one minute added to the time remaining for the Member who gave way. A third or subsequent intervention will count against the time limit. The clocks on the wall will display the time remaining to a Member.

3 pm

Sir Simon Burns (Chelmsford) (Con): It is a pleasure to be here under your chairmanship, Mr Hamilton. I congratulate the hon. Member for Birmingham, Yardley (Jess Phillips) on securing this important debate.

I will be brief. I am depressed to think that I came to this place when the hon. Lady was in her first year at primary school. The plus, though, is the strides that have been made in this place since then. When I first came here and through into the ’90s—I had two young children—the House of Commons sat from 2.30 in the afternoon, Monday to Thursday. On Monday to Wednesday, we were lucky if we finished at midnight; more often than not, it was 1.30, sometimes 3 o’clock, and very occasionally each Session we would go through the night.

Those were not family-friendly hours at all. Since then, due to work done by the right hon. and learned Member for Camberwell and Peckham (Ms Harman), John Major and others, as the hon. Lady mentioned, we have improved the situation, but more needs to be done. I personally would like Mondays to start at 11.30 am, like Tuesdays and Wednesdays. I know the argument is that Members of Parliament have to come down to London, but they could get up a little earlier or possibly come the night before, although that might be anti-family-friendly as well if they are not moving up and down with their families.

Neil Gray: Does the right hon. Gentleman agree that if we were more efficient in how we dealt with business in the House, perhaps we could get through the week quicker? That would allow us to sit on fewer occasions, be in our constituencies as representatives more often and also carry out our duties as parents.

Sir Simon Burns: I could make a snide comment about the Scottish National party stopping its habit of forcing Divisions in the House of Commons, which might be more efficient, but I will resist that cheap jibe. What I will say is no, I do not agree, because we have a

job of work to do. We sit 34 or 35 a weeks a year. We have the weekends—Fridays, Saturdays, Sundays if we are so minded—plus about 16, 18, 20 weeks a year to work in our constituencies. There is a job for us to do here. When the House of Commons is sitting, we should maximise the time and do that job rather than constantly whittling away the amount of time we work here. The less time we worked here, the less ability we would have to hold the Executive—the Government—to account, and that would be a big mistake.

We need to look more at the recesses, which have improved dramatically, as have the hours. The hon. Member for Birmingham, Yardley made a point about programme motions. To start with, I was not in favour of those, but they do give a clarity and a consistency to our debates so that we know more about what is happening when, and we make our speeches and judgments on the basis of that. We need to look at all that. Of course, Scotland has a problem with regard to its schools' summer holidays. We could see whether we could fine-tune when we go into recess in July to accommodate Scottish Members of Parliament. That would be perfectly reasonable.

I am very pleased to see the change in the composition of the House of Commons. Again, in the 1980s, both the Labour and Conservative parties were predominantly white, male and middle class. The situation has now improved beyond all recognition, partly through the efforts of Tony Blair as well as of my right hon. Friend the Prime Minister, with the A-list from 2005 to 2010. What we have seen is far more women in this place, which is absolutely right, although we need more; far more people from black and minority ethnic backgrounds, which is right because that reflects what goes on in this country; and, as my right hon. Friend the Member for Basingstoke (Mrs Miller) said, people with disabilities. We have got to be a representative Parliament.

Mrs Miller: Does my right hon. Friend not agree that the overwhelming majority of Members are still white males?

Sir Simon Burns: I would not agree that an overwhelming majority are. I certainly think that a significant minority are female and non-white, and not all white male MPs are middle class. There is a range of backgrounds, funnily enough, in both parties. Everyone stereotypes the Labour party as the party of the working classes and the Tory party as the party of the middle and upper classes, but that is not true if one looks. There are a lot of differentiations both ways. There is even—one immediately comes to mind—an honourable public schoolboy who used to be a member of the shadow Cabinet until the recent leadership election, which shows how some barriers have broken down.

A slightly more controversial subject is the question of breastfeeding. We have to be careful that, in pushing for a more realistic approach, we do not give the tabloid press the opportunity to ridicule us. I may be old-fashioned, but I share the view of the last but one Speaker of the House of Commons, Speaker Boothroyd, who, when asked on a point of order by a Labour MP for Swindon, Julia Drown, whether it would be possible to breastfeed in the House of Commons Chamber, said that when she saw her checkout girl at Tesco's breastfeeding, she would allow it. *[Interruption.]* Sorry?

Melanie Onn (Great Grimsby) (Lab): I was merely making the point that one cannot scan items and breastfeed at the same time.

Sir Simon Burns: The hon. Lady is absolutely correct, but I think the point behind Speaker Boothroyd's comment was right: there is an appropriate time and place for breastfeeding. I am simply offering a word of caution; we do not want this issue to degenerate and the merits of the case to be undermined because we are ridiculed by what is proposed.

Alison Thewliss (Glasgow Central) (SNP): Will the right hon. Gentleman give way?

Sir Simon Burns: No, because I do not have much time—I am not sure how much time I have got.

Fabian Hamilton (in the Chair): Order. I call Dr Rupa Huq.

3.7 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): The other day at about 8 o'clock, I found myself heading back from the mother of Parliaments, which is—I still pinch myself—my workplace. I was heading from tube to road with a neighbour of mine from a few doors away, who said, "Late night at work, was it?" I was not fast enough to say no, this was an early night; as all Members know, it can be a lot later than that on a Monday.

Last night I did not even see my 11-year-old, who started high school this year. All the parenting guidebooks would say that that is a crucial time to be with one's child. Until we get elected to this place, we do not really know what goes on in here. I have been here for six months and I am still acclimatising. We do not know what time we will get away until the day itself, and that unpredictability is part of the problem that my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) so persuasively highlighted.

To those on the outside, a debate such as this, as the right hon. Member for Chelmsford (Sir Simon Burns) mentioned, will not get a lot of sympathy. We are seen as overpaid and all the rest of it, but, after six months here, I have worked out that this place is many things. It is awesome in the true sense of that word: awe-inspiring. It is traditional and humbling, but one thing it is definitely not is family-friendly, so I congratulate my hon. Friend on securing this timely debate today.

A Mumsnet survey from 2011 found that 91% of MPs would not describe their job as family-friendly. One of the early visits that I hosted here was for a school party from Ellen Wilkinson school in West Acton; I am proud that my constituency has a school named after a woman Labour MP who led the Jarrow march. In the Q&A bit afterwards, one of the girls said to me, "Why are there so few women MPs?" Partly, we take that for granted when we are on the inside, and my hon. Friend highlighted well the inside/outside divide on these issues. In my reply, I cited the family-unfriendly hours. On Mondays, I have been getting away at half-past midnight—and I am always the first person to leg it. Even when I was heading home at eight o'clock, and my neighbour thought it was late, I had been trying to get away quickly.

[Dr Rupa Huq]

The Speaker's Conference on parliamentary representation talked of the

"inflexible and unwelcoming attitude of the House towards families".

That should not be so. However, as my hon. Friend said, we need reform on many levels. We need to be a modern Parliament, to reflect the communities we seek to serve; otherwise, we will have an ever-narrowing talent pool, and the big fish in that small pond will be self-replicating professional politicians. My hon. Friend mentioned that the Labour party's previous leader—indeed, the three party leaders at the general election—had done nothing other than work for head office; they were backroom boys who had become leader. We need people from outside who have had other adult workplace experience and can bring in fresh thinking.

How would we define the average family in the UK today? The definition would have to take into account 2 million single parents. Gingerbread remarks that, contrary to media reports,

"these days, bringing up children on your own is actually a very normal part of family life in the UK."

One in four dependent households is now a single-parent family. As a parent, every working mother constantly feels guilt about where their loyalties lie. If they work in a place such as this, that is magnified and multiplied severalfold, and that is even truer if they are a single parent. Flexibility in the workplace has been legislated for, but it seems not to apply to this place. Wherever people work, flexibility has a stigma attached to it, and they are made to feel embarrassed about even asking for flexible arrangements. However, that is even truer in the House. Gingerbread states that 57% of single parents work and that their average age is 38, contrary to the *Daily Mail* stereotype of their being feckless, teenage, brown-faced people.

All the research shows that mums are under-represented in this place, and single mums even more so. It takes a certain type of person to be an MP—we have to be shameless exhibitionists and a bit megalomaniac, and we must have a sense of public service and an ability to adapt. If all those things stifle diversity, that is a bad thing. We have to balance all these things.

To some extent—we heard this from the right hon. Member for Chelmsford—the idea that we have always done things this way—

Fabian Hamilton (in the Chair): Order. I am sorry, but you are out of time.

Dr Huq: Really? There is so much more I could have said.

Fabian Hamilton (in the Chair): There always is. I call Alison Thewliss.

3.12 pm

Alison Thewliss (Glasgow Central) (SNP): Thank you, Mr Hamilton. It is a pleasure to serve under your chairmanship. I thank the hon. Member for Birmingham, Yardley (Jess Phillips) for bringing this important issue to the House. I am glad to have had the opportunity to participate in a number of debates on issues—whether tampons, breastfeeding or whatever—that are particularly important to women across the country.

It is perhaps difficult to ascertain how family-friendly the House is, but I have been able to bring my children down once in the six months I have been here, and that was during recess.

Neil Gray: I have shared that experience. I have not been able to bring my one-year-old down terribly often. Part of the problem is that, although there is a nursery here, it does not have a crèche facility. Children have to use it full time. Does my hon. Friend agree that looking at that issue could help?

Alison Thewliss: Yes, absolutely. There are 40 places in that nursery facility—it is a nursery, not a crèche, and there is no drop-in. I went to inquire whether it might be possible to bring my children down during the Scottish summer holidays, and it was not. Another limitation is that the nursery is for children up to the age of five; if they are older than that, there is nowhere they can go.

It is unfair of us to ask members of our or the building's staff to look after our children while we nip off to vote. That is not what they are here to do; they are here to do their job, and childcare does not form part of that—I think we would also find that was true if we looked at their IPSA job descriptions. The nursery is also incredibly expensive, so it is not accessible to the vast number of staff in this building. In addition, there are only 40 places. Given the number of women and family members who serve this building, that is woefully short of what is required.

I was glad that the hon. Lady mentioned the staff in this building, whether they work for *Hansard*, serve food or work as cleaners. They are required to work when we are required to work, and that is also not family-friendly for them. Indeed, it is even truer for them, because they do not get the benefit of the expenses that we get as part of our duties in the House. We need to be mindful of them and of the family-unfriendliness of the House to the wider staff population.

I want to mention breastfeeding because the right hon. Member for Chelmsford (Sir Simon Burns) mentioned it. As far as I am concerned, the appropriate time and place to feed a baby is when it is hungry, regardless of when and where that may be. I have breastfed at Hampden Park in the middle of a football crowd, at bus stops and anywhere else my baby has been hungry. As a Glasgow city councillor, I breastfed my child in meetings, including committee meetings, and nobody had a problem with that. My baby was happy, it was not crying and it was not disruptive, because it was being fed. That was true of both my children. That issue needs to be better understood.

There is also an issue about the culture in this building and the way people behave. As far as the young researchers who come here are concerned, that is perhaps the way things have always been. However, I was at a reception earlier, and there was wine on the table. That was a lunch time. Is that really appropriate? Is the culture we want to encourage in this building that people go for a glass of wine at lunch time or at a dinner reception, or that people stay late and go to the bars between votes? That is not a family-friendly culture either, and it is not a good place for the building where laws are made to be. We perhaps need to consider that as well.

The right hon. Member for Carshalton and Wallington (Tom Brake) raised the issue of sharing positions. There are issues around that, and we are elected to serve, so we

need to do that. However, I believe the French Parliament has the “suppléant” system, under which those who are elected have someone who follows on behind them. If they become a Minister, that person steps in to cover their constituency duties. We could perhaps look at that example of something another Parliament does as one potential model, although it is not the exact model, because we are talking about something different.

Mrs Miller: I have been reflecting on what the hon. Lady has been saying. Many of the working parents listening to the debate will not be able to take their children, including those who require breastfeeding, into work. Does she agree that, by making this place more family-friendly in the first place, the requirement for us to bring children into work would be less acute? I speak as a mum of three, who came into the House in 2005, when my youngest was three, so I have lived the experiences she has talked about.

Alison Thewliss: We could set an example as a workplace where children are seen as part of the wider family of the people who work here. For me as a parent, it would be ideal if all workplaces, if necessary, had some way of ensuring children are looked after. That might involve flexible working hours, and there are many workplaces where people can have flexible hours and where that is encouraged. We need to think about the message this place sends out and the way we do our business.

My hon. Friend the Member for Airdrie and Shotts talked a little about the way the Scottish Parliament works and its debates are conducted. There are stricter time limits there. Members might say that that would mean they did not get to say all they wanted to say in a debate, but it does encourage people to be a bit more focused. For example, we would not have the situation we had during the debate on the Scotland Bill last night, when somebody without a great specific interest in the issue talked for nearly half an hour, eating up all the time for debate. The Presiding Officer in the Scottish Parliament would take a much stricter line on such behaviour, and that is perhaps something we could look at. In the interests of greater efficiency in debates, it would also be helpful to know the business further ahead of time, because we do not get the opportunity to plan for it. When things come up at the very last minute, as they often do, we are forced to rush from one place to another to try to be there for debates.

Having said that, I do not want to take up everybody else's time in the debate, so I will leave it at that. I thank the hon. Member for Birmingham, Yardley again for raising this important issue.

3.19 pm

Jo Cox (Batley and Spen) (Lab): I thank my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) for securing this wonderful debate. The contributions have been of high quality, and I hope that Professor Childs's inquiry will make substantive proposals on where the reform process should go next.

I want to share a few reflections on my experience as the mum of two children under five. I passionately agree with sentiments that have been expressed about the need for this place to reflect the country. If we do not look like the country and offer working practices

that appeal to it, we will never attract the talent and diversity we need or truly represent the United Kingdom. That, for me, is at the heart of the debate.

I pay tribute to past Members, and some who are still in this place, including you, Mr Hamilton, for their hard work and the hard-fought battles they have won. They have made Parliament a far more family-friendly place than it would have been 20 years ago, and certainly 50 years ago. I benefit from that work, but we cannot stop at where we are, and we certainly cannot go back. These debates and the work of Professor Childs are important to make the House of Commons a beacon of best practice. We should be ahead of the game, not behind the curve, which is where I feel that we currently are. After five months here, it does not feel like a very family-friendly place.

Sir Simon Burns: I agree with the hon. Lady, but how can we avoid the trap that when we set an example, we will get things that many people in other workplaces will not get, so the changes will be seen just as Members of Parliament looking after their own and getting privileges, for want of a better word, that other people will never get?

Jo Cox: That is a great intervention. First, we are behind the curve compared with working practice in much of industry, and the charitable and public sectors, and that is a problem. Secondly, if we act differently and change the culture and working practices here, we can change how others operate. We should do that, because we are here to change and improve the United Kingdom.

Women are already under-represented here, but women with children are even less well represented. Research in 2012 found that 45% of male Members of Parliament had children compared with 28% of women. I do not think that parents of any background are attracted to this place, and that is a problem.

My experience of being a parent—I think that this is true for men and women—is that I have changed beyond measure. I understand how hard it is to be a parent, and to balance trying to earn an income and to be a good mum with caring responsibilities for elderly relatives. Such experiences will make people in this place better law makers, so we must attract women, and both women and men who are parents. I want to be the Member of Parliament for my home town in Yorkshire, but I also want to be a mum, and I do not think anyone in this place should have to make a choice about that. It should be possible to be both, but currently it is quite hard to get it right. I share the sentiments that have been expressed about that situation.

All of us who are Members of Parliament knew the working deal when we applied for the job. People come here with their eyes open, but I had not realised quite how hard things would be. I am desperate to encourage people to apply for this job, but we must make it more appealing. The experience has been quite hard—getting home after midnight and not seeing the kids for four or five nights in a week is tough. The unpredictability of the business of the House is a challenge. I have probably spent five hours in the past couple of weeks trying to organise childcare because there were changes affecting votes and business, and whether something was on or off the Whip. That was such a headache, and while I

[Jo Cox]

know that every working parent in the country has headaches, I do not think that we need to do things in that way. We can be much more effective.

I agree with the comments of the hon. Member for Glasgow Central (Alison Thewliss) about not having a crèche here. My kids are regularly dragged here, and then I have to ask a member of staff to look after them when I run in to vote. If there were a nice place for them to go where they had mates and toys, that would be such a relief for me. I think we can be flexible about breastfeeding. I breastfed on demand for four years, probably, and it is doable. It is possible to be discreet about it; there is no need to be overt. Lots of places of work offer that opportunity. We should take on the popular press if it is critical and say, "This is what women do; get over it." It is good for children, so we should advocate it.

More efficient management of business would be a good thing. I agree that there could be shorter time limits on interventions and speeches, and that points could be made much more effectively and business could be more efficient. The European Parliament also does that. We should look to the best practice in other Parliaments, as well as in industry and the charitable sector, which are ahead of us. I welcome the debate and Professor Childs's work.

Fabian Hamilton (in the Chair): If the next speaker is brief, we can fit in another.

3.25 pm

Barbara Keeley (Worsley and Eccles South) (Lab): It is a pleasure to speak under your chairmanship, Mr Hamilton. I congratulate my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) on securing this important debate. I stand with her against the abuse that was directed towards her recently and praise her courage in standing up to bullies. She is a great example.

As part of being more family-friendly, MPs should be able to be good employers to their staff who have roles as family members and carers. It is vital for MPs to be good employers and to set an example, but the opportunity to do that is being denied to us in a number of ways. MPs' staff take on a heavy workload with many stresses to support our work. Sometimes they are as stressed as we are, and they are also husbands, wives, daughters, sons and parents, with the responsibilities and occasional emergencies associated with that. A couple of years ago a staff member of mine suddenly needed compassionate or carer's leave because of a family medical emergency. Of course she took the leave—I told her to take it—but as she was a vital member of my team dealing with case work, I needed to cover her role. I was appalled to learn from the Independent Parliamentary Standards Authority that our staff contracts do not cover compassionate or caring leave.

MPs should be able to be good employers and to offer leave to carers. As my hon. Friend said, how can we talk to big business about what it should do if we do not hold ourselves up as a good example? At a recent meeting on carer's leave, I heard of the good example set by Centrica, which won a best for carers and eldercare award from Carers UK for its excellent policies. It rightly believes that supporting carers reduces turnover

and cuts recruitment and training costs. It also has an employee-led carers network. MPs should be able to support the carers among their staff, and IPSA's policy should allow for carer's leave. We used to be able to give such leave before IPSA changed that—the old contracts allowed it.

I hope that the House will raise that matter with IPSA and ensure that we can offer what a caring employer should be able to do for its staff who are carers. I ask the Deputy Leader of the House to include that issue alongside the many others that she has been asked to think about, and to help to ensure that it is put to IPSA.

3.28 pm

Karin Smyth (Bristol South) (Lab): I am fairly new to the House, having replaced Dame Dawn Primarolo, who came to the House in 1987 as a young woman with a young child. That was unusual at the time, when there were only 44 women MPs. I know from the work she did and led, and the work of the all-party group on women in Parliament, how much progress has been made. I am certainly a beneficiary of that, including in my constituency, which selected another woman, with three dependent children of school age. I hope to follow my predecessor's example and am delighted to be part of the debate.

I am the mother of three boys aged 16, 13 and 10. I understand that it is quite unusual to turn up here with children already at school. I agree that one of the great things about joining this place has been the reaction among families in Bristol. My children's friends, and the teachers and support staff from their schools, have stopped them in the street—it is quite emotional—to say, "Isn't it fantastic what your mum is doing?" Local journalists have said to me on the side, quietly, "How are you going to manage it? That's quite impressive." The reaction from wider society to a woman joining Parliament at this stage with growing children has been a real shock to me. It has been a pleasure to take responsibility for making it easier and to say to people, "Actually, a lot of people leave home during the week to do their job."

Colleen Fletcher (Coventry North East) (Lab): I thank my hon. Friend for giving way when time is short. I concur with all the comments made about family-friendliness with regard to children, but looking at it from another angle, does my hon. Friend agree that MPs who are carers of other family members also need time to talk and for family time at the end of the day? For instance, my husband was very ill with cancer last year and needed attention. He does not need a crèche in this place, but other family members certainly have needs.

Karin Smyth: I absolutely agree. I will come on to make a similar point about looking after older people.

From the mouths of babes: in the summer, my 10-year-old said to me that a boy in his class told him that he does not see his dad in the morning because he leaves Bristol before he gets up, that he gets back from work late, at 10 o'clock, and that he is away at work five days a week. I have generally been able to get home on a Thursday to pick up my 10-year-old, so I take the point made by others that some people have it worse than many of us. We are sometimes able to flex our working days and to plan around our home life. I think my little

10-year-old suddenly thought to himself, “I’m a bit better off than many others.”

I said that I was going to mention caring for older people. My hon. Friend the Member for Coventry North East (Colleen Fletcher) made a good point about caring for spouses and other family members. That is very important, especially for people in their 50s and 60s.

I concur with my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) about the culture here, particularly on a Wednesday, when there is a noticeable difference in the number of photographers, journalists and lobby groups—particularly young men—in this place. That reflects the fact that family-friendliness is about not only MPs and perceptions of privilege, but the wider political culture in which we operate. I praise our journalists, photographers, lobbyists and so on for their work, and I hope that by having this debate, we lend some support to that wider movement.

There are lessons to be learned from the Scottish and Welsh Parliaments about the predictability of the agenda. As the right hon. Member for Chelmsford (Sir Simon Burns) said, we should commend political parties. It was only through all-women shortlists that the Labour party was able to force itself to take the issue seriously and to build a weight of numbers. The Conservative A-list has also helped. We must welcome the number of women who have come into Parliament as Scottish National party Members. There is a good opportunity for Parliament to lead on this issue.

Several hon. Members *rose*—

Fabian Hamilton (in the Chair): Order. According to my calculations, each of the Front-Bench speakers has about nine minutes.

3.32 pm

Angela Crawley (Lanark and Hamilton East) (SNP): It is a pleasure to serve under your chairmanship, Mr Hamilton. I thank the hon. Member for Birmingham, Yardley (Jess Phillips), my Select Committee colleague and fellow feminist, for securing this debate.

This building—this institution—was not built with women or families in mind. I direct Members’ attention to the Lady Members’ Room, to which I was introduced in my first week here. It appears to be a place with comfortable chairs that harks back to the days when women were expected to iron and adorn themselves with doilies—lovely, I am sure, but I am quite confident that that would not be seen in the men’s rooms.

This House ought to consider the reality that there are currently more male MPs than there have ever been female MPs. That is an astounding statistic and things cannot continue like this. What does that say to women and girls? What will the gradual effect be on the idea of women in powerful positions in the world? We must educate women and girls, and also men and boys, and show that this place is representative of society as a whole, but we can do that only when it becomes so.

Barbara Keeley: One morning I found an SNP MP ironing in the Lady Members’ Room, so the hon. Lady is quite right.

Angela Crawley: We all need to iron; it is not gender-specific.

What message does this place send to young people wishing to start families? It is, “Politics is not for you.” This place will be representative of only certain sections of society if we dismiss the role of parenting or undermine it by indicating that the House is only for the big boys or people who can, as the right hon. Member for Chelmsford (Sir Simon Burns) said, get out of their beds earlier or travel down the night before. Those attitudes, and many like them, are the very reason—

Sir Simon Burns: I do not want the hon. Lady to misrepresent what I said. I was talking about how the hours on a Monday could involve us starting from 11.30 am, as we do on Tuesday and Wednesday. It is self-evident that in order to go to work on Monday morning, Members who are not based in London would either have to come down to London the night before, which is not very family-friendly, or to get up early on Monday morning. That is just a fact of life.

Angela Crawley: I recognise the right hon. Gentleman’s comments, but I do not need a lecture on the geography of this country and how difficult it is for Members from rural and urban communities to get here.

Sir Simon Burns: But you do on being accurate.

Angela Crawley: I will continue. The right hon. Gentleman’s attitude only reaffirms the need for this debate.

To be clear, this is not about questioning the commitment of female Members—or, indeed, any Members—to their jobs. When will this place begin to advocate a greater emphasis on shared parenting or consider additional caring responsibilities?

My colleagues on the Women and Equalities Committee will be all too familiar with my ability to champion Scotland as a beacon, and this is an area in which there has been more progress than in the House of Commons. The Scottish Parliament sits until 5 pm each day, whereas this House can sit as late as 11 pm, or continue for even longer. Voting in the Scottish Parliament takes seconds, while voting in this House can take anything up to 20 minutes. The Scottish Parliament has a crèche that is open until the close of business, and sits for three days a week, allowing Members two days in their constituency properly to fulfil their roles. The Scottish Government have one of the first gender-balanced Cabinets in the world. All three party leaders in Scotland are female. None of them were backroom boys, and I am sure that they would not like to be known as such, although I am not suggesting that that was what the hon. Member for Ealing Central and Acton (Dr Huq) meant. Thirty-five per cent. of Members of the Scottish Parliament are female, and the SNP will go into the Holyrood elections with more female candidates than ever before.

When will this place begin to consider the long-term, sustained impact of juggling professional and personal commitments? How have the strongest relationships surpassed many of the challenges that the job entails? How do we continue as a family-friendly, positive working environment? When will this House consider the reality behind the rhetoric? On gender-balanced Cabinets, smashing the gender pay gap, reducing inequalities and dealing with maternity discrimination, is this place really setting the standard? Let us get this House in order first.

[Angela Crawley]

If we present everyone with the reality of long hours, arduous travel and endless hours of debating, the House may never progress. This House must be more family-friendly, diverse and progressive. Most importantly, it must also be representative, so let us get this House in order.

3.37 pm

Melanie Onn (Great Grimsby) (Lab): It is a pleasure to serve under your chairmanship, Mr Hamilton. I congratulate my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) on securing this important debate and thank her for her excellent contribution.

Last night, I left the House at about 10.40 pm, after votes. I understand that that is decidedly early for this place, but it is even earlier than the leaving times of the Doorkeepers, the catering staff, librarians and all the other staff on the parliamentary estate who work around the operations of the political business of the day. The reality is that, when parliamentary life is so unpredictable, neither staff nor MPs can easily plan their real lives outside this place. The concept of family-friendliness is often seen in narrow terms—that it is the women MPs who have children who want a system to suit them. The right hon. Member for Basingstoke (Mrs Miller) said we should have a people-friendly Parliament. We should have a system that suits as many people as possible and that suits their lives as much as possible, and that includes the staff who work here as much as the MPs, the men as much as the women, and those with family caring responsibilities other than children.

Making parliament more family friendly is a crucial step towards achieving equal representation for women in politics, which, unfortunately, we are far from achieving. In 2015, only 29% of Members of Parliament are female. The UK is doing worse on female representation than Uganda, Zimbabwe and many of our European neighbours. The good news is that we have increased the number of female MPs since the election in May, and we have now overtaken Afghanistan—just.

Equally important to this debate is the motherhood gap in the House of Commons. That is to say, female MPs are significantly less likely than our male colleagues to have children. My hon. Friend the Member for Batley and Spen (Jo Cox) transposed the figures a little, but the studies conducted during the previous Parliament showed that although only 28% of male MPs had no children, the figure for women was much higher—45%—which suggests that women view the life of an MP as incompatible with caring for a child. The system is geared towards the traditional view that parliamentarians are men with a wife at home to look after the children. There is no consideration of modern families that do not fit that outdated concept. The same goes for staff in this place. Are single parents, new parents and carers less likely to consider working on the parliamentary estate as a career when the system is so unpredictable? I do not know; perhaps the Minister does.

The Government have worked hard to present themselves as a modern, representative, “UK now” Government, but failing to take seriously such inherent issues in the system, which present themselves again and again, leaves our great Parliament looking more stuck in the dark ages than the gothic arches under which we sit. This

matters, because a House of Commons that is truly representative of the population of the United Kingdom will be more attuned to the needs of the public. For example, it was following a surge in the number of women MPs entering Parliament 20 years ago that the gender pay gap started to be properly measured and began to close. Similarly, some of the issues that most desperately need addressing today are those that parents are acutely conscious of, such as the need for affordable childcare and the need to ensure that the housing market works for our children’s generation.

I thank all hon. Members who spoke today—particularly those who shared their personal experiences of how difficult the House can be for Members with children. I know that there is only a small sample of Members here today, but in a survey conducted by Mumsnet, which another colleague spoke about earlier, two thirds of MPs said that their job has a negative impact on their family life. One MP surveyed said:

“I have a two-year-old daughter and no-one cares if I don’t see her.”

Another senior MP said:

“I never saw my children grow up and I’ll regret this to the day I die.”

I think that is a terrible indictment of a modern working environment.

A number of excellent points have been made by colleagues today about how Parliament is failing to be family-friendly. If, as the hon. Member for Glasgow Central (Alison Thewliss) said, councils can make accommodation to allow new mums to bring their babies into the chamber and, as has been mentioned, the European Parliament allows elected Members to breastfeed babies during debates, is it not time for this place to open itself up to a 21st-century way of working, rather than hide behind Victorian values?

Hon. Members said that the tabloid media might seek to undermine breastfeeding parents in this place. If breastfeeding continues to be viewed as the exception rather than the rule and does not become commonplace then, yes, it is open to ridicule.

Karin Smyth: It is not just about elected institutions. I served as a non-executive director of a primary care trust 10 years ago, and I was able to bring my young child along to health authority meetings and breastfeed without any fear of anything going wrong. A wide range of other bodies also manage to do the same.

Melanie Onn: There is nothing more to add to that; it is the perfect example of how it can work in different environments.

My hon. Friend the Member for Birmingham, Yardley kindly credited me for proposing that parliamentary recesses coincide with the school holidays, but I do not think I was the first to propose that. We need to take a long, hard look at how we operate. It is ludicrous that we are about to go on recess, but half term was two weeks ago. I am not going to see my son for an extended period. I have been reduced to being a parent for three nights a week, which does not feel very satisfactory. As other hon. Members said, Scottish schools’ summer holiday periods coincide with just two weeks of parliamentary recess. Giving greater consideration to planning our sitting days around term times would

greatly benefit not just MPs but House staff, but that does not seem to be forthcoming. The Government still have not announced the House's recess dates for Easter, which is just four months away. Will the Minister tell us whether there is any justification for that, other than tradition?

This is not just a legislative Chamber but a workplace and, I think, a museum. We welcome visitors from around the world to view the Palace. We invite constituents, businesses and charities to meet us, so where are the signs for the baby changing facilities? Where are the designated areas for breastfeeding? We should be leading by example and showing what a modern working environment can be. How can we lecture employers on flexible working and childcare provision if we cannot get it right ourselves and do not even seem to be trying?

Professor Sarah Childs from the University of Bristol, who is here today, has been appointed to carry out an independent assessment of gender inequality in Parliament. When I last asked the Minister about what changes are being planned to make Parliament more family friendly, she just said that the Procedure Committee had looked at sitting hours and decided not to make further changes. In this debate, we have heard that there is a wide range of other issues that we should consider in the round. I hope the Minister agrees that, once the report is published, it is right and proper to have a debate in the Commons Chamber in Government time so we can properly debate its findings.

3.46 pm

The Deputy Leader of the House of Commons (Dr Thérèse Coffey): It is a pleasure to serve under your chairmanship, Mr Hamilton. I congratulate the hon. Member for Birmingham, Yardley (Jess Phillips) on securing this debate. Just six months into being a Member of Parliament, she has certainly made an impression on the House. She is right to say that this is not a partisan issue. I know she is a busy lady. She sits on the Women and Equalities Committee, and she is also a member of the Backbench Business Committee, which I believe is meeting at the same time as this debate, so she has had to sacrifice her presence there to be here. In its previous sitting, it seems that there was a minor fracas about international men's day, which continued on "Daily Politics". When I saw it, I wondered whether it had become a parliamentary version of "Snog Marry Avoid?" I do not expect her to say which it is.

Jess Phillips: Snog! [*Laughter.*]

Dr Coffey: The hon. Lady widened the debate beyond MPs to the demands on all staff—particularly House staff. I pay tribute to all staff who help us in our roles as Members of Parliament. This issue matters to the House. Perhaps I should encourage the House of Commons authorities to make more widely known what happens in relation to flexible working, nurseries, childcare schemes in our unusual summer holidays, career breaks and so on. That information is useful, and I will ask the House authorities to extend it further and especially to new Members.

We should also recognise that we are employers in our own right, so we must be role models when we work with our staff. I tell my team off—I do not know whether they are watching—if they work later than a

certain hour. I give them notice and tell them that if they keep doing it, I will have their keys removed and kick them out at a certain time. It matters that we are role models, as has been said many times already in this debate.

We are unique in a certain respect: although we should and do represent wider society, we are the masters and mistresses of our own destiny from the day we are elected until we put ourselves forward for re-election. We should consider how we perform our roles as parliamentarians. The issue is not about being superwoman or superman, but being conscious that we are representing people when we are in the Chamber, when we scrutinise legislation, when we become Ministers and when we work in our constituencies. Our party leaders expect us to be here to vote on important matters, but, as we have discussed in previous years, to some extent we can work with the usual channels to ensure we have a sensible, proactive family life. Although I do not have children, I believe that such accommodations are often willingly made.

Neil Gray: I take the point made by the right hon. Member for Chelmsford (Sir Simon Burns), who said that things were more difficult in the past. Thank goodness for technology. Those of us who are parents are able to use FaceTime, Skype and what have you to keep in touch with our children. Would it not be more appropriate for this House to use technology to enable us to work more effectively as representatives, rather than use technology as parents?

Dr Coffey: The House is using technology more and more, but the hon. Gentleman may want it to go further. I passed a colleague other day who was on FaceTime celebrating with their daughter the opening of her birthday presents. It was a sweet and charming moment and is something that simply was not available until recently.

I am conscious that I have to give some time to the hon. Member for Birmingham, Yardley, so I will try to get through a few of the issues raised in the debate. Quite a lot has been said about the Independent Parliamentary Standards Authority and people's demands. It is important to ensure that the public understand that decisions about pay, pensions and expenses are made by IPSA, which puts its schemes out for consultation. It is statutorily obliged in the first year of a Parliament to undertake a specific review, to which I strongly urge Members to respond.

I made personal representations in the previous Parliament about colleagues who live on the fringes of London and yet have to dash for the train rather than participate in Adjournment debates, for example. The challenge of maintaining a family while working here and in the constituency is well known, and IPSA has changed following the initial backlash after the 2009 expenses issues. Beginning with a strict regime, I believe that it has made a bit of a journey and I encourage it to consider such matters more.

Specific issues were raised by, among others, the hon. Member for Worsley and Eccles South (Barbara Keeley) and I will take them up with IPSA. The hon. Member for Birmingham, Yardley made a particularly useful suggestion about changing how IPSA reports on childcare. On media responsibility and how expenses are reported,

[Dr Thérèse Coffey]

I often say that I claim the expenses necessary in order for me to fulfil my role to my constituents, and my newspaper has finally got that fact.

On timetabling, the hon. Lady suggested that she would probably sit for longer in order to spend less time here. There was an active debate in 2012, about which I had a brief conversation with the hon. Member for Great Grimsby (Melanie Onn), about the fact that the Select Committee on Procedure considered the matter in the previous Parliament. Sitting hours are very much a matter for the House, and the Procedure Committee is the right avenue to re-explore them. My right hon. Friend the Member for Chelmsford (Sir Simon Burns) referred to the idea of an earlier start on a Monday, but I am conscious of the fact that people come from the four corners of the United Kingdom and that Sunday as a special family day is important for them. That is a strong argument and is why the House voted unanimously in 2012 to keep the later Monday start, while protecting the current eight and a half hours of sitting time.

On the other Parliaments in the UK, which sit for three days and then have two constituency or family days, I suggest to the hon. Member for Airdrie and Shotts (Neil Gray) and the others who made that point that I find amazing what we manage to squeeze into four or four and a half days. There is then the suggestion that the House should sit for more weeks, but I am unsure whether that would lead to the right balance. The way that the parliamentary timetable has evolved allows people to be here for three days a week in most weeks if that is what they choose to do; the issue is about judging what is best for oneself.

It is important to stress that a recess is not a holiday. Many people use recesses to undertake constituency work, and it is not right to suggest that we are not in touch with our constituents if we are not in our constituencies on a Friday as we have decided to be here for a private Member's Bill. I have always felt that if Parliament is sitting, the reasons for my being here and not necessarily in my constituency are valid.

On knowing about business slightly further ahead of time, I do not have the Chief Whip's understanding of exactly what is happening in both Houses, but we do, to be fair, try to give two weeks' notice of the business being conducted. Some of that is because the timetabling at our end depends on what is happening in other House, and the relationship is not always easy to predict far in advance, as the hon. Member for Birmingham, Yardley may recognise following recent debates in the other place.

The decision in the previous Parliament to switch the Tuesday sitting hours from 2.30 pm to 11.30 am was close and was made on the basis of a majority of only 15. There is a strong view that what might work for people who are based in London does not necessarily work for people based elsewhere, and that debate may continue in this Parliament.

On voting, it is important that we keep debates with votes. I understand that the Speaker, in conjunction with the Chief Whips of each party, has made arrangements regarding young children going into the Division Lobbies. I am not aware of any issues. Regarding time limits on speeches, I do not like the Scottish or European Parliaments' way of allocating

time to parties, because it really impacts on the opportunities for Members from smaller parties to contribute to debates.

Melanie Onn: Will the Minister give way?

Dr Coffey: I will have to sit down in one minute's time, but I will give way briefly.

Melanie Onn: I am grateful. The problem with the Speaker and the Whips making arrangements is that there are no hard and fast rules. Unless such things are laid down, it is not always clear how people can seek to make this place work better for them.

Dr Coffey: I will ensure that I speak to the Opposition Whips so that they have a session with their MPs to discuss the matter, as has already happened on our side.

Moving on to breastfeeding, my right hon. Friend the Member for Chelmsford referred to the Betty Boothroyd test, which I believe still stands. We may talk about it being the 21st century, but this is a workplace and it is not something that people enjoy wider than that. I do not believe that there is a big view in the House to make the shift at this time.

Probably the most difficult issue is that of recesses, school holidays and so on. I have done quite a lot of work on this and noted that the Scottish and Northern Irish seem to follow similar holiday patterns and the English and Welsh follow theirs. I cannot go into too much detail now as time is against me, but the business managers are listening. Some 10% of MPs are significantly disrupted by this matter, and it so happens that there was a three-week overlap this summer between the end of the recess and the beginning of Scottish schools restarting. That is something that we will consider carefully. Conferences tend to be booked five years in advance, and I understand that conversations are under way to try to see what we can do in the next Parliament.

I am not sure that I have been able to cover quite everything. I agree with the hon. Member for Birmingham, Yardley on job sharing, which would be very difficult. On maternity and parental leave, however, the coalition Government brought in the concept of shared parental leave. We are masters and mistresses of our own destiny, so it is up to us to decide how we address that, but it has always been more than well accommodated by Government. I am sure that the House will continue have further debates on this and other matters, and I appreciate Members' representations today.

3.58 pm

Jess Phillips: I thank all hon. Members who gave their views today. I welcome some of the Deputy Leader of the House's assertions, in particular around the limited holiday possibilities for the Scottish representatives. The debate will not go away today; it will continue year in, year out. For every push back from the Government Benches, we need to ask ourselves, "Why?" Nobody has died. My mother always used to say to me, "Nothing bad happened if nobody lost an eye," which did not help me when my son went to have an eye operation. There always seems to be push back on why these things cannot happen.

Dr Coffey: The Government would love to control every minute of parliamentary time, which would be bad for Parliament and for the country. Flexibility is often to the benefit of the Opposition.

Jess Phillips: I recognise that the Government are not alone in controlling what happens here, but this place is not representative at the moment. That is a simple fact. All of today's speeches from people with caring responsibilities, be that for their children or elderly relatives or partners who may have been unwell, make that perfectly clear. When I leave this place, I want to see 50:50 representation of women and men.

Motion lapsed (Standing Order No. 10(6)).

Barnett Floor (Wales)

[NADINE DORRIES *in the Chair*]

4 pm

Nick Thomas-Symonds (Torfaen) (Lab): I beg to move, That this House has considered a Barnett floor for Wales.

It is a privilege to have secured my first Westminster Hall debate, which is on an important topic affecting funding for Wales in general and my constituents in particular. We all know how difficult the funding settlements have been in recent years. The Welsh Government have faced great funding challenges, and local councils, including my own Torfaen County Borough Council, are struggling to make ends meet and doing their best to protect front-line services when less and less money is coming from Westminster.

Christina Rees (Neath) (Lab): My hon. Friend is absolutely right to highlight the losses that local authorities have experienced and will continue to experience. In 2014-15, Neath Port Talbot's budget was cut by £17 million. It has been predicted that, from April 2016, Neath Port Talbot will lose £18 million or possibly more, depending on the autumn statement. Public services have already been cut severely—

Nadine Dorries (in the Chair): Order. Please make an intervention not a speech.

Christina Rees: I am simply making the point that we should not suffer from the Barnett formula.

Nick Thomas-Symonds: I am grateful to my hon. Friend for that intervention. The Neath Port Talbot example further illustrates and reinforces the point that I made about Torfaen.

The debate deals with an aspect of Westminster funding, the so-called Barnett floor. As Members are aware, Joel—later Lord—Barnett introduced the Barnett formula in 1978, when he was Chief Secretary to the Treasury, in the context of the devolution debate of that era. He did not originally intend that it should become a permanent feature, yet here, some 37 years later, it still governs the Wales-Westminster fiscal relationship.

More recently, in 2009, the interim report of the Holtham commission, "Funding devolved government in Wales: Barnett and beyond", was published. It suggested that Wales was underfunded.

Carolyn Harris (Swansea East) (Lab): Does my hon. Friend agree that, despite the 2009 Holtham report suggesting the implementation of a floor, it is frustrating that six years later we have still not seen it happen?

Nick Thomas-Symonds: My hon. Friend is entirely right. I will come to that in a moment.

The report suggested that Wales was underfunded by £300 million a year compared with how much English regions would receive were the Barnett formula applied to them. In 2010, when the final Holtham report, "Fairness and accountability: a new funding settlement for Wales", was published, the underfunding gap was even wider, at about £400 million a year, using a needs-based formula.

As my hon. Friend has just pointed out, to prevent a further decline in relative funding per head for Wales, the Holtham interim report had called for a Barnett floor as a temporary solution until a new needs-based formula could be agreed.

Huw Irranca-Davies (Ogmore) (Lab): May I take my hon. Friend's thoughts back to 2008, when I was a Wales Office Minister? The budget for Wales had gone up from £7 billion to £14 billion; by the time we left office, it was £16 billion. It has now decreased significantly. Any false arguments over additional tax-raising powers are nothing compared with the fact that we now need the Barnett floor. When Labour was in government, it was Barnett-plus; we now need a Barnett floor.

Nick Thomas-Symonds: My hon. Friend makes a powerful point. Record investment in public services in Wales was made under the Labour Government. Indeed, the Conservatives were so impressed that in September 2007 the then shadow Chancellor of the Exchequer—now Chancellor—adopted our spending plans for the next couple of years. That is how impressed they were, although these days they seem to be taking a different view of that record investment.

The Barnett floor works by multiplying positive funding increments to Wales not only by the comparability factor and population share, but by a further percentage increment. The qualifier is that the formula is not intended to work in reverse, with negative funding increments, because that would simply widen the underfunding gap.

In October 2010, the National Assembly for Wales unanimously endorsed a motion for the implementation of a funding floor, to be followed by wider funding reform. Nevertheless, the coalition Government of 2010 to 2015 did not deliver.

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): Does my hon. Friend agree that the Government should be acting with greater urgency on implementing the funding floor, given the Holtham commission statement that Wales could be underfunded by between £5.3 billion and £8.5 billion over the 10 years to 2020? Does he also agree that the Government's lack of action on the matter suggests a lack of interest in achieving a funding floor and fairer funding for Wales?

Nick Thomas-Symonds: I agree entirely. The matter is urgent, but we are concerned about the Government's lack of interest. The coalition's programme for government in the previous Parliament stated that the priority was to reduce the deficit and that changes to the system could await stabilisation of the public finances, although why exactly the coalition Government were incapable of paying sufficient attention to Wales to deal with the issue—or even to start dealing with it—remains entirely unclear.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Given that the Barnett formula has been in question since 1978, why did the hon. Gentleman's party not rectify the Welsh funding shortfall while it was in government?

Nick Thomas-Symonds: I repeat to the hon. Lady a point made powerfully by my hon. Friend the Member for Ogmore (Huw Irranca-Davies): in 1997 to 2010, we had what he called "Barnett-plus", which was record investment in public services in Wales, to the benefit of both my constituents and hers.

Wayne David (Caerphilly) (Lab): I had the privilege of succeeding my hon. Friend the Member for Ogmore as a Wales Office Minister and I held that post in the

run-up to the 2010 general election. One of the things that we were proud of was the firm commitment in our manifesto to address that very issue—unfortunately, we lost the election.

Nick Thomas-Symonds: My hon. Friend makes a good point. In 2015, we also had a manifesto commitment on the Barnett floor; but unfortunately, we were again not in government after the election.

In 2012, consideration was given to how Wales's share of future funding would not fall again when public expenditure started to rise—the so-called "Barnett squeeze". In the autumn of that year, the UK Government formally agreed that there was a squeeze and that such convergence had taken place. They said that they would review the position at each spending review, to assess whether it would recur, and address the issue. Alas, I am afraid that they did not.

On 8 July, the Government's lack of interest in Wales was perhaps summed up in the Chancellor's Budget speech. In one short reference, he said:

"In Wales, we are honouring our commitments to a funding floor and to more devolution there, and investing in important new infrastructure such as the M4 and the Great Western line."—[*Official Report*, 8 July 2015; Vol. 598, c. 329.]

That promise came five years after the Assembly had voted unanimously on the matter—five years later. Put simply, the people of Wales have waited long enough for the UK Government to deliver.

Jonathan Lord (Woking) (Con): I congratulate the hon. Gentleman warmly on his first Westminster Hall debate. I am sympathetic to fairer funding for Wales in a needs-based system, but should not any adjustment or floor to make things fair come from the financial settlement of any country that has gained under the current, outdated Barnett formula?

Nick Thomas-Symonds: I agree with the hon. Gentleman that, during this Parliament, we have an opportunity to debate all such matters. The Scotland Bill continued its passage through the House only yesterday. This is the time to look at fair funding throughout the United Kingdom.

I ask the Minister to answer some specific questions. First, the Secretary of State for Wales said in the spring that the Government would deliver on a Barnett floor by the autumn. I would be grateful if the Minister gave us a more exact timescale, given that we are already into November.

Will the Minister confirm whether the proposals on the Barnett floor will be as proposed by the Holtham commission? Will he update us on what the indexation figure is likely to be? I hope that he will give us a cast-iron guarantee that the Holtham recommendation on a Barnett floor will be implemented in full before any further debate on fair funding for Wales. In this Parliament, as I said a moment ago, the Scotland Bill and the Wales Bill provide an ideal opportunity for such a debate to take place.

On Second Reading of the Scotland Bill on 8 June, I said that the Government must not see the different nations of the United Kingdom entirely in isolation; they must look at changes across the board and how they impact on each other. That said, the devolution settlement has become a central part of our constitution

and we should not forget the positive benefits that devolution has brought since Labour introduced it in 1999.

The great socialist thinker, R. H. Tawney, thought that dispersal of power was best because

“It makes people more accessible to each other than a system where power is highly centralised and society is a tapestry of authoritarian links”.

That notion of accessibility, with decisions being made closest to the people they affect, has a modern resonance. He also said:

“The only sound test, in the first place, of a political system, is its practical effect on the lives of human beings”.

That is absolutely right and that is why today's debate is so important.

The idea of a Barnett floor is not an abstract notion; it is a practical step that could make a difference to people's lives and the services that they rely on. It has a short and medium-term aspect. I accept that it has less impact in a declining budget, but the principle should be implemented as soon as possible for its impact on positive increments. Put simply, the Government should act, and act now.

4.12 pm

The Parliamentary Under-Secretary of State for Wales (Alun Cairns): It is a pleasure to serve under your chairmanship, Ms Dorries, for what I think is the first time. I congratulate the hon. Member for Torfaen (Nick Thomas-Symonds) on securing the important debate, particularly as it is his first Westminster Hall debate. We have had an interesting discussion and I am grateful to the hon. Members for Neath (Christina Rees), for Swansea East (Carolyn Harris), for Ogmore (Huw Irranca-Davies), for Dwyfor Meirionnydd (Liz Saville Roberts), for Caerphilly (Wayne David) and for Merthyr Tydfil and Rhymney (Gerald Jones) for their contributions. I will do my best to answer all the points made.

I want to underline that the Government remain committed to delivering the St David's day Command Paper, which will create a stronger, clearer and fairer devolution settlement for Wales. That, of course, includes the funding floor that the hon. Member for Torfaen and others have called for. The St David's day agreement led to the draft Wales Bill, which was published on 20 October and is being considered as we speak.

The Bill will build a stronger Wales in a strong United Kingdom by devolving important powers over energy, transport and local government and Assembly elections. It will also make devolution work better, as the Assembly and the Welsh Government will be clear about the powers they have and the challenges to which they need to be able to respond.

I reaffirm the Government's commitment to the introduction of a funding floor alongside the next spending review. It is worth clarifying the current position of funding, which is an ever-dynamic environment that changes all the time. The Holtham commission's report, to which the hon. Member for Torfaen and others referred, was established by the Welsh Government to analyse the relative level of needs in Wales compared with England in 2009 and 2010.

The work by Professor Holtham and his commission has had a significant impact on informing the debate in Wales and I pay tribute to him for his work. The report

set out a range from 114% to 117% of comparable English funding per head in which it thought that funding for the Welsh Government would be “fair.”

The report also highlighted that the relative levels of funding provided to the Welsh Government had converged towards the average level of funding for comparable activities in England since the start of devolution. It was therefore interesting to hear the hon. Member for Ogmore talk about the increase in the Welsh block grant from £7 billion to £14 billion, because relative funding for Wales in that period deteriorated. It was from the commission's range that the Welsh Government claimed that they were underfunded by £300 million back in 2010.

Nick Thomas-Symonds: On the Barnett squeeze, the coalition Government conceded that that had happened in 2012. Why has nothing been done in three years?

Alun Cairns: I will come to that point in a moment, but it is worth remembering that the Command Paper, which was agreed by all parties, was published earlier this year and that committed specifically to acting within the next spending review period. As I said, the Barnett floor and spending commitments for Wales will be published alongside that.

The £300 million spoken about compared with a budget of roughly £15 billion. It is also worth noting that when Holtham reported, there was total identifiable spending in Wales of approximately £29 billion.

A lot has changed since 2010, both financially and politically. A joint statement in 2012 by both Governments recognised the resonance of this issue in Wales. In particular, it recognised the Welsh Government's concerns that their funding would converge further towards English levels. However, joint work with the Welsh Government at the previous spending review confirmed that funding is not forecast to converge during the period to 2015-16. That refutes the points made by several Opposition Members; that was joint work agreed with the Welsh Government. Furthermore, Holtham's logic also illustrated that the relative level of funding per head had risen, or diverged to use the technical term, and it is now in the range that the commission regarded as fair.

Liz Saville Roberts: None the less, the Minister cannot ignore the 78% of 10,000 people responding to a YouGov poll who said that Wales should be funded to the equivalent level of Scotland, which would bring in an extra £1.2 billion.

Alun Cairns: I am grateful to the hon. Lady, but Scotland's devolution settlement, and therefore its financial settlement, is naturally different. However, I pay tribute to her for her earlier point, when she asked why Labour did not act in its 13 years in government, when there was a greater divergence between the relative funding in Wales and England, and Wales was getting worse off.

Craig Williams (Cardiff North) (Con): I apologise for joining the debate late and I commend the hon. Member for Torfaen (Nick Thomas-Symonds) for introducing it. Given Labour's 13 years of inaction on this issue and the clear commitment the Chancellor has made to dealing with it, may I ask the Minister what the Labour party's position is on the Barnett funding floor and the Barnett formula in general? I thought that the Leader of the Opposition wanted to tear it up.

Alun Cairns: I am grateful to my hon. Friend for that. I smiled as various points were being made in the Chamber that underlined not only the inaction during that period of Labour Administration, but the differing messages that are coming from Labour in Westminster and in Cardiff Bay.

Nick Thomas-Symonds: On the first point, given the intervention from the hon. Member for Cardiff North (Craig Williams) and the Minister's response, I assume that they are now praising the last Labour Government's investment and not trying to make out that it was our spending that caused the crash. On the second point, it is quite clear that we see the Barnett floor as a useful first step towards a needs-based solution in the future. There is no inconsistency in that.

Alun Cairns: The position has already moved since the hon. Gentleman's first contribution to this debate.

To make some progress on the specific points raised, a lot of questions were asked about the timing. I remind hon. Members that earlier this year in the St David's day Command Paper we committed, for the very first time, to introducing a floor to the level of relative funding provided to the Welsh Government, alongside the spending review. This Conservative Government made that historic commitment and we absolutely stand by it. On the question of urgency, we stand by what we said before the election and will deliver that.

The right hon. Member for Leigh (Andy Burnham) has admitted that when the Labour party was last in power and he was Chief Secretary to the Treasury he knew that the Barnett formula

"wasn't fair to Wales and there would need to be changes",

yet Labour did absolutely nothing about it. I will not accept any crocodile tears from Opposition Members. Although the right hon. Member for Leigh has since made that explicit comment, no action was taken in that whole period other than a diverging funding settlement for Wales relative to the rest of the United Kingdom.

Susan Elan Jones (Clwyd South) (Lab): It strikes me when listening to the Minister that I am not sure whether we are extravagant spenders or penny-pinching individuals. Whichever it is, the money went up from £7 billion to £16 billion, and that does not sound like either to me. Will the Minister answer one point he has not yet answered: does he not agree with Holtham that Wales is underfunded to the tune of £300 million a year?

Alun Cairns: The figures of £7 billion to £16 billion have been repeated time and again, but Holtham identified that during that period Wales's relative position was worse. As I have said, the changes made over the past five years have put current spending in Wales within the Holtham range, as acknowledged by the Welsh Government.

Carolyn Harris: Will the Minister assure this Chamber that Wales will not be further disadvantaged in the upcoming spending review?

Alun Cairns: The spending review is a matter for the Chancellor. We, as a Conservative Government, are delivering on our commitment to introduce the Barnett

floor, as we have announced, alongside the spending review. That commitment was repeated in our manifesto and the floor will be introduced, as announced.

Wayne David: The operation of the Barnett formula and the Barnett floor is complicated, but does the Minister accept—this is fundamental to our whole discussion—that at a time of falling public expenditure, when cuts are being made, the Barnett floor is not really an issue? It is only an issue at a time of increasing public expenditure. It is relatively easy for the Government to introduce the Barnett floor now, and I suggest they should, but its real impact will be in the future, when expenditure increases.

Alun Cairns: I find it a bit rich that the hon. Gentleman is complaining that a Barnett floor has yet to be introduced when we are committed to introducing it. We said we would do it last March and in our manifesto, and we will introduce it alongside the next spending review. When he was part of an Administration, although Wales's relative position was deteriorating, absolutely nothing was done to introduce a Barnett floor.

Hon. Members will be aware that since 2010 significant commitments have been made, beyond the Barnett formula, to back the Welsh economy. Those include a commitment to fund and upgrade the great western main line through to Swansea and a significant contribution to the cost of the upgrade and electrification of the valley lines, reinforcing the UK Government's support for improving infrastructure in Wales. Two years ago, the Welsh Government were given early access to capital borrowing powers to use for M4 improvements.

Craig Williams: That is a very interesting point. Not only have we promised the funding floor—and we will deliver it—but we have given the Welsh Government access to borrow money to fix a horrendous problem in south Wales, namely the M4 congestion, by delivering an M4 relief road, yet they are still dithering.

Alun Cairns: My hon. Friend makes an important point. I can hardly speak to business people or people who travel the border regularly without their complaining about the delays around Newport. We urge the Welsh Government to take the strongest action possible to complete the job of bridging the M4 around the south of Newport.

A new prison is being built in Wrexham, in a £212 million project supporting over 1,000 jobs. Through tax devolution we are empowering the Welsh Government with further levers to support and encourage the growth of the Welsh economy. Business rates have now been fully devolved, something I hope Opposition Members will acknowledge. Stamp duty and landfill tax will be devolved in 2018, as has already been committed to.

We would like progress on the devolution of a portion of income tax, as specified in the Wales Act 2014. Tax devolution will make the Welsh Government responsible for raising more of the money that they spend. Excluding Welsh rates of income tax, the Assembly will be responsible for approximately 10% of all taxes collected in Wales. The introduction of the Welsh rate of income tax would make the Assembly responsible for twice as much, or approximately another £2 billion in revenue. The Government will implement

the commitments of the St David's day Command Paper to build a stronger, clearer and fairer devolution settlement for Wales.

Jonathan Lord: I welcome everything the Minister is saying, but, to return to the Barnett floor, may I ask for an assurance that English taxpayers will not be disadvantaged by any adjustments or Barnett floor, and that any money to accommodate a Barnett floor will come from countries that get more than their fair share on a needs basis?

Alun Cairns: The specifics on that point will be outlined in the comprehensive spending review by my right hon. Friend the Chancellor.

Huw Irranca-Davies: Will the Minister give way?

Alun Cairns: With the greatest respect, I need to make some progress in the limited time remaining.

Last month, we published the draft Wales Bill, a key part of providing a clearer devolution settlement. We all want a funding floor for Wales, and it is right that that is accompanied by the devolution of income tax powers, because, by raising more of the money they spend, the Assembly Government will be more accountable to the people of Wales. Since 2010, Wales has recorded the fastest growth per head in the UK outside London, demonstrating the dynamism of the funding and spending position. Wales had the joint fastest growth of all the regions and devolved nations in 2013, with gross value added growing by 3.4%, well ahead of the figure for the UK. It is now time to move the debate forward and encourage the Welsh Government to use both the powers they already have and the new ones they are gaining to drive further growth in the Welsh economy.

Some specific points were raised on funding for local authorities. That is a matter for the Welsh Government—they decide how much money should be distributed to local authorities. I know that many in my constituency complain about how the cake is sliced in Wales, but that is the responsibility of the Welsh Government and it would be improper for this Government to intervene in those sorts of issues.

I underline that this Government are absolutely committed to introducing the funding floor as stated in the St David's day agreement. We will introduce it as part of and alongside the comprehensive spending review.

Question put and agreed to.

Renegotiation of EU Membership (Devolved Administrations)

4.30 pm

Stephen Gethins (North East Fife) (SNP): I beg to move,

That this House has considered the role of devolved administrations in UK renegotiation of EU membership.

This is the first time I have had the opportunity to lead a Westminster Hall debate—and the first time I have served under your chairmanship, Ms Dorries. It is good to see the Minister again. I know he will have had a long day, but I am sure he is as delighted to see me again as I am to see him. The debate is timely; it is fortuitous that it has come about on a day when a great deal of attention has been paid to European Union renegotiation. I am sure the Prime Minister wrote his letter just in time for our debate. I was pleased to see it.

EU renegotiation will have a significant impact on all parts of the United Kingdom. We often forget in this place that the impact of EU laws does not begin and end in this House or in London; it goes out to all parts of the United Kingdom, not least the devolved Administrations. As I mentioned in the main Chamber earlier today, Scottish National party Members think there has been a sore lack of formal consultation. I am glad that the Minister spoke to Fiona Hyslop earlier today and that there is some merit in these Westminster Hall debates—they can prompt such things—but we need more in the way of formal consultation.

What a difference a year makes! Just last year, the Prime Minister told us that independence would risk Scotland's place in the European Union, and now here we are, closer to exit than ever before. Having reflected briefly on that debate today, let me say that the Minister has his work cut out in keeping his allies on the Conservative Back Benches on side.

Ms Margaret Ritchie (South Down) (SDLP): I congratulate the hon. Gentleman on obtaining this debate about the UK's possible exit from the European Union. There is a potential impact on businesses within the devolved regions. Is he aware that we, in Northern Ireland, are in a unique position because we have a land border with the Republic of Ireland, which will remain within the European Union?

Nadine Dorries (in the Chair): Order. Please keep interventions short.

Ms Ritchie: There is also an impact in terms of the euro exchange rate mechanism. Does the hon. Gentleman have any comments on that?

Stephen Gethins: I thank the hon. Lady for raising that point. I want to talk today about all devolved Administrations, not only Scotland. I am particularly pleased to see Members here from Northern Ireland, Wales and elsewhere in the United Kingdom. Renegotiation will have a significant impact in Northern Ireland, not least given the particular situation of its land border with Ireland and the large number of jobs that depend on EU membership. That is why I am particularly keen for the UK Government to tell us what they will do to consult with Northern Irish Ministers and Welsh Ministers, not only Ministers in Scotland. The hon. Lady raises a valid point.

[*Stephen Gethins*]

There is a key issue here: mutual respect. We should have mutual respect for all democratically elected Governments. The lack of a formal consultation so far has been nothing short of a democratic disgrace, especially given the significant impact that renegotiation will have. The first question I pose to the Minister is not about the consultation that has taken place. What formal consultation process—not a phone call—will there be as we take the Prime Minister's letter today forward?

Gavin Robinson (Belfast East) (DUP): As a former special adviser who had the privilege of attending Joint Ministerial Committee meetings on Europe and enjoyed the contributions from Fiona Hyslop as a braveheart for Scotland, does the hon. Gentleman agree that that, as a formal structure, is perfunctory? It meets on a three-monthly or four-monthly basis, and no meaningful engagement can take place in that timetabled way when negotiations are proceeding.

Stephen Gethins: The hon. Gentleman makes a good point, as a former special adviser—a noble trade—who has taken part in Joint Ministerial Committee meetings. It is good that the Minister said today that this will be top of the agenda, but it is just not enough, given the immediacy. The hon. Gentleman makes an excellent point indeed.

I say to the Minister that he can win friends and influence people, should he just liaise with his colleagues in Scotland, Northern Ireland and Wales. We can look to Richard Lochhead, Europe's longest-serving fisheries Minister, who has been making the case for farmers and fishermen, Aileen McLeod, who has been promoting Scotland's world-class climate change action, or Roseanna Cunningham, who has been championing the European Alliance for Apprenticeships.

The EU matters to the devolved Administrations, and the agenda driven by the UK Independence party and Conservative Back Benchers just does not cut it. I will give the Minister a little point of information: UKIP has never saved its deposit in a parliamentary election in Scotland. That will gladden his heart; UKIP is almost as unpopular in Scotland as the Conservatives are.

Jonathan Lord (Woking) (Con): I congratulate the hon. Gentleman on securing this important debate. By the sound of it, he is not in favour of a referendum, but surely it is about time the British people had a say—and it is the British people. It is not just the devolved Assemblies and Parliaments or just the Scottish, Northern Irish and Welsh people; it is the English people too. This is a reserved matter, and surely it is right that it is taken on a whole-UK basis.

Stephen Gethins: Let me give the hon. Gentleman another point of information: the Scottish National party stood on a platform of not having a referendum. We won the election in Scotland—you didn't. You had the worst election result since 1865. Unlike a number of other parties here, we are quite keen on maintaining our manifesto commitments, so we stuck to them. However, the referendum is taking place, and I will come to that in a minute because we have a few things you might want to listen to.

Nadine Dorries (in the Chair): Order. Can I make the point that no Member in the Chamber or in Westminster Hall is referred to as “you”? Thank you.

Stephen Gethins: Thank you. My apologies, Ms Dorries.

The Scottish Government set out renegotiation priorities in their agenda for EU reform, which I make Members aware of once again. I also refer Members to a speech made in June 2015 by Scotland's First Minister, in which she looked at areas such as more local decision making on health, for example. The fact that the Scottish Government were not able to act on minimum pricing for alcohol was a disgrace; the democratically elected Scottish Government saw it as a particular priority to tackle a particular Scottish public health issue. The First Minister also looked at a single market in energy and digital services—especially our renewables industry, which has taken such a battering recently—and more local discretion in implementing regulation.

As part of our renegotiation, we need to look at how the devolved Administrations work and co-operate with member states. A few years ago, under the previous Labour Administration, a memo was leaked that showed devolved Ministers were not having an impact. In fact, one of them was being sent to the *salle d'écoute*—for Members whose French is not quite up to scratch, that is the listening room—which is no place for a Minister who oversaw areas such as agriculture and fisheries. Europe matters to the devolved Administrations. It matters in Northern Ireland, as we have heard, given the long land border and the ramifications for the Good Friday agreement and the common travel area. In Wales, up to 200,000 jobs are said to depend on EU membership.

Ms Ritchie: I thank the hon. Gentleman for being gracious in giving way again. Is he aware that my local council in Northern Ireland—Newry, Mourne and Down—held a significant conference two weeks ago, which was addressed by the shadow Minister for Europe, the right hon. Member for Wolverhampton South East (Mr McFadden), on that very point? [*Interruption.*]

Nadine Dorries (in the Chair): Order. There is a Division in the House. We will suspend the sitting until after the last Division, as we do not know how many there will be. Could Members make their way back here as soon as possible? Thank you.

4.38 pm

Sitting suspended for a Division in the House.

4.47 pm

On resuming—

Nadine Dorries (in the Chair): As a result of the Division, this debate will now continue until 17.40. Four people have applied to speak after Mr Gethins has finished, so I am going to impose a voluntary time limit of five minutes per speech. If people adhere to that, the Minister and Mr Gethins will have adequate time to respond, but, of course, the issue is entirely up to you.

Stephen Gethins: Thank you, Ms Dorries. Before we went into the Division, I was talking about areas that the Scottish Government have identified where there could be reform, and a lot of that focused on areas for

reform where powers could come back. I will come back to this point later, but if there are powers to come back, and if those powers directly relate to the responsibilities of the devolved Administrations, I hope that they will not be devolved back from Brussels just to reside in London and that there will be further devolution to reflect that.

On renegotiation, we often talk about less Europe, but maybe we should sometimes talk about more Europe. The Scottish Government have gone further than elsewhere in the United Kingdom on areas such as climate change or our energy union, where maybe we should be looking at more powers. We could also be looking at more powers in areas of security policy. No one country can possibly deal with the refugee crisis on its own, and the Scottish Government have already set out their willingness to work with European partners and the UK Government to take more refugees.

Let me recap why Europe matters for the devolved Administrations. There are big issues that affect us all in areas such as agriculture policy, fisheries, energy, investment and transport—devolved areas where the EU has a big role and where the devolved Administrations have direct responsibility. I have mentioned Northern Ireland. In Wales, up to 200,000 are said to be dependent on EU membership. Even the Isle of Man has a relationship with the EU through the UK as set out in protocol 3 to the UK's Act of Accession. That is worth bearing in mind.

Key areas for Scotland are set out above, but we often hear about sovereignty. I will read a quote from Professor Douglas-Scott of the university of Oxford and would like the Minister to bear it in mind:

"A UK exit from the EU does not save UK sovereignty. The Claim of Right for Scotland 1989 entrenched the fundamental principle that 'the people are sovereign' and that the people have 'the sovereign right to self-determination and to choose freely the form in which their state is to be constituted'."

Professor Douglas-Scott's argument is that

"Therefore, any UK exit of the EU against Scotland's wishes will create a constitutional crisis rather than save the UK's sovereignty."

I leave that with the House to consider.

The hon. Member for Woking (Jonathan Lord), who has not been able to return from the vote yet, referred to the referendum. We were a little disappointed with the European Union Referendum Bill. We wanted to see whether there would be a referendum and we obviously voted against that—that was in our manifesto—but if there is to be a referendum, we want EU citizens and 16 and 17-year-olds to be engaged.

In Dublin yesterday, Fiona Hyslop highlighted the fact that 173,000 EU nationals make their home in Scotland. They made an invaluable contribution to the Scottish independence referendum and make an invaluable contribution to Scotland's day-to-day life. We want them also to be involved. We want a positive campaign that puts forward a positive vision for Scotland. That is why I was a little concerned about some of the language from the Minister's Back Benchers on some of these issues.

As we have heard from other hon. Members, Scotland and the other devolved Administrations reap the economic benefits of membership in exports, jobs and so on, but those benefits are not just economic. As Fiona Hyslop

said in Dublin last night, solidarity, social protection and mutual support must underpin a modern Europe and we want Scotland to be a part of a progressive European Union with European citizens—despite what we said in the referendum last year, we are all still European citizens—at the heart of decision making. The Scottish Government are committed to making the positive case for reform and I have set that out a little.

I do not want to take up too much time because I know that other hon. Members want to come in, but I want to pose some questions for the Minister to answer in his response. Will he set out the formal role for devolved Administrations in the renegotiations: the formal role—I am not talking about an ad hoc role over the phone? We want to hear about a formal role in the same way as the Prime Minister said today that there should be a formal role for other capitals.

Will the Minister comment on the Scottish Government's priorities in Scotland's agenda for EU reform? In future, will devolved Administrations be consulted as a matter of course on decisions that affect them and are made at EU level if we remain part of it? The issue is not just about changing the EU's relationship, but perhaps about changing the way we, as a member state, interact. I would like a much more formal role for the devolved Administrations.

In the past, we have seen civil servants or Ministers with no direct responsibility for an issue, such as the Minister for bees, leading fisheries negotiations when the Scottish Minister was present. Will the Minister look again at where Ministers from the devolved Administrations can take a lead, with particular reference to fisheries and agriculture?

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): My hon. Friend makes a particularly good point on fisheries, given that the Faroese fisheries Minister—a Minister for 50,000 people—is in a quad situation because he deals with Iceland, Norway and the entire EU. The Faroese fisheries Minister is in a far more personal position not only than the Scottish Minister but the one based here at Westminster. There needs to be some understanding of the context of fisheries in Scotland, which has the majority of the EU fisheries.

Stephen Gethins: My hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil) makes a particularly good point. I referred to Richard Lochhead, the fisheries Minister in Scotland who is responsible for around 70% of the fishing industry. He had to sit behind the Minister for bees and an unelected civil servant during common fisheries policy negotiations. Will the Minister deal with that situation when he responds?

In his statement today, the Prime Minister rightly highlighted the Dutch quote:

"Europe where necessary, national where possible."

If powers are to be devolved from Brussels and back to London, will they, when appropriate, be devolved back to the devolved Administrations where they have responsibility? Will the Minister give that commitment today?

Mr MacNeil: On the Dutch quote, one of the problems in Scotland is that we have a middle man in London and we cannot go directly to Brussels.

Stephen Gethins: Again, my hon. Friend makes a valid point about Edinburgh having to do its business with Brussels through the middle man of London. While we are where we are and the United Kingdom is a member state, it is in the interests of everyone across the House to make sure that this relationship works as effectively as possible.

Will the Minister respond to my questions? Will he also reflect on the fact that although he may not have many friends on his Back Benches, he has many potential friends in the devolved Administrations? The saltire is the only flag that flies on Scotland house on Robert Schumanplein at the very heart of Brussels. We are in there making friends and influencing. The Prime Minister is struggling with that, but I am sure the devolved Administrations will reach out that hand of friendship.

4.56 pm

Jim Shannon (Strangford) (DUP): I thank the hon. Member for North East Fife (Stephen Gethins) for bringing this important matter to the Chamber for our consideration. My flag, the Union flag, is also flying in Brussels and I am proud of that. I say that for the record.

Mr MacNeil: There could be confusion.

Jim Shannon: Not for me. There is no confusion whatsoever.

We are aware that at Chatham House this morning the Prime Minister outlined his objectives for renegotiation. I am sure his attempts to renegotiate will be followed closely by hon. Members and many members of the public. How much and what the Prime Minister can achieve is one question; how that will link up with the regions is the other. We wait with bated breath, as the hon. Member for North East Fife said.

This is a truly monumental stage in our country's history. The questions are do we stay in the European Union and what will that relationship look like, or do we leave altogether. I come from a region with a devolved institution, so this debate is of much interest to me, my party and my constituents. I am sure that many of them, and indeed the constituents of colleagues across the Province and the whole UK, are keen to hear what will be said, and to see how the debate will unfold between now and the referendum.

Opinion on the UK's membership of the EU is divided within Northern Ireland, as it is in most places. There are positives and negatives, and the subject is a hotbed of debate. As a region that has emerged from conflict, Northern Ireland has seen the beneficial aspects of EU membership, with extra funding for peace projects that seek to help with the conflict transformation within Northern Irish society. The EU enabled us to come from conflict to conciliation and from war to peace, so we are grateful for its contribution. However, as in other British regions, there are negative aspects of membership, and we have seen our EU membership devastate traditional industries such as fishing.

Membership has had an indisputable impact on Northern Ireland, for better or for worse, and it is imperative that the Province is taken into account. Giving our devolved institutions—not just in Northern Ireland—a say in the renegotiation process would be a positive step because

it would ensure that regionally sensitive issues could be taken into account and that any outcomes of the renegotiation could be tailored to best fit the devolved regions' needs.

When the Minister replied to my question earlier today about the fishing sector, his response was along the lines that the localised control that we hope to have would come through the common fisheries policy. I respect the Minister, as he knows, but we might disagree about how that will happen on the ground. I represent the village of Portavogie and the hon. Member for South Down (Ms Ritchie), who has just left the Chamber, represents Ardglass and Kilkeel. We are not convinced that the renegotiation on the common fisheries policy will provide the localised control that is necessary. We want local people to have control—we said that earlier and I say it again now. The bureaucracy and red tape, and the loss of fishing boats, jobs and quota, are all having an impact on the fishing industry.

The farming industry is affected as well. I personally live in a rural community, and although the Strangford constituency contains a port, it is also the milk centre of Northern Ireland. We have large numbers of dairymen who look after pedigree herds. We do not see the flexibility from Europe that would make things easier for us.

Mr MacNeil: The hon. Gentleman makes a very good point that can be expanded further. If the Prime Minister was serious about European renegotiation, he might have opened some sort of consultation across the country to find out what people wanted. What he really wants is four or five points to spin in a newspaper headline prior to a referendum. There is no depth and no thought in what the Prime Minister is doing. He should have gone to consult the hon. Gentleman's constituents, whether they be fishermen or dairy farmers.

Jim Shannon: I thank the hon. Gentleman for that intervention. Farmers are not convinced that their future is necessarily within Europe, so the Prime Minister has a job to do to convince them of that. I understand that if the money that we put into the EU was taken out again, we could still help the farming communities and give the assistance that is needed. Perhaps that shows that there is a story to be told.

I make the observation that about 13,000 people from outside the United Kingdom, but within the EU, are in receipt of state benefits in Northern Ireland. The proportion is considerably above the average for those born within Northern Ireland and, indeed, the entire United Kingdom. I am not seeking to demonise anyone, but I believe that that is evidence that illustrates that this issue is having just as much impact on Northern Ireland as it is on Essex, Cardiff, Sheffield or Aberdeen. Consequently, I believe that we should have at least a consultative role in the renegotiation of our EU membership.

I hope that hon. Members will take my comments on board and that the Minister will respond. I look forward also to hearing from the shadow Minister, the right hon. Member for Wolverhampton South East (Mr McFadden). The EU is a thorny subject. There may be division on it in the House, but one thing on which we are united is in wanting input into the process.

5.2 pm

Patrick Grady (Glasgow North) (SNP): It is a pleasure to serve under your chairmanship, Ms Dorries. I congratulate my hon. Friend the Member for North East Fife (Stephen Gethins) on securing his first Westminster Hall debate. As he said, it is timely that it has occurred on the same day as a ministerial statement on renegotiation and, indeed, on the same day as the Minister was able to have a phone call with his counterpart in the Scottish Government. It would have been very disappointing to come to Westminster Hall to find that there had been no consultation or discussion with the Scottish Government or other devolved Administrations.

The Prime Minister has been at pains to demonstrate how determined and wide ranging his renegotiation strategy has been. He has been jet-setting across Europe to meet almost anyone who will listen to him, forging interesting alliances in the process, but there has been scant evidence of communication, let alone negotiation, with his most important European allies of all—the constituent nations of the UK.

The Prime Minister's letter to Donald Tusk that was published today states:

"I want to enhance the role of national parliaments, by proposing a new arrangement where groups of national parliaments, acting together, can stop unwanted legislative proposals."

Well, Ms Dorries, Scotland has a Parliament, and Wales and Northern Ireland have Assemblies. Surely they should be working with the UK Parliament and Government to protect and enhance our position in the European Union. During the referendum in Scotland, as my hon. Friend said, Westminster politicians, led by the Prime Minister, were falling over themselves to tell us that we should lead the UK, not leave the UK, and that Scotland's only hope of remaining in the European Union was to remain in the United Kingdom. Now it seems that both those propositions were without foundation. Scotland's membership of the European Union is now at far greater risk, and its opportunity to minimise that risk by being an equal partner in the renegotiation process is also threatened by the lack of consultation with the UK Government to date.

I hope that the Minister will be able to respond to the range of questions raised by my hon. Friend, especially with regard to a formal process. In June, the First Minister called for a distinctive forum in which the views of the devolved Assemblies could be heard in the renegotiation process, so I hope that the Minister will tell us about progress on that.

George Kerevan (East Lothian) (SNP): Is my hon. Friend aware that the Prime Minister has now held talks with every single constituent member of the EU, but that nine of those member states have smaller populations than that of Scotland?

Patrick Grady: It does not surprise me at all to hear that. I look forward to seeing the photographs of the Prime Minister. He met the Scottish First Minister to negotiate the Edinburgh agreement in advance of the independence referendum, so I hope that he will sit down with his counterparts in Scotland, Wales and Northern Ireland to—

Mr MacNeil: The respect agenda.

Patrick Grady: Exactly: to show us respect—the respect agenda—and to forge a platform on which we can all campaign for the UK to remain in the European Union.

The Minister said earlier in the main Chamber that he had spoken to the Cabinet Secretary for Culture, Europe and External Affairs this morning, so he will no doubt be aware of the speech that she made on Monday, to which my hon. Friend the Member for North East Fife also referred. That speech laid out the value of EU membership to Scotland, and not just the economic benefits, although they include more than €18 billion of exports and more than 300,000 jobs, but, as we have heard, the solidarity, social protection and support that EU membership has brought to these islands over the decades and the peace that it has brought to the continent throughout its history. In the same speech, she laid out areas in which reform is needed: competitiveness, regulation, climate change and energy. Above all, she spoke about the need to tackle the growing disconnect between individual citizens and the institutions of the European Union.

Too often these days, the European Union is used, especially by this Government, as a useful scapegoat—a useful source of blame for, or disassociation from, policies or practices that people do not like. However, that is a very dangerous game for the Government to play. When it is combined with increasing brinkmanship in the renegotiation process, the Prime Minister and the Government risk provoking a backlash among the wider public. If the Government are not careful, as they were warned in the Chamber today, they risk turning the referendum into a vote on the popularity of the Government, or even the Prime Minister himself, in which case there is a danger that a genuine debate about the importance of the EU to people's lives will become a surrogate Tory party leadership contest, and voters could opt to leave simply to express their dissatisfaction with the current political leadership. If there is a differential between the result of that kind of vote in traditional Tory heartlands and the rest of the UK, we really will be in uncharted constitutional territory.

We usually talk about a large English majority to leave trumping a Scottish majority to stay and, as we have heard, a UK vote to leave while Scotland voted to stay would certainly violate the Scottish claim of a right to popular sovereignty, but as I said to the Minister in the Chamber today, what if a narrow English majority to leave is trumped by the votes of the other constituent nations to stay? That also takes us into uncharted constitutional territory, and I doubt that many Government Back Benchers would be happy with that kind of result. The answer is to put in place the kind of double majority that the SNP has called for consistently since we got here. The principle of a double majority is good enough for the House of Commons on the question of English votes for English laws, so I am completely unclear about why it is not good enough for this referendum.

The European Union Referendum Bill is in the House of Lords, and the Government are determined to give all those Lords a vote in the referendum. That is very important, because those 800 votes could swing the result. The Government are disfranchising European citizens and 16 and 17-year-olds, but the Lords are to have a vote in the referendum. Why not take the opportunity

[*Patrick Grady*]

to put in place the double majority and the other things for which the SNP has been calling since the general election?

I hope that the Minister will see today's debate as an opportunity to signal his intent to work constructively with the devolved Administrations on the EU negotiations and the case for continued EU membership. As my hon. Friend said, if the questions in the House are anything to go by, the Government will need friends and allies, and they are having difficulty finding them on their own Back Benches. I have no doubt that the devolved Administrations want to work for a positive outcome in the referendum. That means getting a positive outcome from the negotiation process, which in turn means ensuring that the devolved Administrations are heard, because they represent the most important stakeholders in this process—the voters of those constituent countries.

5.9 pm

Wayne David (Caerphilly) (Lab): It is a pleasure to serve under your chairpersonship, Ms Dorries. I congratulate the hon. Member for North East Fife (Stephen Gethins) on securing his first Westminster Hall debate. I was pleased that he scotched the rumour—forgive the pun—that there was some sort of collaboration between him and the Government regarding this debate. I was glad that he clarified that it is a mere coincidence that the debate is being held on the same day as the Prime Minister's letter to the President of the European Council has been published.

Consultation is vital. There must be consultation based on mutual respect for devolution as a reality, and for the institutions of the Scottish Parliament, the Northern Ireland Assembly and the Welsh Assembly. I am slightly concerned, however, about the Scottish National party's emphasis on the constitution yet again with regard to this issue. Rather than the constitutional relationship, most people in Scotland and the rest of the United Kingdom are concerned about bread-and-butter issues.

Mr MacNeil: Will the hon. Gentleman give way?

Wayne David: No, I will not give way. I know that my constituents are not really interested in where, or at what level of government, power resides. They are interested in the quality of their lives, and how the European Union does or does not impact on their lives. Another concern is that the SNP is apparently demanding that it be taken into account and be part of the United Kingdom's renegotiation process.

Stewart Malcolm McDonald (Glasgow South) (SNP): Will the hon. Gentleman give way?

Wayne David: No, I will not give way. My time is limited, as the hon. Gentleman well knows.

My concern is that while the SNP says that it wants to be part of the United Kingdom Government's renegotiation process, the reality is that the party is yet again giving credence to the Tory Government here in Westminster to which it claims to be implacably opposed. In practical terms, it wants to sidle up to the Government and get as close as it possibly can. We saw that in the

debate last night with the collaboration between the SNP and the Conservative Government on the reactionary proposal about abortion rights—

Mr MacNeil: Will the hon. Gentleman give way?

Wayne David: No, I will make my point. The proposal that abortion rights should be devolved to the Scottish Parliament is a totally reactionary measure, and it shows the true reactionary nature of the SNP that it wants to sidle up as close as possible to this Tory Government. We are not seeing the SNP demanding that workers' rights be maintained. The previous speakers made hardly any reference at all to workers' right—they are not concerned about workers' rights.

Mr MacNeil: Will the hon. Gentleman give way on that point?

Wayne David: No. I told the hon. Gentleman that I would not give way—[*Interruption.*]

Nadine Dorries (in the Chair): Order. Mr MacNeil, there has been an indication that you will not be allowed to intervene, so please keep some order.

Wayne David: Thank you, Ms Dorries. We are getting used to heckling and barracking from SNP Members. They cannot win the argument, so they try to shout people down and interrupt. That is their style of politics up there. That is, sadly, what nationalism is all about. It is infecting the United Kingdom as well, which is a great shame.

The SNP is today apparently giving credence to the Conservative Government. I believe firmly that this so-called negotiation is an absolute sham. We heard from the Prime Minister in his letter that he sincerely hopes, with all his heart and soul, that he will be in a position to advocate Britain remaining inside the European Union. To ensure that he is able to do that, he will have a superficial façade of a renegotiation to allow him to justify Britain's continuing membership of the European Union. The SNP should realise that, so why does it want to be part and parcel of that process?

The SNP should be adopting a principled position of arguing in favour of Britain's continued membership of the European Union. It knows that that is in the interests of the United Kingdom as a whole, and of the Scottish people. At the same time, it should have a long-term perspective on the sorts of radical changes we need inside the European Union. Successful negotiation, if it is to be done properly, cannot be carried out in a matter of weeks or even months. Renegotiation has to be a long-term process, and we have to work with people and to make allies. The Scottish nation cannot stand in splendid isolation; it has to work with other people.

When we come to the referendum, the Labour party will certainly put forward its own campaign, and I imagine that the SNP will do the same. I hope to goodness that the SNP campaigns in favour of our continued membership of the European Union, but I cannot be absolutely certain that that will be the case. The SNP must abandon its inward-looking nationalism for once and work with others across the United Kingdom to make sure that we have a coherent and strong message in support of a yes vote throughout the whole United Kingdom.

5.14 pm

Deidre Brock (Edinburgh North and Leith) (SNP): It is a pleasure to serve under your chairmanship, Ms Dorries. I congratulate my hon. Friend the Member for North East Fife (Stephen Gethins) on securing the debate and making it possible for us to take part.

I have a certain amount of *déjà vu*. A number of us took part in the debate on the Scotland Bill in the Chamber yesterday, where we were treated to a succession of MPs who represented English seats telling Scotland and the Scots what was good for us. Although I am delighted that our good friends across these islands have so much concern for the wellbeing of Scotland, the length of those speeches, and the fact that they often drifted to subjects that were closer to the speakers' hearts than the subject matter of the debate, suggest that that was perhaps not their primary motivation. At times, I wondered whether Scotland would even get a mention in the midst of the discussion about English devolution, who did what in Parliament in the 1970s and Dicey's theory of the constitution.

Nadine Dorries (in the Chair): Order. Ms Brock, although I appreciate your comments regarding yesterday's debate, could you keep your remarks to the subject matter of today's debate and not make the same mistake?

Deidre Brock: Of course, Ms Dorries. My point was that Scotland's voice was being drowned out even in the midst of a debate about Scotland's future. I am sure that that was not the intent, but it is a reflection of how politics and political discourse are very different here from the engagement that we see in the Scottish Parliament and throughout Scotland, despite the remarks of the hon. Member for Caerphilly (Wayne David). The hon. Member for Strangford (Jim Shannon) made it quite clear that the same is true of Northern Ireland. I assume that the same is true of Wales, but the hon. Member for Caerphilly seems to prefer the Conservatives to negotiate on Wales's behalf in Europe. Each institution has established its own ways of working, which affect the politics of the areas that it serves. In turn, that affects the politicians who operate in each area.

Mr MacNeil: My hon. Friend has mentioned the hon. Member for Caerphilly (Wayne David), who was not keen on debating or engaging with anybody at all. Did she find his speech, in which we were simultaneously accused of being isolationist and of cosyng up to other people, strange? I could not understand which way he was going.

Deidre Brock: I have to agree with my hon. Friend.

Wayne David: Will the hon. Lady give way?

Deidre Brock: The hon. Gentleman is chancing his arm.

Wayne David: On a point of order, Ms Dorries. I have been accused of not taking interventions, but the hon. Lady will not take interventions from me.

Nadine Dorries (in the Chair): Mr David, sit down. That is not a point of order.

Deidre Brock: Thank you, Ms Dorries. We have not only different ways of talking, but different priorities and different political and social aspirations, and the people we represent have different needs. Whatever the hon. Member for Caerphilly says, there is no common mindset across the UK driving the thinking on the EU; there are many. The Government have to recognise and salute that multifaceted approach to the debate in the EU negotiations. That is why the Scottish Government should be consulted at an early stage and throughout the process. The same is true of the Scottish Parliament, especially considering the proportional representation aspect of its elections. Equally, the people of Wales and Northern Ireland deserve to have their devolved institutions feeding into any consideration or reconsideration of any agreement that affects our trading and social links to such a depth and degree. Scotland needs immigration to drive economic growth, and that need does not sit so well with the implied resistance to immigration in the proposals that the Government are pushing, some of which seem to be supported by the loyal Opposition.

We have strong and strengthening devolved institutions representing the interests of a wide range of people from across the UK. A Government who were sure of themselves and sure of the future of the UK would surely feel no fear of consulting those institutions at every stage of the process and ensuring that their views were included in the proposals. It cannot be that the Government lack confidence, or that, as some have suggested, they have contempt for the devolved institutions. Neither can it be that there is no time for consultations with the devolved institutions, given that the Government have found time plenty of time to consult other Governments of European Union member states.

The Minister mentioned in answer to questions on his statement earlier today that he was always willing to listen and that he had had a phone call with the Scottish Government's Cabinet Secretary for Culture, Europe and External Affairs, Fiona Hyslop, this very morning. If that indicates a change in approach, it is very welcome. I understand that Scotland's First Minister, Nicola Sturgeon, and the Welsh First Minister, Carwyn Jones, both recently expressed their concerns that they had not been involved enough in the production of the proposals published today. The Prime Minister has made it clear that his direction is towards the exit if his renegotiations are not welcomed. Might not it be a good idea for the Government at least to attempt to get the support of the devolved Administrations before going into the negotiating room?

Our European allies do not seem to be overly willing to reopen treaties or to give advantages to one member state that is not offered to all. With that before the Prime Minister and the Government, and the Eurosceptic brigade panting at the Prime Minister's back, surely he could do with all the friends he can muster. It would be a mistake for him to try to sell the devolved Administrations a pig in a poke. Opening up and embracing the assistance that the devolved Administrations could offer is a better strategy. I certainly look forward to a far more collegiate approach from the Government in the coming months, and I look forward very much to hearing what the Minister has to say.

5.21 pm

Peter Grant (Glenrothes) (SNP): I am pleased to sum up for the Scottish National party. I commend my next-door neighbour, my hon. Friend the Member for

[*Peter Grant*]

North East Fife (Stephen Gethins), for securing the debate and for the eloquent way in which he presented the positive case that the SNP will continue to push for our continued membership of the EU.

The events of yesterday and today make me convinced of one thing and very unconvinced of another. I am convinced that in 10, 15 or 20 years' time, Scotland will still be playing a full part as a member of the EU. I am increasingly convinced that it will not be doing so as a member of the United Kingdom. We may, in fact, see a reverse of the situation described by my hon. Friend. In the not-too-distant future, the United Kingdom's negotiations with the EU may well have to be done through Scotland because we could be the only part of the current UK that is left in it.

The hon. Member for Strangford (Jim Shannon) correctly highlighted the fact that the experts on matters such as fishing and agriculture are very often the people who work in those industries. If we do not listen to them from the very beginning of the process, we will get it wrong. The Prime Minister got it wrong by not even including those important economic drivers anywhere in his list of demands. Possibly, if he had spoken to the devolved Administrations earlier, he would have realised that he had to do that.

My hon. Friend the Member for Glasgow North (Patrick Grady) presented the positive case and benefits of EU membership. If the hon. Member for Caerphilly (Wayne David) had been listening, he would not have had to hope to goodness that the SNP was in favour of EU membership. Indeed, if he had spoken to the ambassadors of any one of the 21 EU member states who came to a reception in Portcullis House about a week ago, he would have heard that my hon. Friend the Member for North East Fife explained as clearly as possible that the SNP wants to remain in the EU because that is where Scotland's future lies. The hon. Member for Caerphilly did his country one service because, having listened to him, I am convinced that he has significantly shortened the odds on Leanne Wood becoming First Minister of Wales next year.

My hon. Friend the Member for Edinburgh North and Leith (Deidre Brock) highlighted the fact that there are very distinct views, not only on Europe, but on lots of other matters, across the nations that make up this Parliament and this Union. We only have to look at the fact that the devolved Governments are all held by different parties. No party leads the Government in any two of the four nations. Different parties won the general election in each of the four member states of this Parliament.

The separate identity of Northern Ireland is recognised by the fact that it has its own political parties. It does not operate with the same parties as we do. The parties that won the election in Northern Ireland do not exist to any great extent in other parts of the United Kingdom. Having said that, the parties that won the election in England and Wales are in serious danger of ceasing to exist in Scotland if they continue to present the kind of patronising, disrespectful, contemptuous view of our ancient nation that we have seen far too much of over the past couple of days.

The reason for this debate is that we want the Prime Minister's negotiations to succeed, not because we like the Prime Minister or because we have ever had any

intention of running a coalition with the Tories to persuade any nation how to vote on its own future, but because, if the Prime Minister fails—it looks increasingly likely that he will fail—we will go into a referendum based on a promised reform that has not been delivered. That referendum is likely not only to result in us being dragged out of the EU—[*Interruption.*]

Nadine Dorries (in the Chair): Order. Mr Grant, would you wind up your comments so that we can have a meaningful debate with comments from the Opposition and Government Front Benches?

Peter Grant: I will, Ms Dorries. My real concern is not only that a failure by the Prime Minister will lead to a vote to take the devolved Administrations out of the EU against our will, but that it might lead to a debate that is not about the benefits of EU membership but about an antipathy to immigration and an antipathy to anyone who was born outside these islands. It may become a referendum on the popularity of the Prime Minister, and that is a referendum that the Prime Minister cannot possibly win.

Nadine Dorries (in the Chair): Would you keep to five minutes please, Mr McFadden?

5.25 pm

Mr Pat McFadden (Wolverhampton South East) (Lab): Indeed. Thank you, Ms Dorries. It is a pleasure to serve under your chairmanship. I am reminded of the words of the great Yogi Berra, who said:

"It's déjà vu all over again."

The Minister has certainly earned his ministerial stipend today. He took questions for an hour and a half to two hours earlier in the House and is now about to reply to this debate. I do not know if the Prime Minister is a generous man in personal terms but he certainly owes the Minister a drink for what he has been put through today. The only consolation for him is that his colleagues are not here for this debate as they were for the statement earlier. He is at least spared their unstinting support in the endeavours that the Government have set out today.

I do not know whether the debate is well timed or—possibly, more accurately—a few hours late. The horse has somewhat bolted on this. The Prime Minister has made his speech. The Minister has made his statement. The letter to the President of the European Council has been written. I do not propose to go over the exchange that we had earlier or the questions that we exchanged, except to add a point about the negotiation that was perhaps not covered so much in statement. We are seeing this through British eyes and the four demands have been put together by the Prime Minister and the Minister in that sense. The rest of Europe is coping with an unprecedented refugee crisis. An official from another member state said to me last week, "The trouble is that we are in two different movies." That is one of the issues for the process.

The issue before us is the consultation and involvement of the devolved Administrations, which, of course, should be appropriately consulted and involved. Quite rightly, people have said that different issues are viewed in different ways in different parts of the UK. Not every issue has the same impact everywhere. I want to speak specifically about Northern Ireland because I attended

the debate mentioned by the hon. Member for South Down (Ms Ritchie), which was organised by Newry, Mourne and Down District Council a couple of weeks ago.

We had an excellent debate about cross-border movement of people, movement of goods, business, trade and farm subsidies—the whole thing. The team for staying in the EU were me and former Taoiseach Bertie Ahern. I am pleased to say that a vote was taken by 300 or 400 people—mostly small businesspeople—at the end of the debate. The proposal to stay in was carried by 92% to 8%. I make no predictions or claims that that was necessarily a representative audience of everywhere in the UK, but the debate should go to every part of the UK. Every part should have the widest possible involvement. Ultimately, the question—all the things that have been raised about representation and so on—revolves around whether we view the situation through nationalist eyes. If we do, we will effectively see the UK as four member states. Those who are not nationalists will see it as one member state. We joined as one member state, we will have this referendum as one member state, and we will make the decision as one member state. The issue about appropriate consultation and involvement should be seen in that light.

5.29 pm

The Minister for Europe (Mr David Lidington): As always, it is a pleasure to serve under your chairmanship, Ms Dorries. I congratulate the hon. Member for North East Fife (Stephen Gethins) on securing this debate.

I, too, want to avoid reprising the greatest hits from today's ministerial statement in the House, but it would be remiss of me if I did not start by putting it on the record that today the Prime Minister wrote to the president of the European Council setting out four key areas on which he seeks reform: on sovereignty and subsidiarity; on competitiveness; on eurozone governance; and on migration and welfare. Anyone who examines the Prime Minister's speech this morning or the text of his letter to Mr Tusk, which was released slightly later, will see that many areas in which we are seeking reform match the views often expressed by members of the devolved Governments of the United Kingdom.

The Scottish Government have published their agenda for reform, which includes calls for greater focus on competitiveness; deepening the European single market, and particularly for the creation of a Europe-wide digital single market; and progress on an internal energy union. The United Kingdom Government have embodied all those things in their approach to European reform. Our proposals for smarter, less burdensome and less complex regulation will be particularly welcome in Northern Ireland, which is overwhelmingly a small and medium-sized enterprise economy.

If we look at previous economic reforms, we find that the EU-South Korea free trade agreement, for example, is worth up to £500 million a year to the British economy. That agreement is already bringing advantages to sectors such as whisky and financial services, which are important in Scotland and in the two other devolved parts of this country. The Scottish Government's agenda for reform also mentioned a stronger role for national Parliaments and the need to secure a stronger focus at European level on subsidiarity and proportionality—those ideas are meant to be written into the DNA of the way in which the EU operates.

I was asked why certain other matters were not included in the Prime Minister's letter. Of course, the Government have already delivered quite a lot of effort on securing reform on some of those issues. Earlier, in the House, I mentioned the Damanaki proposals on fisheries reform, which have delivered things such as the ban on discarding, which successive British Governments have sought for many, many years and which have led to a shift towards greater local and regional management of fisheries. It is no secret that British Ministers would have wished to go further, and I am sure there will be an opportunity to return to the charge; but in the meantime, the real priority in fishing is to ensure that we implement those reforms in full.

Similarly, a measure of reform was achieved in the last common agricultural policy round, but, of course, the timing of the agricultural reviews matches that of the multi-annual financial framework, so the next opportunity to seek more thorough reform of agriculture will be in a few years' time, as we approach the review of the MFF.

Many contributions to today's debate focused on the negotiation process. My right hon. Friend the Prime Minister is leading a clear process to secure reform, which is now well under way. He has already met the leaders of all the other 27 member states, as well as the President of the European Commission and the presidents of the European Parliament and the European Council. In parallel, talks on technical issues have been taking place in Brussels to inform our analysis of the legal options for reform. There will now be a process of negotiation involving all 28 member states leading up to the European Council in December, which will be the next time that Heads of Government will substantively discuss these issues.

We attach great importance to our engagement with the devolved Administrations on this issue, as we do on others. Having said that, all hon. Members will be aware that foreign policy issues, including the United Kingdom's membership of international organisations, are reserved matters and that relations with the EU are the responsibility of the Parliament and the Government of the United Kingdom as a whole. Of course, Scottish National party Members have a mandate from their electors in Scotland to hold the United Kingdom Government to account for the policies that we adopt on those reserved matters, so the hon. Ladies and hon. Gentlemen from the SNP who spoke this afternoon are doing precisely what it is constitutionally right for them to do on behalf of the people of Scotland.

Stewart Malcolm McDonald: Will the Minister give way?

Mr Lidington: If the hon. Gentleman will forgive me, I would like to make a bit more progress. I will try to give way, but I am conscious of the time and wish to try to respond to the points made in the debate.

We try to involve the devolved Administrations as directly and fully as possible in decision making on EU matters that touch on devolved areas. We have held discussions with representatives from the devolved Administrations throughout the renegotiation process, and I will be continuing those discussions when I visit Edinburgh tomorrow. I am actively looking for dates to visit Cardiff and Belfast in the near future. The UK's

[*Mr Lidington*]

renegotiation is now also a standing agenda item at meetings of the joint ministerial committee on Europe, which I chair. The renegotiation will also be an issue for discussion at the next meeting of the joint ministerial committee chaired by the Prime Minister and involving the First Ministers of the three devolved Administrations, which is next due to meet in January.

It has been implicit in a number of speeches this afternoon that it will not be enough simply to rely on a series of formal meetings at set intervals. If the consultation process is to work effectively, it will rely not only on UK Ministers arranging meetings or conversations, but on devolved Ministers getting on the phone when an issue arises that concerns them or when they wish to express a particularly important point of view to a British Minister, so that view is registered and can be taken into account in framing the UK position. That, after all, is how we now work in respect of EU policy generally. There is an agreed position across the Government that every Department, before it seeks collective agreement within the UK Government on a negotiating position in relation to a European issue, should analyse whether that question touches on devolved responsibilities and, if it does, should consult the devolved Administrations. In their written submission to fellow UK Ministers, Departments should summarise the views and interests of the devolved Administrations, so that we can take them into account when making our decisions.

As the right hon. Member for Wolverhampton South East (Mr McFadden) said, we are one United Kingdom.

There will be one in/out referendum, which will be decided on a majority of those who vote. It is the UK that is the member state of the EU, so it is right that the electorate of the member state as a whole has a say on continued EU membership.

I was also asked about the Government's approach to involving the devolved Administrations in EU business, and I strongly maintain that we always try to ensure that the interests of the devolved Governments and the people of all parts of the UK are defended and advanced. The Scottish Fisheries Minister, Mr Lochhead, is in north America this week, and our embassy in Washington has been active in arranging meetings for that visit. Our officials in the United States have been active in seeking benefits for Scottish business of the kind sought by Mr Lochhead, such as the lifting of the US ban on the import of haggis.

We have a system under which we welcome devolved Ministers to join delegations in Brussels, and I have welcomed a Welsh Minister to meetings of the General Affairs Council more than once when we have been due to discuss cohesion policy, which is of particular importance to the Government and people of Wales. All three devolved Administrations sent Ministers and officials to the fisheries talks, where collectively they usually far outnumbered the UK delegation.

5.40 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

Written Statements

Tuesday 10 November 2015

BUSINESS, INNOVATION AND SKILLS

Extraordinary Competitive Council on the Steel Industry

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): On Monday 9 November I represented the UK at an extraordinary meeting of the Competitiveness Council in Brussels at which we discussed the challenges facing the steel industry in the EU. The Council was convened by the Luxembourg presidency of the Council of the European Union following my request.

All member states agreed that the steel industry is facing acute pressures as a result of global overcapacity and rapidly rising levels of imports and that this is having a negative effect across the whole of the EU—hurting not just steel-producing nations, but also those involved in supply chains.

The Council considered the impact of global overcapacity, unfair trading practices, energy costs and regulatory burdens on the competitiveness of the steel sector. At the end of the meeting a number of actions to support the steel sector were set out in presidency conclusions and include:

Improving the instruments available to the European Commission to allow for faster and more effective trade defence investigations;

Making full and timely use of trade policy instruments to ensure a global level playing field in the steel sector;

Intensifying discussions involving steel producers in the context of the OECD steel committee and through dialogues with countries like China, Russia, Belarus, Turkey and India;

Holding a high-level stakeholders' conference involving social partners, industry and users to discuss the current state of the sector and policy actions that should be taken forward;

Assessing the implementation of the 2013 European steel action plan in the context of the current crisis facing the steel industry;

Improving the access of EU exporters to third markets;

Using EU funds to support the modernisation of the steel sector, retraining and reintegration into the labour market;

Looking at all possible ways of supporting energy-intensive industries within the current state aid framework;

Using the review of the emissions trading system to ensure that the steel sector remains competitive while still meeting climate change goals, specifically by creating a more focused mechanism for the free allocation of allowances and removing the need for a cross-sectoral correction factor;

Swiftly implementing the European energy union to ensure access to secure, affordable and climate-friendly energy; and

Fully exploiting the proposals under the upcoming European Commission circular economy strategy to support the sector.

Follow-up to this meeting will take place when the Council's Foreign Affairs Committee (Trade) meets on 27 November and when the high-level stakeholder conference on steel is convened.

In the meantime, my Department will continue its work to support Britain's steel industry and the workers who have recently lost their jobs.

[HCWS300]

TREASURY

ECOFIN

The First Secretary of State and Chancellor of the Exchequer (Mr George Osborne): A meeting of the Economic and Financial Affairs Council will be held in Brussels on 10 November 2015. Ministers are due to discuss the following items:

Ministerial dialogue with the European Free Trade Association (EFTA) Countries

ECOFIN Ministers will meet their EFTA counterparts before the Council proper to exchange views on economic growth and structural reforms.

Current Legislative Proposals

The presidency will update the Council on the state of play of financial services dossiers.

Capital Markets' Union

The Council will be invited to adopt conclusions on the Commission's capital markets' union action plan.

Implementation of the Banking Union

The Commission will give an update on several dossiers linked to the banking union: the single resolution fund, the bank recovery and resolution directive and the deposit guarantee scheme directive.

Single Resolution Mechanism—Rules for Bridge Financing

Ministers will be asked to provide guidance on the proposal for providing bridge financing for the single resolution mechanism.

Economic Governance and Follow-up to the Five Presidents' report

The Council will have an initial discussion on the Commission's recent package of proposals following the Five Presidents' report.

Climate Finance

The Council will examine draft conclusions on climate finance which constitute the second part of the COP21 negotiating mandate.

Follow-up to the G20 and IMF meetings in Lima of 8-11 October 2015

The presidency and the Commission will report on the G20 and IMF meetings in Lima in October.

[HCWS298]

FOREIGN AND COMMONWEALTH OFFICE

EU Renegotiation

The Minister for Europe (Mr David Lidington): In his statement to the House on 19 October, *Official Report*, column 656, following the October European Council, the Prime Minister said that he would be writing to the President of the European Council to set out the changes

the Government wished to see in reforming the UK's relationship with the European Union. A copy of that letter can be found online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-11-10/HCWS303/>

[HCWS303]

HEALTH

“No voice unheard, no right ignored”: Government Response

The Minister for Community and Social Care (Alistair Burt): The Government are today publishing their official response to the consultation paper “No voice unheard, no right ignored—a consultation for people with learning disabilities, autism and mental health conditions.”

“No voice unheard, no right ignored” was presented by the previous Government because not enough progress had been made to transform the care of people with learning disabilities, autism and mental health problems as promised in the wake of the Winterbourne View scandal.

The consultation posed questions primarily related to:

- assessment in mental health hospitals for people (all age) with learning disability or autism;

- adult care and support, primarily for those with learning disability but also for adults with autism (and the links to support for children and young people); and

- all those to whom the Mental Health Act 1983 currently applies (including children and young people).

We have listened to the views expressed in response to the consultation, and agree there is a need for further action to realise the vision of everyone being treated with dignity and respect by health and care services, and enjoying the same rights as everyone else.

The response comprises a number of phases of activity, namely:

- early actions that seek to sustain momentum generated, chiefly through the use of existing powers and building on work currently underway;

- further changes, including proposed legislative changes that cannot be achieved via existing powers (these changes relate principally to the Mental Health Act 1983); and

- a third phase, which explores more radical solutions to longer-term issues, together with ongoing monitoring and review, and a clear back-stop that the Government will intervene further via legislation if the improvements sought are not being realised in practice.

The proposals in this document go hand in hand with the substantial programmes of work being put in place under the transforming care programme, including the recently announced “building the right support” national transformation plan. This was published on 30 October by NHS England, the Local Government Association and the Association of Directors of Adult Social Services to reduce reliance on inpatient capacity and increase community-based provision. A national NHS England fund of £45 million will be available to transforming care partnerships over the next three years to aid the transition, focusing on ensuring that the right support

is available in local areas to enable the first discharges. Central to the progress set out by the plan over the next three years will be new, high-quality, community-based services. The plan predicts that, as these services are put in place, there will be a reduction of up to 50% in the number of inpatient beds, meaning that some units will close altogether.

The proposals for action are put forward in the context of, and subject to, the Government's comprehensive spending review. We will continue to engage with stakeholders and those with expertise by lived experience in a spirit of co-production as we take these proposals forward.

The consultation was undertaken by the Department of Health in England. However, as the Mental Health Act applies across England and Wales, it recognised that any changes to the law in Wales would have to be agreed by the National Assembly for Wales.

A copy of the Command Paper (number 9142) entitled “Government response to No voice unheard, no right ignored—a consultation for people with learning disabilities, autism and mental health conditions” is available to hon. Members from the Vote Office and to noble Lords from the Printed Paper Office, online at:

<https://www.gov.uk/government/consultations/strengthening-rights-for-people-with-learning-disabilities>.

Attachments can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-11-10/HCWS302/>

[HCWS302]

HOME DEPARTMENT

Forensic Archive Ltd

The Minister for Policing, Crime and Criminal Justice (Mike Penning): I am pleased to announce that the Home Office has begun the first review of the Forensic Archive Limited (FAL). FAL was established in October 2012 to manage and maintain material previously held by the Forensic Science Service.

Reviews of non-departmental public bodies are part of the Government's commitment to ensuring accountability in public life.

I will announce the findings of the review later in this financial year.

[HCWS299]

TRANSPORT

Vehicle Emissions Testing Programme: Government Action

The Secretary of State for Transport (Mr Patrick McLoughlin): I wish to inform the House of the latest developments on vehicle emissions testing, following the revelations that Volkswagen Group had been fitting so-called defeat devices to some of its vehicles.

The Government take the unacceptable actions of Volkswagen extremely seriously. Our priority is to protect the public and I have taken a number of steps to investigate what went wrong and what we can do to stop it happening again.

I have been clear that I expect VW to do everything necessary to protect its UK customers, but it is right also that the Government carry out their own thorough and independent investigation to:

- establish whether the use of defeat devices goes wider than the VW Group; and

- gather much-needed evidence to restore public confidence, improve our understanding of the real-world emission performance of vehicles, and strengthen our ambition and influence in pushing the EU to move to a comprehensive real-world testing regime.

We have already taken a range of actions.

The UK testing body, the Vehicle Certification Agency, has secured assurance from all automotive manufacturers outside the VW Group for whom it has issued emissions type approvals that defeat devices have not been used. We will of course be testing this for ourselves. We have already retested VW Group vehicles for which the UK provided type approval. These initial tests provide valuable information, improving our ability to detect a defeat device and strengthening our understanding of the impact it has on vehicle emissions, including CO₂ and NO_x.

We have also begun a wider testing programme to understand the real-world emissions performance of a broader selection of vehicles in the UK. This is crucial to improve the accuracy of environmental assessments—used for both air quality management and infrastructure

investment. This programme will test a representative selection of vehicles used on UK roads, including a sample of the newest and the UK's top-selling vehicles.

I have secured agreement from my opposite number in Germany that our technical teams will work co-operatively together. This will enable us to reduce duplication and ensure a wide range of vehicles are tested. My officials will continue to look for further opportunities for collaboration with other European partners with a view to securing additional efficiencies.

This investigation is vital in restoring public confidence. We will look at vehicles from across all main brands sold in the UK—manufacturers will be treated equally. We must act urgently to remedy wrongdoing but we must also ensure that the results from this investigation are viewed fairly and in the context of the completed work. A report will be prepared at its conclusion and I will provide an update on progress by the end of the calendar year.

Alongside this, we have succeeded in reaching an agreement with the European Commission and member states that represents a real step change in the way in which testing is carried out—for the first time real-world testing will be part of the regulatory regime from 2017. This is an important milestone, but we will continue to press for EU-level action towards a comprehensive approach to emissions testing, to restore consumer confidence and deliver our wider air quality and climate objectives.

We have a major work programme under way and I will continue to inform the House of developments.

[HCWS301]

Ministerial Correction

Tuesday 10 November 2015

FOREIGN AND COMMONWEALTH OFFICE

Chagos Islands

The following is an extract from the speech of the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Rochford and Southend East (James Duddridge) in the debate on the Chagos Islands in Westminster Hall on 28 October 2015.

James Duddridge: The consultation that ended yesterday was well received. More than 700 written responses

have been received, and officials met more than 500 Chagossians in their own communities in the UK, the Seychelles, Mauritius, Switzerland, France and as far afield as Tasmania.

[Official Report, 28 October 2015, Vol. 601, c. 195WH.]

An error has been identified in the response I gave to the debate on the Chagos Islands on 28 October 2015.

The correct response should have been:

James Duddridge: The consultation that ended yesterday was well received. More than 700 written responses have been received **from as far afield as Switzerland, France and Tasmania, and officials met more than 500 Chagossians in their own communities in the UK, the Seychelles and Mauritius.**

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MINISTERIAL CORRECTION

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