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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Thursday 3 December 2015

House of Commons

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

CULTURE, MEDIA AND SPORT

The Secretary of State for Culture, Media and Sport was asked—

Superfast Broadband

1. **Kevin Hollinrake** (Thirsk and Malton) (Con): What plans his Department has to ensure universal provision of fast or superfast broadband. [902528]

4. **Kelly Tolhurst** (Rochester and Strood) (Con): What plans his Department has to ensure universal provision of fast or superfast broadband. [902531]

The Secretary of State for Culture, Media and Sport (Mr John Whittingdale): By the end of 2017, 95% of homes and businesses in the United Kingdom will have access to superfast broadband. As my right hon. Friend the Prime Minister announced last month, by the end of this Parliament people will have a legal right to request a broadband connection, no matter where they live. We will be consulting on these plans, which will put access to broadband on a similar footing with other basic services early next year.

Kevin Hollinrake: I welcome the universal service obligation to provide 10 megabits of coverage to the whole country by 2020. Point-to-point wireless can provide a solution today up to 30 megabits, but the organisations behind those facilities will not invest because state aid will one day bring fibre to those communities and take away their customers. Can Ministers provide a solution to this important conundrum?

Mr Whittingdale: I commend my hon. Friend on his advocacy for his constituents on the importance of achieving superfast broadband as quickly as possible. The universal service obligation will provide a safety net, but it will take some time to work out the details. In the meantime, we would welcome all the alternative suppliers putting forward their solution. It may well be that different solutions will be appropriate for different places.

Kelly Tolhurst (Rochester and Strood) (Con): Some parts of my constituency such as central Rochester, the peninsula and the businesses in Chatham historic dockyard

have been suffering from poor fibre-optic broadband coverage from BT for too long. Much-needed upgrades were supposed to be in place from December last year, yet we are having to wait until the 2016-17 financial year at the earliest. What can the Minister do to stop broadband companies from dragging their heels so that all residents and businesses can enjoy the services that they ought to have?

Mr Whittingdale: I fully appreciate the wish of my hon. Friend that her constituents should have access to superfast broadband as soon as possible. We are making extremely good progress on phase 2. We have already passed an extra 3.3 million premises, and that will rise to 4 million by early 2016. By the end of phase 2, we expect to have achieved 97% coverage in my hon. Friend's constituency. We will then work hard on the remaining small number of houses, which will have the possibility of the universal service obligation to rely on.

Albert Owen (Ynys Môn) (Lab): Those of us who are long and strong advocates of universal service welcome the Government's U-turn on this matter. Only a few weeks ago, I was told by the Minister for Culture and the Digital Economy that this was not possible, and it was not Government policy. I will be taking part in the consultation, but will there be any new Government money from the UK, the Welsh Government or the European Union?

Mr Whittingdale: I would be extremely surprised if that was what my hon. Friend said, as he has been a leading advocate of the universal service obligation policy, which will benefit all the hon. Gentleman's constituents, just as it will every other household in the country. The precise details of how the universal service obligation will work are still to be worked out, and that will obviously include how it will be paid for, and we shall be consulting on that over the coming year.

Ms Margaret Ritchie (South Down) (SDLP): Given the report that was published this week by Ofcom, which illustrated the differences in broadband speed in Northern Ireland and the fact that Northern Ireland has 73% coverage compared with 88% in the rest of the United Kingdom, what action will the Secretary of State and his officials take to address this matter?

Mr Whittingdale: I believe that the Ofcom report showed different possible causes for slower broadband, including, I am told, Christmas fairy lights. That is why it is making available an app to measure the speed of wi-fi. I can tell the hon. Lady that in Northern Ireland we expect that by the end of the superfast broadband project 87% of homes and businesses will be covered. The Northern Ireland Government have received £11.4 million from Broadband Delivery UK for the project.

18 [902546]. **Jack Lopresti** (Filton and Bradley Stoke) (Con): In some easily accessible areas in my constituency superfast broadband is extremely economically viable; BT has received a huge amount of subsidy since 2010. Does my right hon. Friend agree with me that this is unacceptable and will he meet me to see what we can do to get this right and solve the problem of accessibility?

Mr Whittingdale: We are making good progress, as I have already mentioned. We are optimistic—indeed, confident—that we will achieve the 95% target by the end of 2017. That still leaves some difficult areas. I will, of course, be happy to meet my hon. Friend to discuss what more we can do to ensure that all his constituents can benefit from superfast broadband.

Rob Marris (Wolverhampton South West) (Lab): What steps is the Secretary of State taking with other Departments to enforce broadband speeds? These questions are about superfast broadband, but what constitutes “superfast” on the ground, as it were, is a matter of great dispute. Many providers say that they provide speeds of “up to” a certain number. What enforcement steps is he taking?

Mr Whittingdale: I have sympathy with the hon. Gentleman’s concern that advertised speeds are not delivered in practice. We talk regularly with Ofcom about that matter. Ofcom is carrying out detailed research and, as I mentioned earlier, making available an application that will allow consumers to test whether they are achieving those speeds. The universal service obligation, to which the question refers, that is coming into place will require all providers to be able to supply at least 10 megabits—the speed that Ofcom currently assesses as necessary for someone to be able to enjoy most normal applications.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Five years after abandoning Labour’s universal service commitment and having delayed his own super-slow crawl-out at least three times without proper consultation with either Ofcom or the industry, the Prime Minister magics a universal service obligation out of thin air. The Minister for Culture and the Digital Economy, with whom I have the deepest sympathy, is forced to pretend that it is part of some strategy that has not been published or even consulted on. The Chancellor, however, is not in on the trick: the comprehensive spending review does not mention the issue once. Does the Minister have any idea of how much the obligation is going to cost—or is it just a sop to his Back Benchers whose mailbags are bulging with complaints about broadband?

Mr Whittingdale: That was a good try by the hon. Lady, but in actual fact we have been making extremely good progress. The superfast scheme has now passed an extra 3.3 million homes and we will achieve 95% by the end of 2017. The universal service obligation is to allow those few remaining households who do not benefit to have a legal right to require broadband. As to the costing, we are in discussion with the industry about that and we will consult on it. We look forward to hearing all inputs to the consultation, including the hon. Lady’s.

Access to Culture and the Arts

2. **Paula Sherriff** (Dewsbury) (Lab): What steps he is taking to improve access to culture and the arts for more disadvantaged communities [902529].

The Minister for Culture and the Digital Economy (**Mr Edward Vaizey**): I am grateful to the hon. Lady for this question about the important issue of improving access to culture and the arts for people from disadvantaged communities. I was delighted with the Chancellor’s

autumn statement, which did not cut funding for the arts and heritage. That will be welcomed very much by Labour Front Benchers, who were predicting doom and gloom. There are a number of schemes that help disadvantaged people, but I want to work on the issue for my White Paper in the new year.

Paula Sherriff: The Arts Council will have more than £1.5 billion to support the arts over the next three years. GPS Culture has calculated that 43% of that will be invested in London—a spend of £81, compared with just £19.80 per head for the rest of the country. Frankly, people in Dewsbury, Mirfield and the rest of Yorkshire feel let down. Will the Minister take action to rebalance funding between London and the regions to ensure that everyone, including those from disadvantaged communities, gets access to culture and the arts?

Mr Vaizey: My understanding is that tonight in Dewsbury there will be a fantastic free arts event for families at Crow Nest park funded by the Arts Council. The creative people and places fund targets funding outside London. More than half of the multimillion-pound Grants for the Arts programme goes to a quarter of the most deprived areas in England. The Arts Council is doing a lot. We are doing a lot more than was done under the last Labour Government. We have massively increased the funding that goes outside London, which Labour never addressed.

Mr Philip Hollobone (Kettering) (Con): Last Saturday evening, my family and I attended the Kettering gang show at the Lighthouse theatre in Kettering, organised by the local Kettering scouts. It was a fantastic show. Given that the scouts do so much very good work with boys and girls in disadvantaged communities throughout this country, will the Minister take this opportunity to praise the scout movement for how it encourages young people to get involved in the arts?

Mr Vaizey: I would love to take this opportunity to praise the scout movement and all the volunteers and voluntary organisations that do so much for the arts. Their contribution should not be forgotten; we should not simply look at those organisations that are funded by the Arts Council.

John Nicolson (East Dunbartonshire) (SNP): On the issue of disadvantaged communities and their languages, the Gaelic language is the most endangered in these islands. Why, therefore, in the autumn statement did the Government withdraw their total direct UK funding of £1 million, and can I ask him to reconsider?

Mr Vaizey: As the hon. Gentleman knows full well, there were two one-off grants in the last Parliament to support that important work, and those contributions have made a valuable difference, but they were not annual grants stretching way back into the past. They were two one-off grants strongly supported by the then Chief Secretary.

Nigel Huddleston (Mid Worcestershire) (Con): Does the Minister agree that the £40 million commitment from the Discover England fund will also help to promote arts and culture across Britain?

Mr Vaizey: Yes, I do, and it is extremely important that that fund is co-ordinated with the arts and heritage funding that the Chancellor has kept stable for the next five years. If we combine the funding for arts, heritage and tourism, we can generate some meaningful interventions across the UK.

Michael Dugher (Barnsley East) (Lab): The Government's official annual figures, "Taking Part", published in July, show a marked decline in the percentage of young children participating in key activities including dance, music, theatre, drama, arts and crafts. In 2010, on average, more than 50% of five to 10-year-olds took part in those activities: it is now just 30%. Is it not the case that under this Government access to arts and culture has undeniably gone backwards, and it is disproportionately disadvantaged communities and working-class kids who lose out the most?

Mr Vaizey: Our museums have never received more visitors and our arts organisations are thriving. Rather than criticising the arts, this is the hon. Gentleman's opportunity to apologise for the appalling scaremongering he undertook last month, claiming that the arts would be cut by 30%. He should apologise now at the Dispatch Box.

Michael Dugher: It is an odd request to be asked to apologise for the Government's figures, but I am more than happy to highlight their poor performance. I shall give him some more figures—not scaremongering, but real figures. Recent research by Ipsos MORI revealed that 70% of children of non-graduate parents spend fewer than three hours a week on cultural activity. That compares with 80% of children of graduate parents who spend more than three hours. Last week's spending review, which the Minister mentions so much, means that the Department for Culture, Media and Sport will face a 5% real-terms cut, and the central grant for local government is being cut by a massive 56%—a £6.1 billion reduction by 2019-20, which is not exactly a cause for a circuit of honour. What assessment has the DCMS made of the impact of local government cuts made by the Government on libraries, museums, galleries and theatres that all rely on local councils?

Mr Vaizey: I take the issue of access to arts by all our communities very seriously, which is why I support all the schemes that the Arts Council is undertaking. But again, the hon. Gentleman can make a difference. He does not have to feel powerless on the Opposition Benches: he can ring up Labour Lancashire now and ask why it is withdrawing all its funding from all its museums.

Broadband Grant Vouchers

3. **Antoinette Sandbach** (Eddisbury) (Con): What assessment has his Department made of the rate of take-up of broadband grant vouchers by small and medium-sized businesses. [902530]

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): I am grateful for the chance to address this important issue, and I am delighted that more than 50,000 firms in the UK have taken advantage of our broadband connection vouchers, as well more than 1,000 public buildings.

Antoinette Sandbach: My constituents in Eddisbury will have connections below the Cheshire average for superfast broadband. What steps can be taken to ensure that Connecting Cheshire will prioritise better superfast broadband access for rural businesses and residents in Eddisbury?

Mr Vaizey: My hon. Friend is a fantastic advocate for broadband and for her constituency. I am very pleased that almost half of her constituency will benefit from our superfast broadband roll-out—almost 15,000 homes in her constituency have already been passed, but by the time the project is finished more than 30,000 will have been passed.

Neil Carmichael (Stroud) (Con): There will not be many successful business parks where the highway stops short of the park and people have to get out of their cars and walk the rest of the way. Can we apply the same logic to another important highway—broadband—and make sure that business parks are properly connected so that small businesses can thrive and prosper?

Mr Vaizey: There is no reason why business parks should not be part of the superfast broadband roll-out programme. It is also important that business park owners, who charge rents and provide services to their tenants, get on board and ensure their tenants have broadband.

Broadband Universal Service Obligation

5. **Lucy Allan** (Telford) (Con): When he plans for a broadband universal service obligation to be in place. [902532]

The Secretary of State for Culture, Media and Sport (Mr John Whittingdale): As the Prime Minister announced, people will, by the end of this Parliament, have a legal right to request a broadband connection, no matter where they live, from a designated provider, at a minimum speed, up to a reasonable cost threshold. We will consult on those plans in early 2016.

Lucy Allan: I thank the Secretary of State for meeting me and being so patient about my many queries on this issue. Telford residents in the Trench Lock and Lightmoor new-build areas, and residents of historic Ironbridge, tell me that they struggle daily with inadequate broadband. When can they expect the same, increased connectivity as other people across the UK?

Mr Whittingdale: The Telford and Wrekin project is set to deliver superfast broadband access to 98% of homes and businesses by the end of phase 2 in 2017. My hon. Friend is absolutely right to press us to ensure that the few remaining constituents of hers who do not have such access obtain it. From this month, they will have a right to a basic broadband service of 2 megabits per second, and will be able to take advantage of the universal service obligation when it comes into effect.

16. [902544] **Michael Tomlinson** (Mid Dorset and North Poole) (Con): I welcome the Secretary of State's statement, but will he assure me that the pace of the

roll-out will be increased so that businesses in my constituency, such as Excel Group in Wareham, can have fibre access?

Mr Whittingdale: We will achieve the 95% target by the end of 2017, when the contractual arrangements we have achieved will enable us to invest more in going beyond that. We will be putting in place the universal service obligation, which will benefit my hon. Friend's constituents and those of all other Members.

Mr David Nuttall (Bury North) (Con): It is all very well having the universal service obligation, and I urge that it be introduced as quickly as possible, but the key question is the definition of "affordable" or "reasonable". Will the Secretary of State confirm that when it is introduced my constituents will be able to afford what the providers offer?

Mr Whittingdale: The universal service obligation is a safety net to benefit those few remaining people who have been unable to access superfast broadband. We are consulting on the precise details, including the costing, and we are discussing with industry how that will be met. I assure my hon. Friend that it is intended that it should be affordable to his constituents and those of all other Members.

Football Supporters Associations

6. **Henry Smith** (Crawley) (Con): What recent discussions he has had with football authorities on the voluntary and community work of supporters associations.
[902533]

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): I have regular discussions with the football authorities on a variety of issues, including the work of supporters associations. The expert working group set up by Government has been looking at building on supporter engagement. I have received a copy of its report, which will go to the football authorities for approval by their boards.

Henry Smith: Will my hon. Friend join me in paying tribute to Crawley Town supporters alliance for its charity work through the Crawley Kicks project for young people, and for raising funds for Chestnut Tree House children's hospice in Sussex?

Tracey Crouch: I share a TV region with my hon. Friend, so I also follow the ups and downs of his club. It is nice to be able to congratulate Crawley Town supporters alliance on their admirable community work. Supporters groups up and down the country make a hugely valuable contribution to their communities, as well as raising funds for their club. Football clubs are stronger when working with, and in the best interests of, their supporters.

Ian Lavery (Wansbeck) (Lab): The Northern league was founded in 1889 and is the second oldest football league in the country. It could not have survived without the dedication and commitment of supporters and volunteers. A shining example of that is Mr Mike Amos, the chairman of the Northern league, who is retiring this year after 20 years. Like many other volunteers in non-league football across the country, he has done a

fantastic job. Will the Minister join me in thanking the likes of Mr Amos for their dedication and commitment, and wish him and his family the very best for the future?

Tracey Crouch: Football is nothing without its fans, its volunteers and the communities that it works in. It is important that we celebrate and honour those who dedicate their lives in a variety of different ways to football, so I join the hon. Gentleman in congratulating Mr Amos on all that he has done to serve the Northern league.

Damian Collins (Folkestone and Hythe) (Con): Will the Minister say when the report from the expert working group will be published? We were hoping that it would be published at the end of last month. While the arrests in Zurich this morning highlight the problems in the governance of world football, there are still many concerns about the governance of football in this country, too.

Tracey Crouch: I can certainly give an indication about when I expect the report. If anything, I owe the hon. Member for Eltham (Clive Efford) an apology, because in my response to this question last time, I said that it would be published before his Bill comes before the House tomorrow. I have received a copy of the report. It has been done by football for football, so it is only right that the football authorities that need to look through it are given the opportunity to do so. I expect that to be done within the next three weeks and that the report will be published in January.

Sports Strategy

7. **Ruth Smeeth** (Stoke-on-Trent North) (Lab): When the Government plan to publish their new sports strategy.
[902535]

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): I plan to publish the new cross-departmental strategy for sport and physical activity before Christmas.

Ruth Smeeth: The Department's own "Taking Part" figures show that children's participation has dropped under this Government. The number of five to 15-year-olds playing competitive sport outside school has dropped 19%. Given that my city, the great city of Stoke-on-Trent, has been awarded European City of Sport for next year, when are the Government going to give us some detail, stop talking and start delivering so that my constituents can get the most out of next year?

Tracey Crouch: The hon. Lady has to wait only a very short time to see what the Government will be doing to deliver a brand-new policy on sport. Making sure that children participate in sport at a very early age is incredibly important. We know that if children develop the habit of sport at a very early age, it is something that they will continue. If she can bear with us for a few more days, I hope that she will get the answer to her question in more detail.

Paul Maynard (Blackpool North and Cleveleys) (Con): I know that the Minister is very keen on increasing participation in sport. Is she aware of the work of Wheels for All, a Lancashire charity which allows cycling

for those with a disability? It is concerned that its activity levels are not being included in the Government's activity survey because it does not count as sporting. There is too much focus on elite paralympic sport and not enough on activity levels that benefit the disabled community.

Tracey Crouch: My hon. Friend makes a really good point. The previous sports strategy relied on only two crude measurements around participation and medals. As I have indicated during previous discussions in the House, the new sports strategy will look beyond those two measures to see what social value sport brings to the community. That of course will mean that nobody should be prevented from participating in sport or any kind of physical activity.

Jim Shannon (Strangford) (DUP): Any new strategy should involve the participation of more ladies and girls but must also address obesity, particularly at primary school level. Can the Minister say what discussions she has had with our Health Minister to address that issue?

Tracey Crouch: I can reassure the hon. Gentleman that I regularly meet Ministers across all Departments, but especially Health and Education Ministers. The new sports strategy is cross-departmental and will deal with many different issues. We will ensure that it aligns carefully with what the Department of Health is doing in the long term to combat obesity and childhood obesity.

Mr Speaker: Paul Farrelly. Not here.

Horserace Betting Levy

9. **Mr Laurence Robertson (Tewkesbury) (Con):** What progress he has made in reforming the horserace betting levy. [R] [905237]

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): May I first draw the House's attention to the written statement in the name of the Secretary of State for Culture, Media and Sport that was laid in Parliament this morning and confirms that the 55th levy has now been set? Despite this, the Government remain committed to replacing the current levy system to create a level playing field for British-based and offshore gambling operators. Work is continuing and we will make a further announcement in due course.

Mr Robertson: I am grateful for that response. One of the proposals put to the Minister by the sport of racing is for a racing right. Will she say what work the Government have done in considering the proposal, whether she needs further detail from the industry and what timescale we are talking about?

Tracey Crouch: The previous Government undertook three consultations and we are committed to replacing the outdated levy. Work is continuing and more detailed policy design is under way. We will make a further announcement in due course.

George Kerevan (East Lothian) (SNP): There is growing concern in the five racecourses in Scotland, including Musselburgh in my constituency, regarding the delay in introducing the new horseracing right. May I press the Minister for some form of timetable so that the racecourse industry knows where it is?

Tracey Crouch: Reform of the levy is an incredibly detailed piece of work and we want to ensure we get it right. It is important for everybody involved that we ensure that racing, a huge economic contributor to the UK economy, continues to be strong. We therefore want to ensure we do things appropriately.

Philip Davies (Shipley) (Con): I should make people aware of my entry in the Register of Members' Financial Interests. The total prize money fund for horseracing in the UK is £130 million, and, in one form or another, bookmakers hand to racing almost £200 million—nearly 50% more than the total prize money. Is it not fair to say that bookmakers pay a fair price for the racing product, and was it not irresponsible of the racing industry to turn down the extra millions of pounds on offer to it in the recent levy negotiations?

Tracey Crouch: I thank my hon. Friend for that question. I know he takes a keen interest in this matter. I assure him that discussions on the levy, including the voluntary contribution, took place, as the Secretary of State's written statement today makes clear. There is an issue with offshore remote gamblers not contributing from the statutory perspective, and that requires reform. We are therefore looking at it in close detail.

Clive Efford (Eltham) (Lab): It is two years since Labour forced the Government to commit to introducing a racing right to ensure that racing gets a fair return on all forms of betting based in the UK. It is estimated that the industry is missing out on £30 million a year. I press the Minister again: when can we expect a conclusion to the discussions on the horseracing right, and what discussions has she had with the industry about a sports betting right for all sports, which the last Labour Government initiated, that can be reinvested in grassroots sport?

Tracey Crouch: I have already answered the question about the timeframe. We must look at this in detail and an economic evaluation is taking place. The Government have no plans to introduce a sports betting right. The new model for horseracing will replace an existing arrangement for transferring funds from betting to horseracing.

Mobile and Broadband Coverage: Rural Areas

10. **Daniel Kawczynski (Shrewsbury and Atcham) (Con):** What steps the Government have taken to improve mobile phone reception and broadband service in rural areas. [902538]

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): I am thrilled with the progress we are making on broadband and mobile coverage. [Laughter.] Labour Front Benchers like to mock me, but I want to tell you, Mr Speaker, about the International Telecommunication Union, which states that the UK has risen from 10th to fourth in the broadband rankings, overtaking Sweden, overtaking Holland, overtaking Hong Kong and overtaking Finland. The broadband European scorecard, published this week, showed that once again we are at the top of the EU big five. That is progress.

Daniel Kawczynski: Yes, progress indeed—but I am interested in Shropshire, which I represent and where issues remain outstanding. I very much hope that the Minister will give me some assurances about the work to improve coverage in Shropshire and to reform the electronic communications code.

Mr Vaizey: Broadband roll-out in Shropshire is now exceeding the number of Michelin stars. Almost 12,000 homes in my hon. Friend's constituency have been passed by our broadband programme, and we will get to 92% of his constituency. We will reform the electronic communications code to make broadband roll-out go even faster, especially when we introduce our universal service obligation.

15. [902543] **Ian Blackford** (Ross, Skye and Lochaber) (SNP): A report published by Ofcom in August found that 24% of Scotland's landmass had no mobile signal, and the highlands and islands continue to be the worst areas for 3G coverage in the UK. The 4G mobile option took no account of Scottish Government proposals to set coverage requirements for each local authority. What steps is the Minister taking to ensure connectivity across all parts of the UK with 5G licences? Does he agree that 5G may be part of a solution to provide superfast broadband in rural areas?

Mr Vaizey: I have to say that 5G is some way off, but I am pleased that we are investing in the research. The hon. Gentleman may be looking at our plans to clear the 700 MHz spectrum, which will provide even better mobile coverage, but I know that he will rise with me to applaud the licence deal that we did with the mobile operators to get 90% geographical coverage around the UK by the end of 2027, with his interests firmly in our hearts.

Welsh Language

11. **Glyn Davies** (Montgomeryshire) (Con): What plans he has to promote and strengthen the Welsh language. [902539]

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): Well, what can I say, except that we are committed to the Welsh language? We are committed to providing Government services in the Welsh language, and we are firmly committed to S4C.

Glyn Davies: Does my hon. Friend agree that S4C plays a key role in promoting the Welsh language in Wales? Does he understand that the widespread disappointment that people in Wales feel about the DCMS contribution was significantly reduced in the autumn statement?

Mr Vaizey: I am afraid that my glass is half full on this one. We secured £83 million of funding for S4C in 2012-13, and that funding remained broadly stable for the lifetime of that Parliament. Even now, if we take into account the contribution made by BBC News, S4C will receive a guaranteed income of some £90 million a year. That is guaranteed income, which any other media company—obviously, apart from the BBC—would cry out for.

Ian C. Lucas (Wrexham) (Lab): But S4C is the only Welsh language channel. It is a national treasure for the United Kingdom. If the Government really have a commitment to the Welsh language, they need to stop cutting the income of the only Welsh language TV channel that we have. Will the Minister please reconsider?

Mr Vaizey: S4C was brought in by a Conservative Government. S4C has been supported by Conservative Government. S4C will continue to be supported by a Conservative Government; but unfortunately, we have had to make difficult decisions about funding across all areas of Government spending, because of the catastrophic mess left by the Labour Government.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): In its general election manifesto, the Conservative party promised to safeguard the funding of S4C; yet last week, the comprehensive spending review outlined a further cut of 26% in the UK Government's support for S4C. Is the Minister aware of his Welsh history and what happened the last time the Tories broke their promise in relation to S4C? Will he now consider the need to ensure that S4C is adequately resourced?

Mr Vaizey: As I keep repeating, S4C is adequately funded. It is extremely generously funded. It is generously supported by the BBC. It will continue to receive a generous grant from my Department. It is more generously funded than any other media organisation in terms of the number of viewers that it receives.

Topical Questions

T1. [902518] **Jason McCartney** (Colne Valley) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Culture, Media and Sport (Mr John Whittingdale): Since the last Culture, Media and Sport questions, Adele's new album "25" has enjoyed record-breaking chart success, the latest Bond film continues to do excellent business, we concluded our hosting of a tremendous rugby World cup and, of course, Great Britain has won the Davis cup, but we have seen the ability of sport to bring people together in an incredibly powerful and moving way at the England-France game at Wembley. The positive impact of the many areas sponsored by my Department on our economy, culture and general wellbeing were recognised and reflected in the spending review.

Jason McCartney: Will the Secretary of State join me in congratulating rugby league star Kevin Sinfield on being shortlisted for the BBC sports personality of the year award? Following the autumn statement, will he say how the Government are supporting the sport of rugby league and, in particular, the bid for the rugby World cup in 2021?

Mr Whittingdale: I would, of course, like to congratulate all 12 contenders for the sports personality of the year award. However, hon. Members might be aware that there are some fans of Leeds Rhinos in the Department, one of whom is not sitting a million miles away from me, and I am sure that she will be very vocal in supporting Kevin Sinfield. However, with regard to the rugby league

World cup, when we hosted the competition two years ago, it drew more than 450,000 fans and generated an estimated £9.6 million. Officials are due to meet the rugby league next week to discuss its proposed 2021 rugby league World cup bid.

T6. [902524] **Marion Fellows** (Motherwell and Wishaw) (SNP): The Immigration Bill seems to make it harder and harder for people in the creative industries, like all others, to work with people across the globe. Has the Secretary of State considered the benefits to our creative industries of a new short-term visa, and will he speak to the Home Secretary about the possibility?

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): The hon. Lady raises an important topic. We have a close relationship with the Home Office and keep in close contact with it in on this important issue. Working with organisations such as Tech City UK, we have reformed immigration rules to allow people with the right kind of high-level skills to enter the country and work in our creative industries, and we will continue to work with the Home Office on the issue.

T2. [902519] **Lucy Allan** (Telford) (Con): The Minister will be delighted to know that last night, Telford Town Park was announced as the UK's best park. Will she join me in congratulating all those involved, particularly in Hollinswood and Randlay Parish Council, Friends of Telford Town Park and Telford and Wrekin Council, for the important work that they do?

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): This is excellent news for the people of Telford, and I congratulate everyone involved on winning the best park award. Urban parks are vital in providing opportunities for people to get active in the fresh air, and it is important that we protect them for the benefit of local communities.

T3. [902520] **Peter Grant** (Glenrothes) (SNP): As we come to within two days of Small Business Saturday, the Secretary of State will be aware that Channel 4 currently works with more than 350 production companies, including a large number of small and medium-sized businesses. Can he assure us that in the event of any privatisation of Channel 4, the livelihood of those important small businesses will not be threatened by the desire to centralise and rationalise to save money?

Mr Whittingdale: I share the hon. Gentleman's admiration of Channel 4's work in supporting our creative industries. I am concerned to ensure that Channel 4 continues to have a sustainable and viable future and deliver its remit. With regard to the possible ownership structures, no decisions have been taken, but we are examining a number of different options, including the one put forward by Channel 4 management. Whatever decision we reach will be designed to ensure that Channel 4 continues to make a considerable contribution to our creative economy.

T4. [902522] **David Rutley** (Macclesfield) (Con): I am grateful for the work that is currently being undertaken to review the case for greater integration of outdoor recreation in the current sport strategy. What steps are

being taken to promote outdoor recreation, to further boost domestic and international tourist activity in rural areas in Macclesfield and across the country?

Tracey Crouch: Outdoor activity is a hugely important part of the tourism offer in rural areas across the whole UK, and the total annual tourism spending attributed to leisure activities is phenomenal. It is of course a key strand of the new strategy, and as tourism Minister I can say that it links in nicely with some of our other activities.

T9. [902527] **Mr Douglas Carswell** (Clacton) (UKIP): There is mounting evidence that the BBC and its licence fee are inhibiting local newspapers' ability to develop online. If the Secretary of State is to water down his previous antipathy to the licence fee, will he at least prevent it from being used in a way that hurts non-licence fee-funded local media?

Mr Whittingdale: I share the hon. Gentleman's concern about local newspapers, which play a vital role in local democracy. I welcome the fact that discussions have been taking place between local media groups and the BBC to determine what the BBC might do to assist local newspapers. I understand that very good progress has been made, and I hope that the BBC will therefore be able to play its part in recognising the contribution that local newspapers make to news provision and giving them some recompense for that.

T5. [902523] **Scott Mann** (North Cornwall) (Con): With the highly successful Westminster gaming event having taken place earlier this month, does my hon. Friend the Minister agree that computer programming and gaming are viable career options for many young people in our rural communities?

Mr Vaizey: I certainly agree with my hon. Friend, who makes an excellent point about not only the fantastic broadband roll-out in Cornwall, but the south-west's fantastic games economy, regarding which we can talk about companies such as the Engine Room, Auroch Digital and Opposable Games. As a strong supporter of games and a successful roller-out of broadband, I wholeheartedly agree with both elements of his question.

Mr David Hanson (Delyn) (Lab): I cannot let the Minister get away with his comments about S4C. In May, the Conservatives' manifesto said that they would safeguard the funding of S4C. How does the Chancellor's statement last week safeguard the funding of S4C along the lines of that manifesto commitment?

Mr Vaizey: S4C will continue to receive funding from DCMS and the BBC, and it will continue to be the most generously funded media company in the country in terms of the number of viewers that it gets.

T7. [902525] **Amanda Milling** (Cannock Chase) (Con): In September, a new memorial to the miners who lost their lives in the local pits was unveiled in Rugeley. On Saturday night, one of the four statues was severely damaged by a driver who crashed into it and fled the scene. Will my right hon. Friend the Secretary of State join me in condemning the action of this callous

individual and tell me whether any Government support is available for the repair, maintenance and renewal of local memorials?

Mr Whittingdale: I entirely share my hon. Friend's feelings. I was concerned to hear about the damage to the memorial to the miners who lost their lives, especially as it came so soon after more than 2,000 people lined the town's streets for its unveiling in September. I am sure that the whole House will join my hon. Friend in condemning the actions of the person responsible. I can tell her that my Department administers the memorial grant scheme. If a registered charity is responsible for the care of the memorial, it will be able to benefit from a refund of VAT paid on repair work.

Diana Johnson (Kingston upon Hull North) (Lab): If the Government are really serious about opening up culture and the arts to disadvantaged communities, will the Secretary of State explain to my constituents why £150 million was announced for London museums in the comprehensive spending review and there is £100 million for a new arts complex in Battersea, yet Hull, which is the 2017 UK city of culture, is getting a share of £1 million allocated by the Chancellor? How does that work?

Mr Vaizey: I have been to Hull twice now to find out what is going on, and it is fantastic to see the improvements—[*Interruption.*] Labour Front Benchers can mock what is going on there, but the people of Hull will see those Members laughing at their efforts to produce a great capital of culture.

The hon. Lady does not mention the £78 million for the Factory in Manchester. She does not point out that the intention of the £150 million to get storage out of Blythe house is to get objects away from London and out to the regions. I welcome Hull, even if Labour condemns it as the capital of culture.

Mr Speaker: The Minister is an exceptionally excited fellow this morning. I do not know what he or the hon. Member for Wolverhampton South West (Rob Marris) had for breakfast, but I shall probably take care to avoid it.

T8. [902526] **Paul Maynard** (Blackpool North and Cleveleys) (Con): The Minister will be aware of the campaign by the Public Monuments and Sculpture Association to safeguard sculpture in the outdoor realm either from removal or from being sold off. This is a worthwhile cause, so what can the Government do to safeguard and support public sculpture?

Mr Vaizey: I feel strongly about this issue, Mr Speaker, but I shall try not to get too excited about it. I was pleased to secure the future of the Henry Moore sculpture on Abingdon Green, as well as to campaign to keep a Henry Moore sculpture from being sold by Tower Hamlets and to prevent a Hepworth sculpture from being sold by a shopping centre, so I will support any public campaign that keeps a sculpture where it is meant to be.

Several hon. Members *rose*—

Mr Speaker: Last but not least, I call Greg Mulholland

Greg Mulholland (Leeds North West) (LD): I, too, am delighted by the nomination for BBC sports personality of the year of Leeds Rhinos legend, Kevin Sinfield, who is now of Yorkshire Carnegie, and I am equally delighted by the nomination for Otley cycling world champion, Lizzie Armitstead. Given the popularity of cycling, will the Department and the Government get behind making the Tour de Yorkshire a four-day event so that we can build on its huge success last year?

Mr Whittingdale: As I said earlier, I congratulate all those who have received nominations for BBC sports personality of the year. It is a testament to how many successful sportsmen and women we have in this country that this year's line-up is so strong. I am strongly aware of that cycling tournament in the north and we will certainly consider that.

LEADER OF THE HOUSE

The Leader of the House was asked—

Sitting Hours

1. **Martyn Day** (Linlithgow and East Falkirk) (SNP): If he will bring forward proposals to reform the sitting hours of the House. [902508]

6. **Will Quince** (Colchester) (Con): What assessment he has made of the potential benefits to the House of Commons of it sitting at 9:30am on Tuesdays and Wednesdays. [902513]

The Deputy Leader of the House of Commons (Dr Thérèse Coffey): Sitting hours are decided on by the House. They are regularly reviewed by the Procedure Committee and decisions are made by hon. Members based on the options recommended following consideration of the relevant evidence. I say to hon. Members who want change that although this matter was decided on in the last Parliament, there is no reason why they cannot make representations to the Procedure Committee for further consideration.

Martyn Day: Our staff have to be here at unreasonable, family-unfriendly hours. May I ask the Deputy Leader of the House what we are doing to ensure their health and wellbeing, and to be a considerate employer?

Dr Coffey: I do not speak on behalf of the Commission, but it is my understanding that the House is a very proactive employer in managing health and safety, and appropriate conditions for staff. Of course, we are employers of our own staff directly, and it is for us, as their managers, to ensure that they have appropriate conditions.

Will Quince: I thank my hon. Friend for those remarks, and I will take that advice. Does she agree, however, that starting at 9.30 on Tuesdays and Wednesdays would not only make the House more family-friendly, but allow some Members to see their family and children of an evening?

Dr Coffey: My hon. Friend makes a valuable point. These matters were debated extensively, and I think it is fair to say that there are probably 650 different opinions on what constitutes something family-friendly. Nevertheless,

one of the important things that Standing Orders of the House do is ensure that all hon. Members have the chance to come to Question Time. He will recognise that the sitting hours of the Chamber are not necessarily the sitting hours of Committees and other such meetings. All these things need to be brought into the round.

Greg Mulholland (Leeds North West) (LD): We need to remember the need for schools to come and visit on Tuesday mornings before we make rash decisions based on the interests of MPs based in the south-east.

Does the hon. Lady agree that some of the coverage about the possibility of moving private Members' Bills from Friday to Tuesday was absolutely ludicrous? Frankly the busiest and hardest-working day for most constituency MPs is Friday, when we are in our constituencies. We should be able to do that every week, and therefore look at dealing with private Members' Bills on Tuesday evening.

Dr Coffey: The hon. Gentleman will know that this option was considered by the House in the last Parliament, and there was a vote on it. At the time, hon. Members decided not to pursue that option. Again, the debate can still be had.

Philip Davies (Shipley) (Con): For debates on assisted dying and the European Union Referendum Bill, more than 300 people appeared here on Fridays. If people want to turn up on a Friday, and the issue is important enough, they are perfectly capable of doing so. Does my hon. Friend agree that, if people want a 9-to-5 job, there are plenty of them available, and they should apply for one rather than be a Member of Parliament?

Dr Coffey: I should say that "9 to 5" is one of my favourite songs by the great Dolly. My hon. Friend is an advocate of many causes on Fridays, and I think he makes a fair point about hon. Members picking issues of significant interest that have attracted Members to stay here. Daylight saving is one example, as is assisted suicide, which has been mentioned, and there are other such matters on which hon. Members will find time to be here. It is for hon. Members to decide how they wish to fulfil their role, including in relation to the introduction of private Members' Bills.

English Votes on English Laws: Divisions

2. **Andrew Bridgen** (North West Leicestershire) (Con): What progress has been made on preparations for the first divisions of the House which will follow the new Standing Orders on English Votes on English Laws [902509]

The Deputy Leader of the House of Commons (Dr Thérèse Coffey): Preparations for the first Divisions under the new Standing Orders have been under way for some time. The House authorities and the Government have worked together to put in place arrangements for the Divisions, including the use of tablets to assist in the recording of double majority votes. Hon. Members who were here in the last Parliament will have seen the use of iPads as a test ground for that.

Andrew Bridgen: I thank my hon. Friend for that answer. Will she confirm that, going forward, every MP from every part of the UK will still be able to debate

and vote on every piece of legislation in the Commons, and make it clear that the accusation that this will create two tiers of MP is simply not true?

Dr Coffey: I agree with my hon. Friend that every Member in this House will continue to debate on Second Reading, during various elements of Committee and Report stages, and on Third Reading. It is simply the policy that we have successfully introduced that, when it comes to matters that are devolved and that affect England or England and Wales only, it is crucial that measures have the explicit consent of the MPs from those nations involved.

Ian C. Lucas (Wrexham) (Lab): If we are to have English votes for English laws, why, on non-devolved matters that particularly affect Wales, such as the future of S4C, can we not have Welsh votes for Welsh laws, with double majority votes for MPs from Wales?

Dr Coffey: We were very careful, in our proposals, to ensure that every Member could continue to debate and vote on matters, even if they affected only England. We are still the United Kingdom Parliament, and the Welsh Assembly was established to deal with devolved matters. The hon. Gentleman recognises that, as do we.

Prime Minister's Questions

3. **Mr Peter Bone** (Wellingborough) (Con): If he will bring forward proposals for Prime Minister's questions to take place on Tuesdays and Thursdays in each week. [902510]

The Leader of the House of Commons (Chris Grayling): I sense a new campaign from my hon. Friend, but I am afraid there are no plans to change the current arrangements.

Mr Bone: I take that as a nod and a wink to start a campaign—I appreciate the Leader of the House's subtlety. We should go back to having two sessions of Prime Minister's questions. This week, PMQs was lost, quite rightly, but if we had two sessions, the Prime Minister would at least have been here once, and he is the servant of the House, not a President. Will he encourage me a bit more to start that campaign?

Chris Grayling: I fear not. The practical problem is that, if Prime Minister's questions take place on a Tuesday and Thursday, it would be difficult for the Prime Minister to represent Britain internationally. On the whole, I think that the full session on a Wednesday strikes the right balance. I regard yesterday's decision to postpone questions for the week as something that would happen only in exceptional circumstances. In my view, we should stick with the current arrangements.

Pete Wishart (Perth and North Perthshire) (SNP): Has the Leader of the House had an opportunity to consider my suggestion to limit to 10 minutes the exchange between the Prime Minister and the Leader of the Opposition, with no limit on the number of questions that could be asked in that time. Recently, that exchange has been taking up almost half the time available for

PMQs—so that we can hear from Mary from Manchester or Olivia from Oldham. Will he look at this proposal and see whether we can get more Back Benchers in?

Chris Grayling: I have some sympathy with the hon. Gentleman, but I fear it is for the Chair to decide when to accelerate proceedings.

November Recess

4. **Diana Johnson** (Kingston upon Hull North) (Lab): For what reason it is his policy for the House to retain a November recess. [902511]

The Leader of the House of Commons (Chris Grayling): We give careful consideration to how we manage the recesses across the year, but ultimately it is a decision for the House. My colleague the Chief Whip and I are always happy to consider the calendar across the year. We have a November recess because it was originally the time of the Queen's Speech, and there were always two or three days either side for Members to spend time in their constituencies.

Diana Johnson: I appreciate that, but that is the point: it was previously the date of the Queen's Speech, but that now takes place in May. I am still confused, therefore, as to why the Government feel that November is an appropriate time for this recess, especially given that it does not fit with school half terms—if that is what the Leader of the House was thinking: that people could spend time with their families.

Chris Grayling: The November recess is not particularly designed to be family time; it is for Members to spend time on important constituency work. Those who seek to take part in the important business that sometimes takes place here on a Friday will know that it is not always easy to find weekdays to spend in the constituency. It is sensible, therefore, to set aside a few days across the year primarily for constituency work.

Melanie Onn (Great Grimsby) (Lab): Will the Leader of the House explain why the Government have not yet given the dates for the Easter recess, and can he guarantee that they will co-ordinate it with the school holiday and not make the same mistake they did with the November recess? Announcing the date would enable Committees to organise their hearings and MPs would be able to plan their time in their constituencies?

Chris Grayling: We will always do our best to give as much notice as possible, but our prime responsibility, as business managers, has to be to ensure that the Government's business can be delivered across the Session. We will seek to strike the right balance and provide that information as soon as we practically can.

Back-Bench Business

5. **Mr Philip Hollobone** (Kettering) (Con): If he will ensure that debate time for Back-Bench business is safeguarded. [902512]

The Deputy Leader of the House of Commons (Dr Thérèse Coffey): The introduction of the Backbench Business Committee, as part of the Wright reforms, was a great

innovation in the last Parliament. It is for the Committee to schedule business on the days allocated to it in each Session and for the Speaker, Deputy Speaker or Chair of the debate to manage them when they take place.

Mr Hollobone: The Leader of the House has protected Back-Bench business very recently with a scheduled time limit for the debate. What is the policy of the Deputy Leader of the House on doing this? May I encourage her to do it far more often so that Members know when a debate is likely to finish?

Dr Thérèse Coffey: I am not exactly sure of the procedure that my hon. Friend refers to. It is usually at the discretion of the Chair of the Backbench Business Committee to indicate the likely times of debates on each topic if the Committee chooses to split up its days. The concept of injury time for all business was considered by the Procedure Committee in the last Parliament, but the Committee agreed with the then Leader of the House that rendering uncertain the time of conclusion of debates in the House would be undesirable.

Leader of the House: Question Time

7. **Antoinette Sandbach** (Eddisbury) (Con): What assessment he has made of whether oral questions to the Leader of the House is an effective use of parliamentary time. [902514]

The Leader of the House of Commons (Chris Grayling): The oral questions rota is regularly reviewed to ensure that the Government and other answering bodies can be adequately scrutinised, reflecting any machinery of government changes and the quantitative evidence of Members questioning.

Antoinette Sandbach: I am grateful for my right hon. Friend's answer, but there are many important issues that need to be raised. Will he consider whether oral questions to the Leader of the House are the best use of time?

Chris Grayling: I am very tempted by the idea of merging questions to the Leader of the House with business questions, as we seem to cover a lot of the same ground. There are areas of activity where there is a case for allowing more time for scrutiny in the House. I intend to give careful consideration to the matter in the coming weeks. There may well be a case for change.

Tom Purslove (Corby) (Con): Has the Leader of the House made any assessment of whether we ought to have more time to put questions to him, given that today, for example, not all Members' questions on the Order Paper will be reached.

Chris Grayling: I am very much in favour of all Members having the opportunity. It is a matter of ensuring that we make the best use of parliamentary time and have adequate time for scrutiny. If one listens to the topics covered in this short session today, it is not entirely clear to me why we could not take those as part of business questions and make this 15-minute slot available for another topic, such as Scotland or International Development, where there might be a case for an extended session.

Restoration and Renewal

8. **Martin Vickers** (Cleethorpes) (Con): What steps he has taken to assist the work of the Joint Committee on the Palace of Westminster (Restoration and Renewal). [902515]

The Leader of the House of Commons (Chris Grayling): As a member of both the Joint Committee on the Palace of Westminster and the House of Commons Commission, I have been working closely with fellow members of those Committees to ensure that colleagues in both Houses will be able to consider the recommendations of the Joint Committee in the new year.

Martin Vickers: Will my right hon. Friend ensure that the Committee does all it can to contain the costs, while ensuring that the House continues to meet within the confines of the Palace?

Chris Grayling: I agree with my hon. Friend. We have a duty to ensure that we deliver an effective home for our democracy, protect a world heritage site and do that at a cost that is right for the taxpayer. My aim is to avoid a period of change which creates disruption for our colleagues and high cost for the taxpayer, so we are working to find the best balanced solution for all Members.

HOUSE OF COMMONS COMMISSION

The right hon. Member for Carshalton and Wallington, representing the House of Commons Commission, was asked—

Restoration and Renewal: Costs

9. **John Nicolson** (East Dunbartonshire) (SNP): Whether officials of the House have discussed with HM Treasury the potential costs of restoration and renewal of the Palace of Westminster. [902516]

Tom Brake (Carshalton and Wallington): Officials have kept the Treasury informed about the methodology adopted by the independent options appraisal and have taken advice from the Treasury on the treatment of major projects, such as the restoration and renewal of the Palace, in terms of the Treasury's Green Book business case guidance. It would be premature to discuss

the cost of specific options until the Joint Committee on the Palace of Westminster has concluded its work.

John Nicolson: Given that the project will be paid for by the taxpayer, have there been discussions about how the House will liaise with the Treasury about keeping costs under control and how best to provide ongoing scrutiny for Members?

Tom Brake: Clearly, there will be such discussions, given that restoration and renewal will be a costly project. If the hon. Gentleman has strong views, I encourage him to submit evidence to the Joint Committee, which will take evidence until 22 January. I am sure the Committee will want to take his concerns on board.

LEADER OF THE HOUSE

The Leader of the House was asked—

Estimates

10. **Patrick Grady** (Glasgow North) (SNP): What progress the Government are making on reforming the estimates process. [902517]

The Leader of the House of Commons (Chris Grayling): This matter is currently being considered by the Procedure Committee, and I am sure that the hon. Gentleman will wish to communicate his views to its members.

Patrick Grady: We were told during the debates on English votes for English laws that there would be opportunities to debate and amend provisions relating to Barnett consequential during the estimates process. Given that the Chancellor has cut the Scottish Government's revenue budget by 5.7% over the next four years, when in the estimates process will we have an opportunity to debate, amend and vote on that?

Chris Grayling: The House can of course vote on the estimates each year. However, if the hon. Gentleman is looking to have an extended debate, it is within the gift of this House to change its procedures in order to ensure that he has the ability to contribute and vote in the way he wishes.

Overseas Territories Joint Ministerial Council

10.35 am

Mark Durkan (Foyle) (SDLP) (*Urgent Question*): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the meeting of the Overseas Territories Joint Ministerial Council.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): I thank the hon. Member for Foyle (Mark Durkan) for his urgent question, which gives me an opportunity to talk about the excellent work of the Overseas Territories Joint Ministerial Council. The meeting formally concluded late last night, but in reality it will carry on today with a number of bilateral meetings across Whitehall, including with me.

The Joint Ministerial Council is the highest political forum established under the 2012 overseas territories White Paper. It brings together Ministers, elected leaders and representatives from the overseas territories for the purpose of providing leadership and shared vision across the territories.

At this year's meeting we discussed a large range of subjects, including child safeguarding, economic development, financial services transparency, climate change, sustainable energy, education and skills and the challenges of providing healthcare in small jurisdictions. We also discussed sports participation by the overseas territories, pension arrangements with the Department for Work and Pensions, governance and security. We had a very full communiqué establishing how we would work together over the coming year. It has been very successful and I look forward to further meetings later today, following up on some of the commitments made last night.

Mark Durkan: Thank you, Mr Speaker, for granting this urgent question, which I have asked from my perspective as an officer of the all-party group on anti-corruption. I welcome what the Minister has said about what he regards as the success of the council meeting, and I hope that we can see evidence of that in relation to key issues, such as child safeguarding and climate change.

However, in relation to financial services transparency, which is what most concerns us, how satisfied is the Minister that there really has been significant progress on, for example, the signal stance that the Prime Minister has taken against corruption and the strong indications that were made about the criteria set down by the Treasury on the requirements for real transparency and proper registers of beneficial ownership of companies in the overseas territories, because they provide the shelter for all the tax scams and shams? This is not just populist tax jealousy; these scams and shams scandalise legitimate businesses and rob developing countries of key moneys. It is not a victimless crime.

Are the overseas territories co-operating? As I understand it, only Montserrat has agreed to the standards that are sought. Where are the other overseas territories on that? In the ongoing bilateral meetings today, will we really see moves from others? Is it true that the Cayman Islands have flatly refused and are making no moves on these matters?

When will we hear from the Treasury, if not from the Foreign and Commonwealth Office, on how detailed the commitments are going to be on meeting the requirements that it has set down for real transparency, because other businesses and professionals need to see them? Organisations that are working on behalf of global tax justice, such as Oxfam, Christian Aid, ActionAid and Global Witness have concerns and want to support the Government's efforts. When will we know more?

James Duddridge: An enormous amount of progress has been made over the past few years in relation to financial services transparency, particularly openness on tax. I think the hon. Gentleman wants to probe me more on beneficial ownership and the transparency around company ownership. I will quote from the joint communiqué that was issued overnight and is found on the Foreign Office website. When further bilateral meetings are held, the Government usually issue a written statement the following week, as we intend to do when we have had the benefit of the additional post-JMC bilateral meetings.

The communiqué was written by all members of the overseas territories, signed up to by all members, and agreed to by the UK Government. The members

"agreed to hold beneficial ownership information in our respective jurisdictions via central registers".

There is a lot more text, but I will end with the final sentence:

"We agreed that addressing this issue would be given the highest priority and that progress on implementation would be kept under continuous and close review."

I have had several meetings today, it will be high on my agenda over the coming months, and we will make progress. However, some of the detail is quite technical. I think that some of the hon. Gentleman's views of this issue are a snapshot of the situation in the middle of the JMC. There is often quite extensive, and sometimes quite robust, discussion, but late last night we got to a shared understanding that moves us further forward.

Crispin Blunt (Reigate) (Con): The Minister will know that three quarters of the jurisdictions of the Commonwealth continue to criminalise same-sex sexual activity. Happily, that is not the case in the overseas territories, where the only discrimination is in Bermuda and the Cayman Islands, which have different ages of consent. Only Gibraltar and the Pitcairn Islands recognise same-sex unions and facilities for same-sex adoption. What discussions has the Minister had with our overseas territories about their continuing to improve their position in respect of anti-discrimination measures towards their lesbian, gay, bisexual and transgender citizens?

James Duddridge: I thank the Chair of the Foreign Affairs Committee for raising this issue. Progress has been made. He mentions the Cayman Islands, and only this week their Premier reported to their parliament on their recognising equal marriage, which is a great step forward. Small territories have legislative constraints on time, and it may take them longer to get all the legislation through that they would want. However, this is a priority for a number of territories, and we will do all we can to support them in bringing forward modern legislation that we would like to see around the world so that everybody, regardless of their sexuality, is treated equally.

Catherine West (Hornsey and Wood Green) (Lab): Only last week, Mr Speaker, you told the House that we should be doing more to celebrate the progress being made by the overseas territories on transparency of the affairs of companies based in those territories. I will welcome progress where progress is made. The hon. Member for Foyle (Mark Durkan) mentioned Montserrat in particular, which should be commended for introducing a public register for its small financial sector. It is also commendable that the overseas territories have been leading the way with the commitment to automatic exchange of information.

However, we all know that there is much more room for improvement. Most developing countries remain outside these new commitments to exchange information, and there is much more that the UK and the territories can do to help bring them in. A clear commitment to providing information to developing countries on a temporary, non-reciprocal basis would help, as would producing statistics on the source of assets in our financial institutions. That would genuinely be something to celebrate. All the world's major financial centres have agreed to the same standards as the overseas territories on information exchange, as the G20 has made clear. It is the new global standard, and we should expect nothing less.

On company ownership transparency, we will celebrate when the UK Government commit to supporting Montserrat in making access to its register free, online and in open data format, and when we see such public registers implemented across the rest of the overseas territories. Anguilla, Turks and Caicos Islands, Bermuda, the Cayman Islands, the British Virgin Islands: none is inclined to change its position at all, despite even the Prime Minister watering down his demands. Instead of demanding public registers, as the Prime Minister once advocated, the Department devised three tests for the territories' regimes to meet: first, access to company ownership information without restriction; secondly, an ability quickly to identify all companies that a particular person has a stake in; and thirdly, a requirement that neither the companies nor their owners are tipped off. All those are good things, but they are the minimum that should be done. The Government are responsible for good governance in the territories, not for a minimal standard of governance. There is a real lack of ambition on this crucial question.

As the events of this year's council have shown, there is some disappointment. The *Financial Times* reported this week that the Cayman Islands have flatly refused the UK's request to give law enforcement agencies access to beneficial ownership information, arguing that such a basic measure as allowing investigators to trace the proceeds of corruption poses a "competitive disadvantage". The Prime Minister has called on the territories to act since 2013. Surely it is now clear that his Government need to redouble their efforts to bring standards up to scratch.

In fiscally difficult times at home, the overseas territories, as leaders in international finance, should have world-leading standards, not be world leaders in enabling corruption and tax evasion. My party made a manifesto commitment to require the overseas territories to produce publicly available registers of the real owners of companies based there. When will the Government match our, and indeed the general public's, ambition in this regard?

Mr Speaker: Order. I thank the hon. Lady for her contribution, but before the Minister answers, let me just say to the House—I hope, for the last time—that from now on I am minded to insist on the time limits for these exchanges. The first point is that the hon. Lady was supposed to take two minutes, but she took over three. She is by no means the only offender, and I recognise her sincerity and commitment, but she was over her limit. It is as simple as that.

The second point is that, where there is an urgent question or a ministerial statement, the shadow Minister is not supposed to come in to deliver a speech, but to give the briefest reception to the statement by the Minister and then ask a series of pithy questions. It is not a speech in a debate, but a series of questions.

As I say, I recognise that the hon. Lady is new to the House, though a very capable individual indeed, but in future we will have to observe the time limits and the appropriate format. I give notice that if those are breached, I will simply cut the question off. I do not intend any discourtesy, but if we have rules, we must stick to them.

James Duddridge: In relation to Montserrat, I do not know what discussions the hon. Lady has had with Premier Don Romeo, but one of the reasons why it was easy for Montserrat to comply with some of our earlier requests was the lack, sadly, of a financial services industry, which is still developing there. There are many enormous challenges in Montserrat, but quite frankly, financial services is not one of them. It is easy to be fleet of foot when an extensive industry is not already in place.

There is much more of a challenge for the British Virgin Islands, the Cayman Islands and Bermuda, where we are focusing our attention. It is wholly untrue to say that the position at the end of the Joint Ministerial Council was one of obstruction by the Cayman Islands or, indeed, any other territory. I will have further discussions with the Cayman Islands today, but they and everyone else signed up to the following language:

"We discussed the details of how these systems—

the central systems—

"should be implemented, including through technical dialogue between the Overseas Territories and UK law enforcement authorities on further developing a timely, safe and secure information exchange process to increase our collective effectiveness for the purposes of law enforcement."

Some of the technical detail is quite tricky—there are different systems in different jurisdictions—but there is an ongoing and close dialogue with the National Crime Agency about how we can achieve such things.

A number of comments have been made that I would say are not misleading but perhaps slightly out of date. Once hon. Members have had time to digest the communiqué, they may wish to find an opportunity to discuss the subject again in more detail so that we can have a robust exchange, consider how we can make further improvements and get a shared understanding, because we all want the same thing.

Mark Field (Cities of London and Westminster) (Con): I congratulate the Minister on the Joint Ministerial Council and wish him all the very best in the bilateral discussions he will have over the next 24 hours. I want to reflect on what the hon. Member for Hornsey and Wood Green (Catherine West) said. I hope she recognises

[Mark Field]

that there has been and will continue to be progress. It is fair to say that, although we must insist on co-operation with tax authorities and law enforcement agencies, there is a distinction between secrecy, of which we do not approve, and the demand for privacy by those who use banking services not just in the overseas territories, but in the UK. That line should also be respected in dealing with these matters.

James Duddridge: I know that my right hon. Friend follows these issues carefully. We have had a number of discussions about this very subject, including late last night after the Syria vote. Privacy is important, but it should not be used to disguise corrupt practices, international terrorist moneys or the avoidance of taxation. It is very much a balancing act. The UK is on the side of greater transparency. The Prime Minister has led that charge internationally and will do so over the next year, including at a big global conference on corruption early in the new year.

Patrick Grady (Glasgow North) (SNP): The Minister and I were at the same Africa all-party group this morning, where the importance of domestic resource mobilisation for development was discussed. Of course, it is almost impossible for African Governments to mobilise domestic resource when multinational companies hide their profits through offshore tax havens.

How has the JMC paved the way for the anti-corruption summit that the UK Government will host next year? What discussions took place in preparation for that summit, and how many overseas territories are expected to attend it? Generally, how are we getting our own house in order and those of our overseas territories before we start demanding the same of others?

James Duddridge: The Prime Minister and the UK are leading the way, and we are ahead of the G20 standards. The issue is not the tardiness of the overseas territories, but our concern that they go beyond what is required by the G20. Effectively, there is an arbitrage problem, in that the business will carry on being done, be it corrupt business or the movement of terrorist moneys, but will simply be done in a different jurisdiction. We do not want to move corrupt moneys, corrupt practices and tax evasion and avoidance; we want to eliminate them and to do so everywhere. It is therefore important that all international partners move forward at the same pace. The UK has taken the lead and the overseas territories are increasingly stepping up to the mark and delivering.

Mr Nigel Evans (Ribble Valley) (Con): The overseas territories are some of the most beautiful places on earth, and I have been blessed to visit some of them over my 23 years as a Member of Parliament. I am encouraged by what the Minister said about the advances in LGBT rights in the overseas territories. Perhaps in his discussions with representatives of the overseas territories, he might drop it into their ears that not only is this a matter of equality and human rights, but, given that the pink pound is rather strong, they may be able to open their doors to hundreds of thousands more LGBT visitors from the United Kingdom.

Mr Speaker: The hon. Gentleman is most certainly a notable globetrotter. That is well recognised throughout the House.

James Duddridge: To clarify, Mr Speaker was talking about my hon. Friend the Member for Ribble Valley (Mr Evans), rather than me.

I certainly support the moves that my hon. Friend describes. This is not just an issue of equality. A number of the territories are incredibly beautiful places and a lot of money comes into them through tourism. Even more money could come in through tourism. There needs to be greater diversity of income and a move away from financial services. Attracting everybody, regardless of their sexuality, is good for business, as well as being the right thing to do.

Tom Brake (Carshalton and Wallington) (LD): The UK Government have made a commitment to consult on the best way to stop the UK property market becoming a safe haven for corrupt money. Has that been discussed with the overseas territories, and what progress is being made on it?

James Duddridge: That matter has been discussed. We discussed specific examples of individuals arrested in the United Kingdom. When we have looked at their assets, we have found that they were renting property, but that, on closer examination, they owned the property through offshore companies. We want to open up beneficial ownership so that we can interrogate the actual position and seize assets in a timely manner. In a number of cases, assets can be sold or transferred quite quickly, so that they are out of the reach and jurisdiction of the UK Government. One reason we place so much emphasis on financial services transparency is so that our law enforcement agencies can get their hands on assets as quickly as possible before they are moved somewhere else around the world.

Mark Garnier (Wyre Forest) (Con): To what extent is the Joint Ministerial Council driven by the Foreign Office? Will the Minister advise the House how the Foreign and Commonwealth Office works with Departments such as the Treasury to tackle issues such as money laundering and tax evasion, which the hon. Member for Foyle (Mark Durkan) raised?

James Duddridge: The Foreign Office leads on collating the Government response on overseas territories, although in all candour, over the two days probably 70% or 80% of sessions were led by other Departments, rather than the Foreign Office. We had heavy participation from the Department for International Development, and others spoke on specific issues. My hon. Friend the Under-Secretary of State for Culture, Media and Sport made a contribution, as did a Health Minister. The Department for Education was represented, leveraging in its understanding of child abuse. The Department for Work and Pensions spoke on pensions, and the Minister for the Armed Forces and the Solicitor General—both of whom are in the Chamber today—showed great interest in the overseas territories and have been supportive in developing our relationship with them. It is very much an effort by Her Majesty's Government, rather than just the Foreign Office.

Jim Shannon (Strangford) (DUP): I thank the Minister for his statement. He mentioned child abuse and child safety, and we are aware that paedophile rings operate not only in the overseas territories but across the whole world. We need to have an exchange of information, and joint police forces working together. Will the Minister tell the House what was discussed in relation to that matter?

James Duddridge: A vast number of initiatives were discussed, and the hon. Gentleman is right to say that increasingly international rings are smuggling children across jurisdictions and borders, and procuring individuals for sex. Increasingly, the internet is used, and a much more co-ordinated approach is required. That was discussed in some detail at the JMC, and leaders of all the overseas territories outlined what they had done in-territory. There was a commitment to pull those actions together and to learn from best practice.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): The Foreign Affairs Committee met leaders of the British overseas territories this week, and they raised various issues that we will write to the Minister about. One thing that struck me is that they were hoping for a new relationship in the way that governors are appointed, and they would like more input in that. I believe that modernising the whole system is a perfectly sensible proposal, and I would be interested in the Minister's views.

James Duddridge: I thank the FAC for meeting leaders of the overseas territories, and I have already had a chat with other Committee members about what was discussed. The appointment of governors is a matter for the Foreign Office. Ministers do not get directly involved in decisions on who should be governor, but we do get involved in the process. I had a meeting about the governor in Bermuda, and I made a number of promises to the Premier, Michael Dunkley, about how we would take seriously his desires to get the right type of candidate to replace our current excellent governor who so ably hosted me in August.

Mr Peter Bone (Wellingborough) (Con): I congratulate the hon. Member for Foyle (Mark Durkan) on this urgent question. Clearly, we do not talk about the overseas territories enough, and the shadow Minister wanted to raise a lot of issues. Does the Minister agree that at least once a year in Government time we should have a formal debate about our overseas territories with the Minister responding, so that we can discuss all the matters raised today?

James Duddridge: I am disappointed that my hon. Friend thinks I am so naive as to be tripped up by such a question, but our colleagues will be listening. *[Interruption.]* It has been pointed out to me—as if I did not already know—that perhaps that could be a subject for the Backbench Business Committee.

Nigel Mills (Amber Valley) (Con): Does the Minister agree that our overseas territories should be taking the lead in preventing the flow of corrupt criminal and terrorist money, rather than waiting for everybody else to do it at the same time? Will he set out a timetable for when the overseas territories will have in place the registers and access rights that we need?

James Duddridge: As it differs from territory to territory, I will struggle to give my hon. Friend an absolute date by which that will be done. I am reviewing what we are doing this year, and that is one checkpoint. Another checkpoint will be the end of February, which sits halfway between the beginning of the new year and the Prime Minister's conference on corruption. I expect significant progress to be made during that time. A lot of that progress, however, will be what is committed rather than what is done. We will need to commit to a precise timescale. I think that timescale will vary quite significantly from territory to territory depending on how they hold their data—in paper or electronic format and whether that is in a central place—and whether they need to change legislation to bring all the information together once they have agreed in principle to do so.

I should be able to give my hon. Friend a better answer early next year once we have gone through the process. The timescales should be challenging not only in reaching agreement on what should be done but, as he says, in terms of what is done.

Oliver Colville (Plymouth, Sutton and Devonport) (Con): As the Minister knows, the Chancellor announced in the March Budget that the waters around the Pitcairn Islands would be a marine protected area, something in which Plymouth Marine Laboratory, the university and the Marine Biological Association take a great deal of interest. Will my hon. Friend explain how this process is moving forward, so that other overseas territories are able to consider becoming marine conservation areas, too?

James Duddridge: Marine biodiversity around overseas territories is enormous. In fact, a large percentage of global biodiversity, on both land and sea, is in and around the overseas territories. The Pitcairn Islands provide a strong example of how a marine protection area can work. There are similar investigations on Ascension Island. We are working collaboratively with other territories to consider how this scheme might be extended. It was in the Conservative party manifesto to extend a blue belt across the overseas territories. In reality, I think that will mean a different type of solution for some islands, but this issue is discussed every time we meet and every time we meet we make further progress in protecting biodiversity.

Chris Green (Bolton West) (Con): Will the Minister update the House on child safeguarding opportunities in the Falkland Islands?

James Duddridge: The hon. Gentleman is clearly very well informed. The Falkland Islands are leading the way on child safeguarding issues, specifically co-ordination. We aspire to having the same standards everywhere that are the best internationally. It is sometimes difficult, however, for an island of 4,000 people to have exactly the same arrangements as an island of our size or a smaller island. The Falkland Islands, with the permission of the rest of the Joint Ministerial Council, are co-ordinating work on behalf of all the overseas territories to learn not only from their excellent experience but to ensure that best practice and resources are shared on this important subject, which was the first item on the JMC's agenda. It was the only time during the JMC

[James Duddridge]

that we had multiple Ministers and Departments at the meeting. It was incredibly important and I congratulate the Falkland Islands on leading the way.

Henry Smith (Crawley) (Con): I congratulate the Government on setting up the overseas territories' Joint Ministerial Council. I also congratulate the Government on introducing a feasibility study into the resettlement of the British Indian Ocean Territory. Will my hon. Friend update the House on when a decision on the resettlement of the Chagos islanders might be known, so that they can join the overseas territories family?

James Duddridge: I thank my hon. Friend for that question. He is a great advocate on this subject on behalf of his constituents and the people who used to inhabit the islands. As he knows, an extensive KPMG report has been published. Following that report, there was a consultation, the results of which have not yet been produced. It would be wrong for any Minister at the Dispatch Box to draw too many conclusions without having seen the full facts. I am, however, more than happy to meet him privately to discuss the process, and I am more than happy to be totally transparent in the House when the report comes out and to answer questions on this subject in any way that the House desires.

Business of the House

11.4 am

Chris Bryant (Rhondda) (Lab): Will the Leader of the House give us the business for next week? Before he does so, will he just straighten his tie?

The Leader of the House of Commons (Chris Grayling): The business for next week is as follows:

MONDAY 7 DECEMBER—Remaining stages of the Cities and Local Government Devolution Bill [*Lords*].

TUESDAY 8 DECEMBER—Consideration of Lords Amendments to the European Union Referendum Bill, followed by debate on a motion relating to cross-border co-operation to tackle serious and organised crime: the Prüm agreement.

WEDNESDAY 9 DECEMBER—Opposition day (12th allotted day). There will be a debate on mental health, followed by a debate on the effect of the autumn statement measures on women. Both debates will arise on an Opposition motion.

THURSDAY 10 DECEMBER—Debate on a motion on the Transatlantic Trade and Investment Partnership, followed by a general debate on international human rights day. The subjects for these debates were determined by the Backbench Business Committee.

FRIDAY 11 DECEMBER—The House will not be sitting. The provisional business for the week commencing 14 December will include:

MONDAY 14 DECEMBER—Consideration in Committee and remaining stages of the European Union (Approvals) Bill [*Lords*], followed by motion to approve European documents relating to migration, followed by, if necessary, consideration of Lords Amendments.

I should also like to inform the House that the business in Westminster Hall for Thursday 10 December will be:

THURSDAY 10 DECEMBER—General debate on the protection of ancient woodland and trees.

Chris Bryant: You sat in that chair yesterday, Mr Speaker, from 11.30 am to 10.54 pm, as I am sure you are aware. By my accounting, that is 11 hours and 24 minutes, or 684 minutes without a break. That is quite a test of endurance, and some of us are wondering whether, like Davros in “Doctor Who” you have secretly had some kind of feeding and filtration system fitted into the chair or some hidden tubes. Or perhaps it is down to drugs. Now that the pharmaceutical giants Pfizer and Allergan, the owners of Viagra and Botox, have come together, perhaps they have invented a new drug, with which you have been impregnated, Mr Speaker, which means that you can keep a stiff upper lip all day.

Over the last few days, a great deal of abuse has been hurled at Members for their views on whether or not we should support extending airstrikes to Syria. Some Members have been called murderers, others peaceniks and terrorist sympathisers. I hope the Leader of the House would agree that, although all MPs expect a certain degree of hurly-burly in political life, it is a fundamental principle that all Members are sent not as delegates but as representatives with the full power to exercise their judgment and their conscience to speak and vote without fear or favour, and that no MP should ever be intimidated.

I think we would all agree that, sadly, some of the abuse has been beyond the pale. Several Members have had their offices barricaded. One Member had her house surrounded, while many have had photos of dead babies pushed through their front door at home. Today I gather that some Members have received photos of severed heads. MPs have broad shoulders—of course we do—but may I ask the Leader to review the arrangements regarding the security of Members' homes and offices? This is not just about Members; it is about their families and, indeed, their staff, as several Members have pointed out. In particular, will he look at whether the responsibility for funding these matters should now be taken away from the Independent Parliamentary Standards Authority and restored to the House authorities?

I express the thanks, I hope, of the whole House for the way the police and staff of the Serjeant at Arms dealt with the legitimate demonstrations in Parliament Square yesterday evening. It is important for people to be able to demonstrate, but MPs and the public should be able to go about their business. Most importantly of all, I am sure we all wish the men and women of our armed forces a successful and safe return.

Yesterday we lost Cabinet Office questions, so will the Leader clarify what has happened to them? Will they be next Wednesday, as I presume, and will International Development questions then be shunted on to the week after and so forth? When will the deadlines for these various questions now be?

I have asked the Leader of the House twice about the recess dates for next year, and he has done 50 shades of grayling about it. On Tuesday morning, he told the United Kingdom Overseas Territories Association that it was all to do with getting Government legislation through before Easter. May I remind him that the House does not meet for the convenience of the Government? The Government are accountable to the House, and it would be good to know the recess dates as soon as possible, not least so that Committees can make the dates of their sittings available to the public.

The Leader of the House has just said that we shall be considering Lords amendments to the European Referendum Bill next Tuesday. How much time will he be providing for that debate? The most important of the amendments involves the decision to allow 16 and 17-year-olds to vote. The Government regularly say that this is the most important decision that the country will face in a generation, so why on earth do they want to exclude from the vote the very generation who will be most affected by it? After all, at 16, people can have consensual sex, move out of the family home, rent accommodation, refuse consent to medical treatment, join the armed forces, drive a moped and drink alcohol. Even the three Crown dependencies already allow votes at 16.

Why on earth not just give in now and allow 16 and 17-year-olds the vote, so that returning officers can get on with signing them up as soon as possible? Apart from anything else, the only way the Government will get the Bill on to the statute book this year is by caving in now. Their lordships voted in favour of the amendment by 293 to 211, and I bet they will vote the same way all over again. I predicted the tax credits U-turn several Thursdays ago, I predicted the junior doctors U-turn, and I hereby predict the votes at 16 U-turn.

Will the Prime Minister update us on his so-called renegotiation of the UK's membership of the EU? As I understand it, he wants everything to be signed off at

the December meeting of the European Council. The Council meets on 17 and 18 December, but the House rises on 17 December, so how on earth does the Leader of the House expect us to be able to question the Prime Minister on the outcome of the meeting? This is meant to be one of the most important renegotiations of our membership that we will have seen.

Some of us think that the Prime Minister is playing Russian roulette with our economic and political destiny. Hounded by his Euroseptic Pavlovian dogs on the Back Benches, he keeps on doing the wrong thing. Last year the Government opted out of the Prüm convention on the stepping up of cross-border co-operation, particularly in relation to combating terrorism, cross-border crime and illegal migration. We are now the only EU country to be excluded from the convention. Labour said that that was a ludicrous decision last year, but now the Home Office has finally woken up and said that there is a

"clear and compelling case for signing up to the Prüm agreements." Too right, but this kind of hokey-cokey seriously undermines our national security, which surely depends on our being an active member of the European Union. By sharing information with our close European allies and partners, we can prevent dangerous crimes and bring criminals swiftly to justice.

The Prime Minister's weakness in failing to stand up to his Back Benchers has reduced our security, but only now, after Paris, are the Government finally recognising that fact. How much time will we be given for the debate on cross-border co-operation, which will also take place on Tuesday?

As you will have seen, Mr Speaker, Tyson Fury won the world heavyweight boxing title last weekend, and has now been nominated for the title of BBC sports personality of the year. I hope that he does not win. You may also have seen his comments.

"There are only three things",

he has said,

"that need to be accomplished before the devil comes home: one of them is homosexuality being legal in countries, one of them is abortion and the other one's paedophilia."

Leaving aside the bizarre, rather heterodox theology, that equates homosexuality with paedophilia. As I hope the Leader of the House agrees, that is profoundly offensive, and it is the kind of language that leads more young people to commit suicide. I gather that Mr Fury has subsequently said that some of his best friends are gay, so may I suggest that we invite him to Parliament some time in the near future? I am quite happy to go head to head with him.

Chris Grayling: I very much agree with the comments of the shadow Leader of the House on the events of this week. I also pay tribute to him for his brave stance yesterday. A couple of weeks ago I mentioned the issue of the security of Members of Parliament and the need to protect them against criminal activity. We are all subject to legitimate public scrutiny, but it will never be acceptable for Members' personal safety to be put in jeopardy or for them to be the victims of activities that a court would judge illegal.

In the House, Mr Speaker, we never discuss the security arrangements for Members, but suffice it to say that you and I would both agree that it is and will continue to be a priority for the House of Commons

[Chris Grayling]

Commission and the House authorities to do everything we possibly can to protect the right of Members to express their views in a free and unfettered way, and to protect them when they do so. I also echo the hon. Gentleman's words of thanks to the police, and not just the police who were on duty yesterday but all of those who provide protection to Members of this House, whether in this place or in their constituencies.

Following yesterday's debate, in which Members on both sides said that they would expect regular updates on the situation in Syria, I should like to inform the House that the Government intend to provide a proper update statement before the Christmas recess. I am sure that the whole House will join me in sending our good wishes to the British air crew involved in action overnight.

Members might like to note that the first measure covered by our English votes for English laws procedures passed through this House uneventfully on Tuesday evening. I should like to offer my thanks to the Clerk and to all the Officers of the House who have been involved in making the preparations for the new systems.

I am sure that the shadow Leader of the House and all hon. Members will want to join me in sending our congratulations to the Prime Minister on the 10th anniversary this weekend of his election as Conservative party leader. Leading your party for a decade is a considerable achievement. It is one that others might perhaps aspire to achieve, but at the moment they look unlikely to do so.

It is also the anniversary this week of the stand that Rosa Parks took on a bus in the United States to secure race equality in that society. I am sure we all agree that the changes to our societies since then, and the ongoing work to stamp out race discrimination, are not only necessary but something we should all be proud of and committed to.

The hon. Gentleman asked me what was going to happen to the Question Time sessions. You will remember, Mr Speaker, that I addressed that issue in my business statement on Tuesday, when I indicated that questions would simply move back a week. The Prime Minister's questions session—the sift for that session has already taken place—will simply take place next Wednesday; the same will be the case for Cabinet Office questions.

The hon. Gentleman raised the question of the European Union Referendum Bill debate. There will be a proper debate on the issue of votes for 16 and 17-year-olds. It will be a separate issue, and the House will vote on it. If this House, as the elected House, again expresses its will that 16 and 17-year-olds should not at this moment be given the vote, it is my sincere hope that that view will be accepted in the other place.

The hon. Gentleman asked a question about the EU Council, and used the words, “as I understand it”. I am afraid he cannot simply go by what he reads in the papers. There are a lot of rumours and counter-rumours around at the moment, but when the Prime Minister is ready to make a statement, he will make it to the House and explain what is happening.

The hon. Gentleman also talked about the House deciding on various matters. The House decided a year, or a year and a half ago not to opt back into a number of measures. The Government are bringing forward a

proposal on Tuesday to debate the Prüm directive and the House will be able to decide on that matter. It is absolutely right and proper that that should be the case.

On the question of Tyson Fury, homophobia is not acceptable in sport. We should work hard to encourage more people in sport to be open and accepting of gay people in sport. It is right and proper that that change happens. I agree with the sentiments that the hon. Gentleman expressed, and as a Formula 1 fan, my vote is for Lewis Hamilton.

Amanda Milling (Cannock Chase) (Con): On Small Business Saturday, I will be announcing the winners of Cannock Chase's local shop and market stall competition. Will my right hon. Friend join me in wishing good luck to all the nominees? May we have a debate in Government time on the contribution of independent shops and market traders to our local economies?

Chris Grayling: I think Small Business Saturday is a fantastic innovation, and I wish all the businesses in my hon. Friend's constituency well for the awards this weekend. If I may, I will pay tribute to Home Instead Senior Care, which was the winner of the Epsom and Ewell business award last week. I have also been asked by the Deputy Leader and by my Parliamentary Private Secretary to make reference to Fishers Home Hardware in Suffolk and Boulangerie Joie de Vie in Finchley and Golders Green and to wish them well. While we are on the subject of fishers, perhaps we might send our good wishes to the fishermen and fisherwomen of this country.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing next week's business. May I also congratulate you, Mr Speaker, on your Herculean effort yesterday? It is not for nothing that you have gained the title of “Golden Bladder” for the way you chaired yesterday's proceedings, and I think the whole House is very grateful for the very kind and well-managed way you structured yesterday's debate. But please, Leader of the House, let us never have another debate like this ever again in the House. Such was the demand to speak in yesterday's debate that about 50 Members never got the opportunity to contribute, and many of those who did were confined to just a few minutes at the end of the day.

We live in a new type of representative democracy where MPs are lobbied and communicated with by means that were never anticipated, certainly when I was a new Member of Parliament. Constituents expect to see their MPs in this House expressing their opinions, particularly on massively important issues of state such as yesterday's, and I am disappointed that the Leader of the House could not commit to the request from all around the House and the country to have a proper structured debate that would have allowed everybody who needed to contribute to the debate to get in. Let us hope we never have that again. I hope the Leader of the House will agree that if we have further debates as important as this, he will find the necessary adequate time so every Member gets an opportunity to contribute on behalf of their constituents, who have the legitimate right to hear from their MPs.

One of the consequences of shoehorning that two-day debate into one day is the impact on departmental questions; the Leader of the House was right. I listened

very carefully to what is going to happen on this. What that means for us on the SNP Benches is that we will not now have Scotland Office questions until next year. It will be two months since the last Scotland Office questions. We have a live Scotland Bill now; we have huge questions to be asked.

There is also the question of the impact of military action on Scotland; 97% of Scottish Members of Parliament did not vote for military action last night and 72% of Scots oppose military action. We hear all this stuff about the family of nations and the pooling and sharing, but Scotland has rejected this military action. I know that matters not a jot to this Government—it is of no consequence to them—but it is massively important for us, and we will not have an opportunity to ask our Department about issues such as this until next year.

The ink was barely dry on the voting Clerks' ledgers when the jets were in the air last night with their deadly cargo. Can the Leader of the House say more about what he will do to keep the House updated? We particularly want to hear about what is going to happen to the refugees, because all this is going to do is increase the demand for this country to deal with refugees; if we are bombing that nation, it is a natural consequence that there will be more refugees in the coming year. So we want to hear more about the Government's plans on that.

This week has been characterised by finding targets, friendly fire and civil war, but that is enough about the Labour party. Every Government need an effective Opposition, and especially a callous, Conservative Government such as this one. If the Labour party cannot get its act together and cannot agree on matters as important as going to war or Trident, will it get out of the way and let the Scottish National party in there, because somebody needs to hold this Government to account for what they are doing?

Chris Grayling: I am afraid, as is often the case, the hon. Gentleman and I do not agree. Yesterday, we heard some very impassioned and powerful speeches—some speeches that will be memorable in the history of this place. They were made on all sides of the House and by Members on both sides of the argument. I think the debate we had yesterday showed this House at its best. We heard from 104 Members after what had been, over a period of a week and a bit, about 20 hours of debate, discussion and questions in this House. I think yesterday this House got it right. I also think it got the decision right, although I accept we do not agree on that. We heard impassioned speeches from the hon. Gentleman's Benches, the official Opposition Benches and from our Benches. I think that is what people expect in their democracy.

The hon. Gentleman asked about holding the Government to account. As I said earlier, it is very important that we provide regular updates to this House. There will be a statement before the Christmas recess to update the House. It is right and proper that that is the case.

I have thought long and hard about the issue of Scotland questions. The hon. Gentleman asked how the Government will be held to account over the decisions taken yesterday. The answer is that there will be a statement in this House on precisely those issues, so that United Kingdom Members can ask questions about a decision taken across the United Kingdom.

I have also thought carefully about the structure of question time sittings. It would have been possible to swap them around. In my judgment, the question time sitting that might have been delayed until after Christmas was that of the Department for International Development. However, given the hon. Gentleman's comments about refugees, I think it is right and proper that this House has the opportunity to question the Secretary of State for International Development on the work we are now doing on Syria, as part of a holistic strategy, to make sure that we provide proper support for refugees and prepare for what we hope will be a period of reconstruction and redevelopment in that country as soon as we can possibly achieve a lasting peace.

I accept that this House took big and challenging decisions yesterday. We as an Administration will now seek to make sure that this House is informed properly and appropriately and that it has the chance to question properly and appropriately. Given the passions expressed from the SNP Benches yesterday, I am sure the hon. Gentleman will understand my view that it is a greater priority to have a statement on what is happening in Syria and International Development questions before Christmas. He has plenty of opportunities to ask questions about Scotland matters and he will carry on doing so, including the moment we come back in the new year.

Dr Andrew Murrison (South West Wiltshire) (Con): The shadow Leader of the House was absolutely right to condemn the vile behaviour of a minority in respect of colleagues, including himself, acting according to their conscience. However, his argument was not advanced by his reference to Conservative Eurosceptics as dogs, however Pavlovian.

Many of our constituents' most anguished pleas to us relate to the cancellation, very often at short notice, of hospital procedures and operations. That seems to me to be on the increase. May we have a debate in Government time on the provision of step-down care in our national health service and, in particular, the disappearance in many parts of the country of our excellent community hospitals?

Chris Grayling: Of course, the state of our local health service is a continuing matter of concern for our constituents and for all of us as individual constituency Members. As individuals, we will always be champions of those local facilities. Although emergencies happen and are sometimes unavoidable, I say to the health service that I have always believed that, unless there are unforeseen circumstances, cancelling operations should be done only in extremis, because of the disruption it causes to individuals. My hon. Friend has been a powerful advocate for community hospitals in his own county and I am certain he will continue to take advantage of the opportunities this House provides for him to make sure that he is a champion for the health service in Wiltshire.

Ian Mearns (Gateshead) (Lab): The Backbench Business Committee would like early confirmation, if possible, that we will be allocated the last day before the Christmas recess on Thursday 17 December. We have been given notice that that is likely, but it has not yet been confirmed. The hon. Member for Kettering (Mr Hollobone) is a member of the Committee and has pointed out that, on occasion, the time allocated for Back-Bench business

[*Ian Mearns*]

has been severely squeezed by statements and urgent questions. On Monday two weeks ago, we were given three hours of protected time, which was a very welcome departure. I think that is what the hon. Gentleman was referring to: the allocation of three hours of protected time for a particular debate. I say to the Leader of the House that we would like to see more of that, if at all possible.

Chris Grayling: I am happy to look at that suggestion. I think it was discussed in the last Parliament and that the hon. Gentleman's predecessor felt that it was not necessary, but I am happy to discuss with him whether we need to protect the business. In some respects, the allocation of time is a mixed responsibility—it depends on how many urgent questions there are—but I accept his point. Perhaps we can have a conversation about it.

Mark Pritchard (The Wrekin) (Con): May we have a debate on a review of section 60AA of the Criminal Justice and Public Order Act 1994 on the wearing of masks and face coverings on demonstrations? Surely, on public demonstrations on public land, the police should not have to apply for a special order to remove them. If people really have the courage of their convictions—whether they be members of the National Front, Occupy or the Stop the War coalition—statutory legislation should allow for the removal of all masks and face coverings on public demonstrations.

Chris Grayling: I have a lot of sympathy with what my hon. Friend says and the Home Office should certainly give that careful consideration. These coverings are used to intimidate and in our society there is room for legitimate process and not for intimidation. We should look very carefully at whether anything that allows protesters to intimidate rather than protest should be permitted.

Alex Cunningham (Stockton North) (Lab): The Leader of the House will be aware of the bizarre decision by the Chancellor to axe the £1 billion funding for the first two carbon capture and storage projects in the UK. He might also be aware that Teesside's ambition is to create the first industrial CCS project, with the potential to create thousands of jobs in an area that the Leader of the House will know has been devastated by job losses in the steel, mining and construction industries as well as Her Majesty's Revenue and Customs. May we have a debate to discuss the implications of the Chancellor's decision, described by the industry as disastrous?

Chris Grayling: We had to take some difficult decisions in the spending review. We have not ruled out carbon capture for the future, but we have to take practical decisions based on value for money for the taxpayer. The hon. Gentleman knows that that is our duty in government and it is the duty of all Governments in office. We will continue to look carefully at carbon capture technology and I hope that a time will come when it is a sound and viable approach, but none the less the Government have taken a difficult decision. I simply remind him that in the northern half of the country the economy has been growing faster than in

the southern half. The best way of securing jobs for the future in his constituency and the surrounding area is to continue that growth and get investment in there.

Bob Blackman (Harrow East) (Con): On Remembrance Sunday, an organisation projected on to the House of Commons a swastika with the message "Modi not welcome". We know it happened, because the organisation put out a statement saying that it had done that. We have photographic evidence and witness statements from those who saw and took photos of those responsible. We know that the message was completely wrong, Mr Speaker, because you made Narendra Modi most welcome on his historic visit to Parliament. May we have a statement on what measures we will take not only to combat this incident but future more serious incidents?

Chris Grayling: For any organisation to link the swastika to Prime Minister Modi in a demonstration in this country is unreservedly unacceptable. We have close relations with India and I would condemn any such action. I am also aware of the incident to which my hon. Friend refers. It is not yet clear that that was an actual incident as opposed to a creative use of computer technology to create the sense that it took place. If he has information that suggests that it did, I think that you, Mr Speaker, and I would be very glad to see it.

Clive Efford (Eltham) (Lab): May we have a debate on cuts to the police? The Metropolitan police is making clerical staff redundant and filling those posts with warranted officers. That flies in the face of the Government's policy of making police more visible to the public; I assume that the Met will adopt a policy of moving desks closer to windows to fulfil that requirement. May we have a debate on that, as it is seriously depleting the number of officers available in our communities?

Chris Grayling: I think the hon. Gentleman is a couple of weeks late. If he listened to the autumn statement, he will have heard that we are not cutting police budgets. It is a matter for the Mayor and the Metropolitan Police Commissioner to decide how to spend their budgets most effectively in the interests of the citizens of London and I will not seek to tell them how to do so. We have not cut their budgets; we have actually protected them.

Jason McCartney (Colne Valley) (Con): There was an incredibly well-attended debate in Westminster Hall this week about temporary post office closures and my own village post office in Honley has been closed temporarily, supposedly, for up to six weeks now. May we have a statement on these temporary closures, which many communities fear might end up being long term? They are much-needed assets in rural and deprived communities.

Chris Grayling: I can understand the concern, because there have certainly been occasions when temporary closures have led to permanent closures. I can well understand the anxiety. I suggest to my hon. Friend that when Ministers from the Department for Business, Innovation and Skills are before the House on Tuesday week, he might want to raise that question with them.

We all want to protect local services in our constituencies, even though on some occasions change, sadly, is unavoidable.

Joan Ryan (Enfield North) (Lab): Later today, I will host the inaugural meeting of the all-party group for Alevism, Alevism being a philosophy, a religion and a social and cultural identity. Sadly, neither Alevism nor their religion are recognised in Turkey, their country of origin. May we have a debate in Government time on the positive contribution that more than 300,000 Alevism living in this country make to this country as well as about the situation under which they live in Turkey?

Chris Grayling: One of the fundamentals that characterises our society is the desire to defend the interests of religious minorities. We are a liberal democracy that believes in freedom of speech, freedom of expression and freedom of worship. I commend the right hon. Lady for the work that she is doing, and I am sure she will seek to use one of the occasions available to her in this House to provide a greater platform for the work she is doing with that all-party group and for the communities she is seeking to represent.

Oliver Colville (Plymouth, Sutton and Devonport) (Con): As my right hon. Friend knows, I have been campaigning to save the hedgehog, whose numbers have declined by more than a third over the past 10 years. Whereas hedgehogs are not a fully protected species, badgers, whose numbers have risen significantly, are. May we have a debate or a statement on protected species so that we can explore the need to have greater flexibility in this?

Chris Grayling: I commend my hon. Friend for the work he is doing. He is only too well aware, as I am, of the decline in hedgehog numbers in this country. It is only if our society works together to try to rectify that situation will we provide an opportunity for those numbers to be restored. A variety of different challenges face us, and I wish to pay tribute to *The Times* for launching a campaign in defence of our hedgehogs, encouraging all of us to make holes in our garden fences to create a superhighway for hedgehogs. Although I do have such a hole in my garden fence, sadly, I do not have any hedgehogs in my garden at the moment—I hope they will arrive.

Mr Speaker: While we are on the subject of protected species, I should point out to the House that the right hon. Member for Mid Sussex (Sir Nicholas Soames), who is sadly not in his place at this time, was for a considerable period, as he has often pointed out to the House, president of the Rare Breeds Survival Trust. Colleagues may wish to reflect upon the appropriateness of the right hon. Gentleman holding that particular post.

Jim Shannon (Strangford) (DUP): In the past week, we have had much discussion about a tax on sugar products and the Government's intentions in that area. Many of us feel that there should also be a tax on fatty foods. Will the Leader of the House consider, and agree to a debate in this House on the issue of, ensuring that any such tax is used directly for the health service?

Chris Grayling: Of course we did have a debate last Monday on the issue of the sugar tax, following a petition. That is an example of how we are using the petitions system to debate matters of public concern. I must say that I have some doubts about an approach such as the hon. Gentleman outlines. As people say, all things are good in moderation but not in excess. We are much better off explaining to people what is good for them and what is not, and then allowing them to take their own decisions—otherwise, we just become a nanny state.

Philip Davies (Shipley) (Con): May we have a debate on fixed-term recalls? When people are convicted of serious offences and are released from prison before their term is up, most of the public would expect that if they then reoffend or break their licence conditions, they are returned to prison to serve the rest of their sentence in full. Currently, however, these people go back to prison for only 28 days. Last year, that applied to 546 offenders who had committed offences including murder, manslaughter, attempted homicide, wounding and assault. May we have a debate on this so that we can actually make sure these people go back to prison for the remainder of their sentence, rather than for a derisory 28 days?

Chris Grayling: As my hon. Friend knows, as Justice Secretary I legislated to provide additional powers to manage those who are on remand, and I am very much of his view that we need to be willing to respond effectively and strongly when such situations arise. My right hon. Friend the Lord Chancellor will of course be in this House on Tuesday, and I am sure my hon. Friend will take advantage of that opportunity to make the point very firmly to him, too.

Alan Brown (Kilmarnock and Loudoun) (SNP): We have heard the earlier comments from the Leader of the House and the Foreign Secretary yesterday, who used the cliché that yesterday was great for democracy as people saw it in action. As my hon. Friend the Member for Perth and North Perthshire (Pete Wishart) said, however, only 104 MPs were taken and half as many again had put their name forward. I was one of the frustrated Back Benchers who sat there getting up and down all day. My constituents expect me to be able to put my views on the record in this House, and they are also disappointed when I do not get to do that. They could also make the decision as to whether the Prime Minister's comments about "terrorist sympathisers" were a slur on my voting record. Will the Leader of the House therefore reconsider the future arrangements for such important debates?

Chris Grayling: I do not think that anybody was in any doubt about the views of the hon. Gentleman or those of his colleagues. Many Members of the Scottish National party made their points very articulately yesterday, even though I did not agree with them. Over the past few days, there have been many, many opportunities to question the Prime Minister and raise these matters in debate. My view is that this House handled the matter in the right way, and that it took the right decision, although I appreciate that he and I will not agree on that.

Antoinette Sandbach (Eddisbury) (Con): The Leader of the House will be aware that the reservoir of bovine TB has the potential to devastate dairy herds in my constituency. Given the worldwide shortage of the vaccine and the Welsh Government's withdrawal of their vaccine programme against badgers, could we have a debate in Government time on the impact of that wildlife reservoir?

Chris Grayling: That is a very real issue for the agricultural communities in this country. I read those reports with concern as well. It is absolutely right and proper that we take measures to protect our farming industry, as it is crucial to this country. I will ensure that my hon. Friend's concerns are passed to my right hon. Friend the Secretary of State, who will be in the House shortly before the Christmas recess and will be able to address matters in greater detail then.

Mr Douglas Carswell (Clacton) (UKIP): Yesterday, this House voted for a military response against ISIS extremists in Syria. Will the Government find time to debate the possibility of a sanction-based response against the vile, barbaric Saudi regime, which has, for too long, promoted and exported a similar extremist creed?

Chris Grayling: I know that the hon. Gentleman feels strongly about that matter, but what I say to him is that this country has had a long partnership with Saudi Arabia under Governments of both persuasions. We have both worked collaboratively with the Saudis, and also worked with them to try to improve their society. I think we have the right balance.

Mr Nigel Evans (Ribble Valley) (Con): May I pay tribute to you, Mr Speaker, for your Olympic gold-winning performance yesterday? When I was Deputy Speaker, I once had to sit in the Chair for six hours, and half way through I had to put out a call of emergency to the Chairman of Ways and Means to replace me for a couple of minutes. How you did it, I will never know, and I pay tribute to you.

Tourism is vital to the Ribble Valley. It is great that London attracts more visitors than any other city on Earth, but we want to get those visitors out of London and into places such as the Ribble Valley. I understand that Visit England is to be subsumed into Visit Britain, which means that there will not be a special voice for England alone. Wales, Scotland and Northern Ireland all have their own voices. May we have a statement from a Minister as soon as possible so that we can absolutely ensure that England will have a distinct voice for tourism?

Chris Grayling: My hon. Friend represents one of the most beautiful parts of England. I know it well, as my family came from close to there, and I used to spend many weekends walking in the Ribble Valley as a child. I will ensure that his concerns are drawn to the attention of the Under-Secretary of State for Sport, Tourism and Heritage. We know that she is a very active supporter of the tourist industry in both England and the whole of the United Kingdom. She will not be taking decisions lightly, and will certainly not want to take decisions that adversely affect his constituency and discourage people from visiting it.

Paula Sherriff (Dewsbury) (Lab): May we have a debate on the practices of big businesses? Marks & Spencer, for example, continues to charge a significant premium on products such as flowers in hospital shops and has failed to follow the requests to remove guilt lanes packed with unhealthy snacks by its tills. Now, it has refused to meet me to discuss its appalling treatment of British workers who staff its major UK depot and are kept on insecure contracts. It is exploiting loopholes in EU law to pay new staff less than others who are doing the same work. Does the Leader of the House agree that it is unacceptable for a brand that trades on its British ideals to treat its staff and customers in such an irresponsible manner?

Chris Grayling: I have not looked at those details in Marks & Spencer, but every company today benefits from being a responsible employer and a responsible organisation. The hon. Lady has made her point very articulately.

Glyn Davies (Montgomeryshire) (Con): Will the Leader of the House schedule a debate in this Chamber on the protection, status and promotion of the Welsh language? Every Department here has a statutory duty to comply with Welsh language legislation. The Department for Culture, Media and Sport has a statutory duty to enshrine the Public Bodies Act 2011 to ensure that there is sufficient finance. Britain must not lose this beautiful culture, or treasure, that is "yr iaith Gymraeg", and we need a debate to ensure that that does not happen.

Chris Grayling: I know that every Department takes this issue very seriously—in my time in two Departments, we were always careful to provide proper information to Welsh language speakers in Wales. I absolutely agree that to protect the diversity and culture of the UK as a whole we must protect the Welsh language, as well as the culture and traditional languages in areas now represented by the SNP. We have a duty to protect the diversity of the entire UK.

Stewart Malcolm McDonald (Glasgow South) (SNP): May I, too, pay tribute to your Herculean efforts yesterday, Mr Speaker? I honestly do not know how you got through it.

I took part in Prime Minister's questions last week, I questioned him after the statement last Thursday and I took part in the Back-Bench business debate on Monday, and each time I raised the issue of protecting the ancient minorities in Syria and that part of the world. History shows that our plan must include protection for minorities with a history of fleeing military invasions, but that is the big hole in the Government's plans. I do not wish to go over the arguments again, but will the Leader of the House schedule a debate on how we can protect the many religious, linguistic and other minorities in that part of the world?

Chris Grayling: In a sense, the hon. Gentleman is making the case for our side yesterday. How on earth could we have protected the Yazidi community, for example, from what might otherwise have been genocide other than by sending in air support for the Kurds, who were seeking to defend the area and rescue people from

Mount Sinjar? We have talked extensively about the need to protect Syrian citizens, and we will make a statement before Christmas to update the House, but I do not understand how we can help and rescue these people, particularly the Yazidis on Mount Sinjar, without military support, to which his party is opposed.

Tom Pursglove (Corby) (Con): Many Members were disappointed that, owing to how private Members' Bills are handled, we were not able to vote on the Compulsory Emergency First Aid Education (State-funded Secondary Schools) Bill. Regardless of the rights and wrongs of individual Bills, it would be useful to have a full debate in the House on reform of the private Members' Bills system.

Chris Grayling: First and foremost, this is a matter for the Procedure Committee, and I would not dare to intrude on the work of my hon. Friend the Member for Broxbourne (Mr Walker), who is the Chairman of the Committee, and his colleagues. May I suggest, therefore, that my hon. Friend speaks to the Chairman, who has raised this issue with me and is considering it.

Tom Brake (Carshalton and Wallington) (LD): I welcome the Government's intention to make quarterly reports on Syria, but will the Leader of the House confirm that they will be oral statements from the Foreign Secretary? Will they focus, in particular, on progress that the Gulf states, Saudi Arabia and Turkey are making in their diplomatic initiatives and willingness to tackle extremism? In addition, the Prime Minister said yesterday he was happy to reconsider the issue of orphans. Has he had time to consider that matter, and has the Leader of the House had a request from him to come to the House to tell us what his deliberations have led to?

Chris Grayling: We have indicated our intention to provide quarterly reports, but I would like us to do more than that, which is why I told the House this morning that I thought it appropriate to have a further statement before Christmas giving an update on matters raised yesterday, including the military action and humanitarian issues. There will also be International Development questions before Christmas. I absolutely intend there to be opportunities to put these questions to the Government.

Andrew Bridgen (North West Leicestershire) (Con): As colleagues will know, there was unfortunately an extremely tragic incident in my constituency recently. The matter is now sub judice. I know the Government take the issue of online grooming extremely seriously—my right hon. Friend the Prime Minister has led on it—but may we have a further debate on how social media are used as a vehicle for sexual grooming and what further measures we can take to protect vulnerable young teenagers from sexual predators?

Chris Grayling: I think we are all aware of the horrible crime that took place in my hon. Friend's constituency and would all want to send our good wishes and condolences to the family of the victim. He is right that the case is sub judice, which means we cannot discuss the details, but suffice it to say that Ministers will have noted what happened and will want to learn lessons. The Justice Secretary, who is ultimately responsible

for criminal justice legislation, will be in the House on Tuesday and will, I am sure, listen carefully to any ideas my hon. Friend wants to put to him.

Diana Johnson (Kingston upon Hull North) (Lab): I first raised with the Leader of the House on 17 September the issue of the national wind college which was going to be based in the Humber. In the comprehensive spending review statement last week, five colleges were announced, but not one for the Humber area specialising in wind energy. May we have a debate in Government time on the commitment to renewable energy, particularly offshore wind energy, and why, if the Government are serious about the northern powerhouse, Hull and the Humber seem to have been missed out yet again?

Chris Grayling: I am not sure that there is any intention in Government to miss out Hull and the Humber. It is of course the heart of the wind turbine industry in the United Kingdom, and a very successful part of the local economy. I will obviously pass the hon. Lady's concerns to the Treasury. Having visited more than one of the local centres of education in the Hull and Humber area in the past few years, I think it is already well served by some excellent professionals who are very good at delivering skills to young people.

Mr Peter Bone (Wellingborough) (Con): On both sides of the House there was disappointment that some Members were not able to speak in the very important debate yesterday, and disappointment also at the very restricted time limit that had to be imposed. I hear what the Scottish National party says about it and what the Labour party says about it. They had an option yesterday to vote against the business motion and for extended time, and we could have removed the moment of interruption, which would have solved the problem. The only problem with removing the moment of interruption, Mr Speaker, might have been your bladder. Will the Leader of the House make a statement next week to the effect that when we consider major issues that the whole country is concerned about, we do not put a time limit on those debates?

Chris Grayling: Of course, we thought long and hard about that. We believed that the time set aside—10 and a half hours yesterday as part of about 20 hours of debate and questions over nine days—seven business days in the House—was the right balance. It was open to any Member, to the Labour party, to the Scottish National party and to Back Benchers to table an amendment to the business motion if they disagreed with us. Nobody chose to do so.

Nic Dakin (Scunthorpe) (Lab): Last week I drew the attention of the Leader of the House to the Business Secretary's commitment to report on the three working groups that he set up at the steel summit and the actions that they are going to take urgently to support the steel industry in this country. The Leader of the House helpfully said that he would take that up with his right hon. Friend. We are running out of time. I have heard nothing. I hope we still have the opportunity for the Business Secretary to come to the House and report on progress.

Chris Grayling: My office did indeed pass on that request. The Business Secretary will be here on Tuesday week in any case, and I will ask him to make sure that he is able to address the points and provide an update before we break for Christmas on what I know is a very serious matter for the hon. Gentleman, his constituents and the whole region.

Mark Pawsey (Rugby) (Con): In its recent report, Public Health England stated that e-cigarettes are 95% safer than smoking, pose no identifiable risk to bystanders and should not be treated in the same way as tobacco products, yet in many public and work places, including here in the Palace of Westminster, users of e-cigarettes, who are in almost every case people who have given up using tobacco, are obliged to vape in the same space as smokers, where they are exposed to all the harm caused by tobacco smoke. The country looks to Parliament to set a lead, so may we have a debate on the policy regarding the use of e-cigarettes across the parliamentary estate?

Chris Grayling: This is a matter that has been considered by the Administration Committee. A decision was taken, rightly or wrongly, to put in place the current policy as my hon. Friend describes it. I suggest that he writes to our hon. Friend the Member for Mole Valley (Sir Paul Beresford), who chairs that Committee, to make those points. This is a matter for individual employers to decide. It is a matter of some debate and controversy, but I have no doubt that if he writes to the Chair of that Committee, his views will be carefully considered.

Patrick Grady (Glasgow North) (SNP): The Leader of the House has stressed the importance of International Development questions a couple of times this morning, so will he give further consideration to the point I put to him in the Procedure Committee? I suggested that every now and then we move International Development questions, and other departmental questions, from the slot immediately before Prime Minister's questions so that they have a little longer and can take place in a slightly more considered atmosphere—perhaps the convivial atmosphere of a Thursday morning—instead of being drowned out immediately before Prime Minister's questions, as often happens.

Chris Grayling: The hon. Gentleman might not have heard me earlier, but in the 15 minutes of questions to the Leader of the House earlier this morning I asked whether it was really necessary to have that separate Question Time, and whether those questions could be merged with business questions to allow that slot to be used to extend the time available for other questions. *[Interruption.]* I have a lot of sympathy with what he suggests.

Mr David Nuttall (Bury North) (Con): May we have a short debate on the whole issue of the rota for oral questions? That would give Members an opportunity to suggest changes, such as the one we have just heard and the possibility of separating the questions to the Church Commissioners, the Public Accounts Commission and the Electoral Commission. Currently Members are unable to question more than one of those bodies at the same time, and there might be other bodies that we ought to be questioning in that way.

Chris Grayling: Those are important points that I am happy to consider carefully, because we need to use the time available in the best possible way. The hon. Member for Rhondda (Chris Bryant) kindly said from a sedentary position that he wants to hear from me every day, but I suspect it might not be me he wants to hear from every day.

Jo Stevens (Cardiff Central) (Lab): Earlier this week the Welsh Labour Government's groundbreaking law on presumed consent for organ donation came into effect. Given that more than 10,000 people across the UK are waiting for an organ transplant, may we please have a debate in Government time on presumed consent so that England can follow Wales's lead?

Chris Grayling: The hon. Lady makes an important point, and one that is well worth consideration. It sounds to me like something that the Backbench Business Committee could bring to the House. That debate would give the Government an indication of the balance of opinion in the House. We would want to understand the views of Members, and perhaps that is the best way of doing it.

Chris Green (Bolton West) (Con): Ladybridge football club in my constituency has recently been awarded a £56,000 grant by the Premier League and Football Association's facilities fund to install new floodlighting. I am sure that the whole House will want to congratulate the club on the award. May we have a debate on the importance of sports funding, including the Football Foundation, and on what more the Government can do to support sports in our schools?

Chris Grayling: That is one reason we have sought to ensure that funding for sport is available and protected in our spending plans. I pay tribute to the Football Foundation and to individual premier league clubs for the work they are doing. I will take the liberty, as a Manchester United supporter, of praising the work of the Manchester United Foundation, and indeed the many other premier league club foundations which do great work to promote grassroots sport, often among those who might otherwise be disengaged from society. My hon. Friend makes an important point. I wish the club in his constituency well. I also wish the rather larger club in his constituency well in sorting out its current problems.

Bill Esterson (Sefton Central) (Lab): On Saturday I shall be visiting some of the excellent small businesses in my constituency, including Red Star Brewery in Formby, Roxie's Treasures in Crosby and Maghull Tyre & Exhaust in Maghull. Will the Leader of the House join me in congratulating those responsible for the success of Small Business Saturday over the past few years, including the Federation of Small Businesses, the small business Saturday team and, of course, my hon. Friend the Member for Streatham (Mr Umunna), who was instrumental, with others, in bringing the concept to this country? May we have the debate that the hon. Member for Cannock Chase (Amanda Milling) requested at the start of business questions so that we can discuss the importance of supporting small businesses all year round, not just on one day of the year?

Chris Grayling: The Government are always working to support and encourage small businesses, whether by changing procurement rules or, where possible, by removing red tape, but I also think that the work done by Members on both sides of the House, and not just on Small Business Saturday but across the year, to help and support businesses in their constituencies is absolutely right. The hon. Gentleman will know, as indeed we all do, that the job of running a small business is pretty tough: it is often a seven-day-a-week job, and often with 12 or 18-hour days. It is immensely valuable to our society that we have people who are willing to commit that level of effort to run small businesses in our communities. They hold our communities together. We will celebrate them this Saturday. I commend all Members for the work they will be doing, this weekend and throughout the year, to support small businesses in their constituencies.

Points of Order

11.59 am

Crispin Blunt (Reigate) (Con): On a point of order, Mr Speaker, of which I have given notice to the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Bournemouth East (Mr Ellwood), who, on 3 November, following publication of the second report by the Foreign Affairs Committee, tweeted:

“Read the FAC report on UK involvement in Syria: role of cte is to scrutinise current government policy—not set conditions on any future policy.”

Standing Order No. 152 says that Select Committees are

“appointed to examine the expenditure, administration and policy of...government departments”.

How they do that is up to them. The Liaison Committee said in its second report of the Session 2012-13 on Select Committee effectiveness that

“select committees should influence policy and have an impact on Government departments”.

It also said:

“The extent of this influence and impact is the primary measure of the effectiveness of select committees.”

Furthermore, on 5 November the Minister answered an urgent question on human rights in Egypt and expressed the hope that I was speaking as an individual and not as the Chairman of the Foreign Affairs Committee. Chairs are plainly unable to secure the opinion of their Committee in response to an urgent question, but they do have a mandate, as a Chair elected by the whole House, and it seemed at least a discourtesy to that mandate for a Minister to try to diminish that authority. Through the Foreign Secretary's Parliamentary Private Secretary, I drew the Minister's attention to Standing Order No. 152 and sought a private assurance from him that he now understood the position of Select Committees and their Chairs. Despite repeated requests to receive that private assurance, it has not been forthcoming, and I regret that I now need to seek your clarification that my understanding of Standing Orders and the appropriate courtesy for the Minister in the Chamber is indeed correct.

Mr Speaker: I am grateful to the hon. Gentleman for giving me notice of this point of order. First, I can confirm that it is entirely a matter for Select Committees to interpret the terms of reference set by the House and to decide for themselves what subjects of inquiry to pursue. I would suggest that it is both inappropriate and unwise for Ministers to comment on such matters. To put it bluntly, they should stick to their last. They have responsibilities, and it is to the execution of those responsibilities that they should dedicate themselves. They need not, and should not, stray beyond that.

Secondly, I can confirm that the Liaison Committee has recommended that Select Committees should seek to influence Government policy, and indeed the House has endorsed that recommendation. I would go further and say that it is a matter of some concern if there are Ministers who are unaware of that important fact. I hope that from now on they will not be.

Thirdly, I can confirm that the Chairs of departmental Select Committees, including, obviously, the hon. Gentleman, have been directly elected by the House,

[Mr Speaker]

and that gives them a particular status and authority. Of course, on many occasions they will want to speak in a personal capacity and not in that role. Once again, we do not need Ministers telling Select Committee Chairmen what they should or should not be doing. In terms of what is orderly conduct in the House, Ministers, like everybody else, can leave that to the Chair.

May I take this opportunity to thank the hon. Gentleman for the valuable contribution that his Committee and its report on the extension of offensive British military operations to Syria have made to discussions in the House in the past few weeks? I believe, and I hope I can say this without fear of contradiction, that Members in all parts of the House, whatever their views on that matter, have found the Committee's exposition of the issues very helpful indeed.

Bill Esterson (Sefton Central) (Lab): On a point of order, Mr Speaker. You have been very supportive of those of us who have raised the plight of children in care and care leavers. As I think you know, I chair the all-party group on looked-after children and care leavers. It meets about every six weeks, and it invariably books the Boothroyd room because of the high level of interest and the fact that 90 young people, with additional adults in support, travel to its meetings from all over the country. There is invariably standing room only.

I have been advised that the room booking for next week's meeting has been taken by the Liaison Committee. I understand the process by which these things happen, but no other room in the House can accommodate such large numbers. As you know, Mr Speaker, this is an incredibly important area. I am sure that supporting these young people is a matter of great importance to all Members. What advice can you give me and the all-party group's secretariat on how to address this problem? Otherwise it will be very difficult for the young people and those supporting them to attend next week's meeting.

Mr Speaker: I am very grateful to the hon. Gentleman for his point of order. Simply as a matter of fact, I should say to him that Committees always take precedence in the allocation of such rooms, so there is nothing untoward or indeed unusual about that, although I recognise the very considerable inconvenience and potential dilemma caused to the hon. Gentleman and his colleagues, as well as to those planning to attend such a meeting.

I can tell the hon. Gentleman that the Administration Committee is reviewing the room booking system. Given what he has told the House, I strongly encourage him to make representations to the Administration Committee—perhaps directly to its Chair—to try to progress matters. A conversation with the hon. Member for Mole Valley (Sir Paul Beresford) might be useful, in addition to any written evidence that the hon. Gentleman may propose to submit.

So far as concerns the question of whether a room can be found for next week, the hon. Gentleman had probably better have private discussions if he needs a room. We will see whether anything can be done if such a need remains.

If there are no further points of order, we will now proceed to the main business.

Charities (Protection and Social Investment) Bill [Lords]

Second Reading

Mr Speaker: Before I ask the Minister to move the Second Reading of the Bill, I need to say the following. I remind the House that I have certified the Charities (Protection and Social Investment) Bill under Standing Order No 83J in relation to England and Wales. I further remind the House that this does not affect proceedings in the debate on Second Reading, or indeed in Committee or on Report. After Report, I will consider the Bill again for certification if it has been amended, and the relevant Legislative Grand Committee will be asked to consent to certified provisions.

12.7 pm

The Minister for the Cabinet Office and Paymaster General (Matthew Hancock): I beg to move, That the Bill be now read a Second time.

Every hon. Member will know of a charity or charities doing extraordinary work in their constituency, as will you, Mr Speaker. Many have served or will serve as patrons or trustees. They may even have subjected themselves to ritual humiliation to raise money and awareness. I have dressed up as a sumo wrestler, carried a pedometer for a week and even lost two stone to race a charger around the Newmarket July course. Charities channel the best of our instincts against the worst that life can inflict, whether that is sickness of mind and body, entrenched poverty or natural disaster.

So often, charities lead the way for us in Government to follow. Long before there was an Education Act, an NHS or a welfare state, charities that knew people could not wait had set up hospitals, schools and almshouses. Today, their compassion and kindness are matched by ideas and innovation. When Paula and Robert Maguire posted their first ice bucket challenge video, they expected to raise about £500 for the Motor Neurone Disease Association, but the campaign went viral, many of us joined in and they ended up raising £7 million. Let us look at Bristol Together, a social enterprise that buys and refurbishes properties and employs ex-offenders to carry out the work: that social investment is transforming lives.

The Government are committed to a flourishing civil society. We have protected the budget of the Office for Civil Society, we are expanding the brilliant National Citizen Service and we are rolling out more locally designed social impact bonds. Along with those opportunities, there are challenges. Perhaps more than any other kind of enterprise, charities trade on their reputation. Scandals of poor governance or unscrupulous fundraising undermine public trust, tarnishing the vast majority of charities that are well run and seek only to do good.

Sir Edward Garnier (Harborough) (Con): I could not agree more with the opening remarks of my right hon. Friend in describing, to use an awful expression, the charitable landscape. I am a patron of Unlock and a trustee of the Prison Reform Trust. Both organisations have concerns, which I hope he can allay, that this much needed legislation might make it more difficult for them—bearing in mind that the subjects that interest them are prisons, prison reform and the condition of

prisoners—to have among their trustees people with criminal convictions. The point is obvious, but I am sure that he can deal with it.

Matthew Hancock: I can give some assurance to my hon. Friend—

Mr Bernard Jenkin (Harwich and North Essex) (Con): And learned.

Matthew Hancock: Sorry, my hon. and learned Friend.

Sir Edward Garnier: Right honourable.

Matthew Hancock: My right hon. and learned Friend. If he would like to raise it any further, I could continue. I commend the two charities of which he is a trustee for their work. While protecting charities through the Bill, we will of course seek to support the good work that excellent charities do. The Bill proposes extra restrictions for those with unspent convictions. However, the Charity Commission will be able to waive those restrictions and, as with almost all the extra powers of the Charity Commission, it will be possible to appeal to the charity tribunal. I hope that he is reassured by the safeguards that are in the Bill, and that we can work with him to ensure that they are applied properly to charities that work in the important area he mentions.

Sir Edward Garnier: My right hon. Friend has been extremely clear and helpful. May I make him an offer? I know of his success at Newmarket racecourse. There is a very good racecourse, Leicester racecourse, in my constituency. If he would ever like to run there, he should let me know.

Matthew Hancock: I very am grateful for that unexpected invitation. I am dearly tempted. I hope that Unlock and the Prison Reform Trust will work with us to ensure that the Bill passes in a form that supports the important work that they do.

On the broader question of supporting the reputation of charities, by one measure trust in the sector is at a seven-year low. It is in all our interests that we have a strong, confident and thriving charitable sector.

The purpose of the Bill is twofold: first to tackle the challenges and then to unlock new opportunities. The main provisions of the Bill fall into three main areas: first, strengthening the Charity Commission's powers, including over trustee disqualification; secondly, the regulation of charity fundraising; and, thirdly, the new social investment power for charities.

Let me turn to the Charity Commission's powers. The purpose of the Charity Commission is to ensure that each of the 164,000 charities in England and Wales pursues its charitable objectives. Set up in 1853, it has done a century and a half of good work, but two years ago the National Audit Office and the Public Accounts Committee found that it was failing in its core duty. In particular, they found that it was not doing enough to tackle the abuse of charitable status. The NAO made a series of recommendations to improve the commission's effectiveness.

The coalition Government published proposals for new powers based on those recommendations. Following a public consultation, the draft Protection of Charities Bill

was published. Pre-legislative scrutiny and the Bill's passage through the House of Lords have resulted in further refinement. I thank all the Members, peers and others who have improved the Bill that is before the House today. These measures are just one part of a wider programme of reform, aimed at turning the Charity Commission into a tough, clear and proactive regulator.

Mr Jenkin: It pains me to point out that my right hon. Friend has left out the significant post-legislative scrutiny of the Charities Act 2006 that was conducted by my Committee, the Public Administration Committee, in the last Parliament, which was the prime precursor of this Bill. I also sat on the Joint Committee that performed the pre-legislative scrutiny of the Bill.

Will he say something about recent controversies, for example those around charitable fundraising? The Select Committee is very frustrated that we are conducting significant inquiries that the regulator, the Charity Commission, should be conducting, but it does not necessarily have the power to hold its hearings in public in a way that would demonstrate its regulatory role.

Matthew Hancock: I was going to come on to the work of my hon. Friend and his Select Committee in making sure that the Bill is in the best possible shape. I am very grateful for the work that he did at the end of the last Parliament, after the National Audit Office report, to make sure that when we had a Bill, it gave the commission the necessary powers.

We believe that the Charity Commission has the power to convene meetings in public. However, I recognise that there is a question over whether it does so. During the passage of the Bill, we will look at that point in more detail. We are prepared to accept amendments, if they are necessary to bring clarity on the point that my hon. Friend raises.

Dr Andrew Murrison (South West Wiltshire) (Con): I agree with my right hon. Friend that pre-legislative and legislative scrutiny are extraordinarily important in this place. Will he observe, for the record, how much legislative scrutiny is being performed by Her Majesty's official Opposition, since there are precisely no Opposition Back-Bench Members in the House?

Matthew Hancock: I hope that this Bill can unite both sides of the House. I welcome the hon. Member for Redcar (Anna Turley) to her place. My hon. Friend has made his point very clearly and it will appear on the record, but I do not want to get into an unnecessary dispute with the Opposition, given that I hope we will have all-party support for this important Bill which will strengthen the role of the Charity Commission and, ultimately, be in the best interests of charities throughout the land.

As I said, we want to provide a tough, clear and proactive regulator. Under the strong and capable leadership of William Shawcross and Paula Sussex, there has been a direct focus on tackling abuse and mismanagement. However, an effective regulator needs to have teeth. As the NAO reported, the commission needs our help to address the "gaps and deficiencies" in its legal powers. The Bill will close those gaps in the commission's capabilities, as well as tackling a number of damaging loopholes in charity law.

[Matthew Hancock]

Let me briefly outline the five new powers that the Bill confers. These powers will help to protect the public, the staff and the people our charities serve from those who would seek to exploit them. First, the Bill will extend the automatic disqualification criteria. Currently, the focus of the law is on barring people who have misappropriated charitable assets, but the criteria are far too narrow. We will extend them, as my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier) said, to include people with unspent convictions for money laundering, bribery, perjury or misconduct in public office, those on the sex offenders register, and those convicted for terrorism offences, including individuals subject to an asset-freezing designation.

Secondly, the Charity Commission will be given new powers to disqualify in instances where an individual has behaved in a way that makes them unfit to be a charity trustee, acting on a case-by-case basis and using its judgment and discretion. That new power is essential to empower the Charity Commission to tackle those who would bring charities into disrepute, and I hope that it will be used with care and decisiveness.

Thirdly, the Bill gives the Charity Commission a new official warning power in response to low-level misconduct. That will allow a more proportionate approach for less serious cases. Fourthly, the Bill grants a new power that allows the Charity Commission to direct the winding up of a charity following a statutory inquiry. That would apply if the commission proves that a charity is not operating, or that its purposes could be promoted more effectively by ceasing to operate, and that to do so would be in the public interest. We expect that power to be used in limited circumstances, and it is subject to several safeguards.

Fifthly, the Bill closes a loophole that allows offending trustees to resign before they are removed by the commission, and then act as a trustee for a different charity without fear of repercussion. That will ensure that trustees are no longer able to escape accountability if they abuse their position of trust. As with all the commission's existing powers, all five of those proposals would be subject to the general duty to have regard to best practice. With the exception of the official warnings power, all the commission's new powers are subject to a right of appeal to the charity tribunal.

All five measures that I have outlined are essential to protecting the interests and reputation of the vast majority of charities that are run by people of great integrity. The Charity Commission was closely involved in developing the powers, and it fully supports them. In addition, independent research for the Charity Commission found that 92% of charities supported new, tougher powers for the regulator.

We also intend to remove clause 9, which was added on Report in the Lords. We have serious concerns about the unintended consequences of that clause, as it attempts to encompass complex case law into a single statutory provision. It would also impose a major new regulatory responsibility on the commission. Clause 9 was not proposed because of concerns about charities in general, but in a narrow attempt by the other place to undermine the Government's manifesto commitment to extend the right to buy. It is regrettable that a Bill with widespread

support was used in that way, and we cannot allow that to stand. I urge the House to reject that anomalous clause and consider the matter elsewhere.

The challenge of regulating charity fundraising has already been mentioned. We can be incredibly proud that we are one of the most generous countries in the world when it comes to charitable giving, but although people are happy to give, they do not want to be bullied or harassed into doing so. A voluntary donation must be voluntary. Earlier this year we heard about the tragic case of Olive Cooke, Britain's longest-serving poppy seller. For years, she was targeted with hundreds of cold calls and requests for money. More than 70 charities bought her details or swapped them with other charities, and in one month alone she apparently received 267 charity letters. Sadly, since then more cases of unscrupulous fundraising practices have come to light, and we must act.

We began by asking Sir Stuart Etherington to review the regulation of fundraising over the summer, backed by a cross-party panel of peers, and I thank them for their work. Sir Stuart recommended a new, tougher framework of self-regulation, and we are working with charities to deliver that. Lord Grade of Yarmouth will chair the new independent body at the heart of that framework. It will be paid for by large fundraising charities, and it will be able to adjudicate against any organisation that is undertaking charity fundraising. The body will be accompanied by a fundraising preference service—similar to the telephone preference service—which will give the public greater control over their consent to receive charity fundraising requests.

Next, we will prohibit contractors from raising funds for a charity unless the fundraising agreement between them explains how the contractor will protect people from undue pressure, and sets out how compliance will be monitored by the charity. It will require large charities to include a section in their trustees' annual report on the fundraising undertaken by them or on their behalf. That will include an explanation of how they protect the public in general, and vulnerable people in particular, from undue pressures and other poor practices.

Mr Jenkin: The Public Administration and Constitutional Affairs Committee—or PACAC, as we call ourselves—is concluding an inquiry into charitable fundraising, alongside our other inquiry into Kids Company. I will not pre-empt the outcome of those two inquiries, but we are concentrating our inquiries on the conduct of trustees in these matters, and their responsibility to oversee and support charitable organisations so that they reflect their values in their operations as much as in their objectives. We are making recommendations on that because it might be insufficient to rely on processes and structures to ensure that things are ethically and properly run.

Matthew Hancock: I welcome that review, and I hope that during the passage of the Bill we can consider—and where appropriate take on board—any recommendations to improve it. I am glad that the work of that Committee is taking place concurrently, and I hope that recommendations will come forward in time for them to be considered for the Bill.

Dr Murrison: How can we make more explicit the amount of money spent on management overheads, and in particular the £80 to £120 per direct debit set up

that goes to chugging agencies? That must be made crystal clear to people. That is, on average, the amount for the first year of any direct debit set up in favour of a charity. At the moment, people are not clear how much of their generosity is being expended on management overall and on that practice in particular.

Matthew Hancock: I am a great fan of transparency and a supporter of transparency across Government. We should consider carefully whether further transparency should be applied to charities, and how that is best delivered. I have no doubt that transparency begins at home for charities, and best practice is for them to be widely transparent about their operations. There is a question about whether we should do more in law, and balanced arguments in both directions. I hope we can consider that during the passage of the Bill.

Geoffrey Clifton-Brown (The Cotswolds) (Con): Do any of the new powers that the Bill gives the Charity Commission deal with charities that depart from their original charitable ambitions and disproportionately become political funding and campaigning organisations?

Matthew Hancock: We took action towards the end of the previous Parliament to ensure that the legal framework for charities and other organisations means that they do not cross over into direct partisan political work. A review is under way into how the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 has worked. There are questions about whether that needs to go further, but the best place to deal with such issues is in the review and during scrutiny of the Bill. I understand my hon. Friend's concerns, and it is important that our review fully considers the impact of the 2014 Act.

We regard the Etherington package, including the fundraising preference service and a move to opt-in for further contact, as the minimum necessary to rebuild public trust. We propose that regulation of fundraising happens on a self-regulatory basis, but that self-regulation must implement the review's recommendations in full. Some people have rightly asked what will happen if self-regulation fails. We want it to work, but we are also clear that practices must change. In Committee, we intend to bring forward amendments that will strengthen the Government's reserve powers to intervene if the self-regulation recommended by Sir Stuart fails. Predatory fundraising targeted at vulnerable people is wrong. It has shaken public confidence in charities and we are determined to stamp it out.

Alongside tackling those challenges, the Bill aims to open up new opportunities.

Mr Jenkin: I am terribly sorry for intervening again, and most grateful to the Minister for being so generous in giving way. I regret that I cannot stay to take part in the debate. The House will need to know that my Committee will produce its reports in January, in good time for the conclusion of the passage of the Bill. Before he leaves the matter of fundraising, will he bear in mind the concern of many people about some charities that raise a substantial part of their income from foreign sources? Security services are concerned that organisations posing as charities might be receiving funds from abroad for nefarious purposes. Will he consider introducing

measures to the Bill at a later stage to deal with that matter? I know that that is something that also concerns the Charity Commission.

Matthew Hancock: The Chairman of the Select Committee need not apologise. He can intervene on me as many times as he likes and I will always seek to take his interventions. I know that that must happen, otherwise he will seek to get me in front of him in some other way. On my hon. Friend's substantive point, that concern has been raised with us. We want to consider the matter in more detail as the Bill passes through the House.

The Bill seeks to open up opportunities for charities to do more to fulfil their mission by providing a new power of social investment. Social investment seeks a positive social impact and a financial return, trying to make money go further. It is a huge and growing chance for UK charities to make more of their assets in a field where the UK is already the world leader. In 2014, the Law Commission conducted a review of charities' social investment powers. It found a lack of clarity around charities' social investment powers and duties, and concluded that that could be deterring some charities from getting involved in this exciting new field.

UK charities currently hold assets of over £80 billion, but they have made social investments of about only £100 million. We think that with the right support that market could double in the next few years. The Bill will ensure that more charities have a chance to take full advantage of social investment should they so wish. It removes the existing uncertainty by providing a specific new power to make social investments. It also sets out trustees' duties to ensure that all social investments are made in the best interests of the charity. That will allow charities to make investments with the dual aim of fulfilling their mission and achieving a financial return. It is the way of the future and it is happening here in Britain. We want to support it to go further.

The work charities do transcends politics and unites hon. Members on both sides of the House. We want all charities to enjoy the very highest levels of public trust and esteem, and the generosity that brings. By delivering a more effective regulator, by tackling unscrupulous fundraising and by unleashing the power of social investment, the Bill will strengthen that trust and allow charities to do more with that generosity. I commend the Bill to the House.

12.33 pm

Anna Turley (Redcar) (Lab/Co-op): It is a privilege to respond to the Bill on Second Reading as shadow Civil Society Minister. I thank the Minister and his colleagues for bringing the Bill before us, and for the open and co-operative way in which they have sought to engage with us. It is much appreciated. I thank all the civil servants involved in drafting the Bill, and all the charities and organisations that have contributed to its development and to our understanding. I also thank noble Lords, who used their customary wisdom and experience to refine and improve the Bill in its passage through the other place.

This is a good and important Bill, and we on the Labour Benches welcome it. There is, of course, some room for improvement, and I will come on to that in my speech, but its objectives are to be welcomed. We all

[Anna Turley]

know the vital role that charities play in building a strong and flourishing civic society. Thousands of people around the country give up their time every day to work as trustees and volunteers. Thousands more depend on the vital services they provide. As the Minister said, charities change and save lives. They support the poorest and the most vulnerable. They pick up the pieces of social and economic failures. They heal, they tend the sick, they bring dignity in old age and they give children the best start in life. We owe it to all of them to provide a secure and robust regulatory environment that inspires confidence and allows the sector to flourish.

The sector has had a difficult year. The regulation of the sector has come under increasing scrutiny and we have seen high-profile cases that have been deeply concerning. We have seen poor governance, financial mismanagement and, as the Minister set out, concerning fundraising methods. These cases are extremely rare, but they are deeply disappointing to the rest of the charitable sector. It is important that we support and encourage confidence in the wider sector by clamping down on any abuse. That is why we welcome the Bill.

It has been good to see the sector itself step up to the plate to tackle so many of these concerns. It is vital that we play our part in supporting the sector in that process by giving it the legislative and regulatory environment it needs. It is also vital that we get the right balance: a strong and sound regulatory environment that ensures trust but allows charities the freedom to be innovative, enterprising and, crucially, effective in delivering their social aims and objectives.

We welcome the core aims of the Bill. We support providing stronger protection for charities in England and Wales from individuals who are unfit to be charity trustees. That is vital to ensure good governance and prevent abuse. We support the measures to equip the Charity Commission with new and strengthened powers to tackle abuse more effectively and efficiently. To ensure confidence in the sector, it needs to be able to respond quickly and decisively to any concerns raised. Further clarifications are required, however, and we will work with the Minister to resolve them in Committee.

I want to put on record at this point my pleasure in hearing the Minister say the Government will use the Committee stage to look again at fundraising: at whether self-regulation is sufficient and what steps we can take if it fails. We look forward to working with him on that.

We welcome the aim to give charities a new power to make social investments; some are already doing that, but it is important we give charities the reassurance to enable them to do so. We know that one in three British consumers will pay more for products with a positive social or environmental outcome. It is important that we enable the charitable sector to encourage that.

There are some areas, however, where we believe the Bill can be improved. We will look to work with the Government during the progress of the Bill in Committee to do so. We will be seeking to discuss the following points.

First, on the freedom to speak and engage in political discourse, we continue to oppose the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014. We intend to use the passage

of the Bill to highlight and defend the right of charities by law to campaign and speak out on issues in line with their objectives. So often, it is charities that end up picking up the pieces of our policy failures. It is vital that we give them the right to campaign on their issues, and to challenge and hold us to account. That is a key part of a strong, healthy democratic and civic society.

Secondly, on clause 9 and the disposal of assets, the clause sets out that

“The Charity Commission shall ensure that independent charities are not compelled to use or dispose of their assets in a way which is inconsistent with their charitable purposes.”

We will continue to defend clause 9, so as to give housing associations the statutory backing to ensure they can make their decisions in the best interests of their tenants, and not be bullied by a Government determined to sell off and run down affordable housing. We think it is absolutely right that charities have the freedom to dispose of their assets in the way that they see fit.

Thirdly, on the protection of children and vulnerable adults, the Bill provides an opportunity to better protect children and vulnerable people. We are grateful that the Government accepted proposals in the other place to include people on the sex offenders register as among those who will be debarred from being trustees, but we believe there are other measures we can look at to strengthen that area. We will bring them forward in Committee.

Finally, on clarifying some of the powers of the Charity Commission, the Bill seeks to strengthen the powers of the Charity Commission. We believe there should be a strong, well supported regulator of charities that acts fairly and has the appropriate powers. Ultimately, the regulator must preserve public trust and confidence in charities. However, some provisions in the Bill could threaten charities' independence. For example, there are no objections in principle to giving the Charity Commission the power to give warnings to a charity, but the current drafting raises some concerns within the sector.

For example, the commission can issue a warning if it thinks there has been a breach of duty or trust or other misconduct or mismanagement. It is possible that the commission could issue a warning about an issue of relatively low concern. Also, a disagreement between the trustees and the commission could arise about whether the warning was justified. It is therefore important to attach safeguards to the issuing of a warning, and failure to comply with it should not in itself have significant consequences that could be disastrous for charities. I hope that we can continue to discuss the matter further in Committee. In addition, the commission should give adequate notice of its intention to issue a statutory warning.

These are issues that should be discussed in Committee because clearer guidelines should exist on the number of days and other protective remedial powers. Given the implications a warning would have for the charity in question, we should also consider a right of appeal to the charity tribunal. I look forward to working with Ministers on those issues as we go through Committee.

In summary, we believe all these areas can be discussed and looked at in more detail as we take the Bill forward in Committee. This is an important Bill. It has some room for improvement, but offers a great deal to build

trust and confidence in the charitable sector, which is why the Opposition will support it. I look forward to working with Ministers in Committee.

12.40 pm

Fiona Bruce (Congleton) (Con): I rise to support the rationale behind the Bill, which is of great importance to many members of the public. Its purposes are indeed to protect the public from unscrupulous fundraisers and to stop individuals who run charities abusing them. I agree that action should be taken in such cases, and I agree that the Charity Commission should have appropriate powers where misconduct is proven to have occurred.

I am pleased to note that the National Council for Voluntary Organisations has said that

“it is widely acknowledged that deliberate wrongdoing in charities is extremely rare”,

and it is important to remember that when we debate this Bill. There are many millions of people across the country who devote themselves and give selflessly of their time to charities. It is very important that we do nothing that in any way inhibits them from engaging and contributing to this important part of our civic society.

Having highlighted that motivation, I now want to highlight some of my concerns about the Bill, particularly about some of the new powers it contains. I hope that expressing my concerns is helpful and that they can be explored further in Committee. I speak with particular reference to the new measures in clauses 3 and 11, and the wide-ranging wording of the powers, which I fear could severely curb civic engagement, possibly deterring responsible people from wanting to be appointed as an officer to a charity.

I have more than 30 years’ experience of working in private practice on charity law, and the representation of charities was a particular part of that practice. I know that it has become increasingly difficult over those years to get individuals to step up to the plate, to coin a term, and to agree to an appointment in a charity. That often proves to be one of the challenges that new charities face, particularly—and interestingly—when it comes to the appointment of a treasurer.

I come to this debate, as I say, with over three decades of practical experience of working in this field. I want to ensure that we encourage and do not deter the very responsible people that the Bill is designed to support.

I note that clause 11 provides for new powers to suspend and disqualify. It has an extensive list of reasons within it, but I note that these could in future be varied by Ministers through the laying of new regulations—subject to those regulations being consulted on. We all know, however, that with the best will in the world among the Government, consultations can often reach only a few members of the public. There is the further problem of the regulations being scrutinised only by a few Members in Committee. That is why I am concerned about the excessive powers that will be granted if the Bill is passed, which if extended could come to embrace actions that might not have been fully scrutinised or intended by Members. I enter that caveat about the extension of disqualifications merely by Ministers laying new regulations.

The Bill gives immense power to the Charity Commission. Indeed, in its policy paper of May 2015, the Charity Commission acknowledged that it was gaining

“a significant new power” to disqualify people from serving as trustees or senior managers of charities. I am concerned about the wording. The Charity Commission is able under clause 1(1) to issue a warning,

“to a charity trustee or trustee for a charity who it considers has committed...misconduct or mismanagement”.

Clearly, “who it considers” is a very wide-ranging phrase. I note that clause 1(2) allows the Charity Commission to issue a warning that it can “publish”. Yes, the charity or person subject to that warning can respond, but the publication might already have occurred, so I am concerned about the damage to the reputation of the charity in general and the individual. I am worried if there is an opportunity to publish without an opportunity to respond, and I would be grateful if Minister corrected me if I am wrong on that point.

Let me deal with some of the conditions for disqualification. The Charity Commission interprets unfitness to be a trustee to mean failure of honesty and integrity, competence or credibility, the latter being defined as undermining the confidence of the public. That is what I want to highlight in the next part of my speech—how the Charity Commission could take steps to act and issue a warning solely on the one criterion of conduct that might damage public trust and undermine public confidence.

The Charity Commission says that it will use an evidence base relating to the knowledge it gains from the surveys it takes into public trust. I am rather concerned about that. Does it mean that the Charity Commission could carry out a poll, asking people with certain views whether they think the public would be more or less likely to trust an individual or charity? What if those views were very much in the minority or if the views were greatly opposed to current Government policy—views on foreign policy, for example?

That is quite a broad-ranging power, and so far as I can see there are no requirements for any independent review from the Government before the warning is issued. It seems to be based on an individual undertaking some activity or saying something that might be contrary to the views held by the majority of the public who respond to a survey. When the Bill refers to “any conduct”, does that include conduct that someone might have undertaken several years before becoming a trustee? We all know—including many of us in the House—that views can change over time. Many of us might have expressed views some years ago that have changed. How is an individual going to be protected from action taken against them, on the basis of this Bill, which could have far-reaching repercussions?

This is not a merely theoretical issue. Let me highlight how serious a problem this is. I remind Members of the challenges faced by the Plymouth Brethren in the last Parliament. Their charitable registration was threatened because of the interpretation of the words “public benefit” within the Charities Act 2006. We are fortunate now to have William Shawcross as chairman of the Charity Commission. He is an excellent head, a man who possesses wisdom and expresses his opinions, conducts his deliberations and makes his decisions very carefully and with great common sense. Following his appointment, I felt that an appropriate approach was being taken to the plight in which the Plymouth Brethren found themselves when their charitable status was challenged. The case was to go to a tribunal, the Plymouth Brethren had to engage lawyers, and more than 300 churches were affected.

[Fiona Bruce]

The Plymouth Brethren are a long-established denomination that exists throughout the country, but the challenge that they faced was very serious. They had to spend hundreds of thousands of pounds on legal advice. As I have said before, it was to their credit that in the past they had done an enormous amount of voluntary work without shouting about it, but now they had to start producing documentation, and indeed they produced some excellent booklets citing the work that they had done to the public benefit. They continue to do that work, one example being disaster relief.

Some major debates were held about the case in the House. More than 40 Members of Parliament attended a debate in Westminster Hall to speak up for the Plymouth Brethren and to say that the Charity Commission's action should never have been taken, because it had been based on a subjective interpretation of the words "public benefit". Ultimately, as we know, the commission withdrew its action, and the charitable status of the Plymouth Brethren—and many other charities that had been standing by and waiting for the decision—was secured. However, we do not want a rerun of that case.

Some may claim that minority views undermine public confidence, but where would the suffragettes have been had all this been happening years ago? Our society contains a wide range of views and beliefs, which are often held with passion and principle. Disagreement is common, as we saw in the House only yesterday; indeed, it is a characteristic of a free society. However—and social media can be very cruel in this regard—many people despise or reject others entirely on the basis of their sincerely held but different, or minority, views. Charities are often formed for the purpose of protecting minorities, and it is important for us to ensure that genuine people with genuinely held minority views are protected from what I am sure would be the unintended consequences of the Bill.

Let me return to the subject of faith groups. Many religions in this country espouse views that are rejected by the majority, and a number of those views are very strongly rejected. Creationism, for instance, cannot be taught in schools as a scientific fact, but one would hope that it can still be expounded in RE lessons as a belief. If a charity's work involved the promotion of creationism as a belief, would that be considered likely to undermine public confidence? There are many other examples—for example, different views on sexual ethics.

I am not, in this context, talking about minorities. A few weeks ago I spoke to a Church of England vicar—and it should be borne in mind that the Church of England is our state Church—who said that he had gone into a school and spoken about a particular view from a biblical perspective, and had gained the distinct impression that he should not come back and talk about the issue again. We must protect people with sincerely held but minority beliefs from the chilling effect that legislation can have on free speech in our society.

Let me now say something about the connection between the new powers in the Bill and the Government's counter-extremism strategy. I understand that the Government are seeking to ensure that charities are not abused for extremist purposes. The problem is, however, that there does not currently appear to be a clear

definition of extremism. That problem affects the Bill, and I think that it could have a very negative impact. The Government's information document on the counter-extremism strategy defines extremism as

"the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs."

That sounds fine, but previous definitions contained two or three additional words that now appear to be missing. They referred to

"mutual respect for and tolerance of those with different faiths and beliefs".

That was one of our fundamental British values, alongside democracy, the rule of law and individual liberty: mutual respect and tolerance of people who held different faiths and beliefs.

In March, I said in the House:

"It is entirely right that we should respect other people, including those with other beliefs, and to respect their right to hold those beliefs".

I added, however, that we should be careful not to conflate that

"with a requirement to respect all other beliefs, which is quite a different thing altogether."—[*Official Report*, 12 March 2015; Vol. 594, c. 496.]

That is the problem with the current definition of extremism. If I say that I respect scientologists but I do not respect scientology, I mean that I respect those who hold different beliefs, but I do not respect the belief of scientology. Does that make me an extremist? We must be very careful about the way in which we define extremism, and in that connection it is interesting to note that the Government have yet to provide a statutory definition of non-violent extremism.

We all value free speech very highly in the House. A free society is based on disagreement and mutual respect, and I believe that that is strengthened, not compromised, when I respect my fellow citizens without necessarily respecting their beliefs. I mentioned the suffragettes earlier, but the issue of slavery is another example. The wording of the current definition is deeply troubling, and we need to clarify it, because otherwise we could end up contributing to the marginalisation that feeds extremism. Open dialogue with those who hold different views is essential if we are to understand each other's views, reduce prejudice, and promote community cohesion.

The role that faith groups play in community cohesion through their involvement in the voluntary sector is staggering. Research carried out earlier in the year established that they contribute about £3 billion to social action in their communities, and that is just in monetary terms. In my view, the social cohesion that they provide is unquantifiable. Thousands of churches have run, or helped to run, charity projects for decades. It concerns me greatly that the removal—or the mere deterrence—of those who hold faith-related views that, in our present society, might not be popular, and certainly could not be considered mainstream, could deprive the charitable sector of valuable experience and expertise for decades.

Having had more than 30 years of experience in legal practice and of working with the charitable sector, I know that people are increasingly worried about falling foul of legislation and, as a result, are not becoming charity trustees. Will the Minister look again at the

powers relating to disqualification? It is interesting that he used the term “self-regulation”. I would not like to become self-disqualified. I am concerned because the powers are so wide, and we need to ensure that the thousands of experienced servant-hearted volunteers involved in the charitable sector are not deterred from being involved in our civic society. I know that that is not the Government’s intention, and I would be grateful if they looked at these concerns. I am sure that that would be an unintended consequence, but we cannot afford any further marginalisation and exclusion of people from a sector in which they play such a vital role.

1 pm

Tommy Sheppard (Edinburgh East) (SNP): I rise in my capacity as the Scottish National party’s spokesperson on the Cabinet Office to make a brief contribution to the debate. You will note on the Benches behind me the absence of Scottish Members of Parliament. Please do not take that to indicate a lack of interest; it is merely an acknowledgement of the fact that the provisions in the Bill do not apply to Scotland and that our constituents will not be encumbered by them. That said, we have a few observations to make on the measures.

This is a certified Bill, but you will note that there is no willingness on the part of Scottish Members to take part in the debate anyway, so perhaps this could serve as an illustration of whether or not it was really necessary to burden the House with the amendments to Standing Orders relating to English votes for English laws. I want to make an effort to be constructive and to help the Government, so if you wish to speed up the passage of this legislation, I can assure you that we will not seek to make any further contribution to, or have any further influence on, the matter under discussion. You could therefore dispense with the legislative consent stage, should that become necessary.

There is a different system in Scotland, obviously, and I pay tribute to the Office of the Scottish Charity Regulator—OSCR—which has, since 2005, provided support for 23,500 charities of all shapes and sizes in Scotland. I want to pay particular tribute to OSCR’s trustees. I have some personal experience in this area, because I served for seven years as a trustee of the Edinburgh Festival Fringe Society, which is one of the larger such organisations in Scotland. It has benefited greatly from the support it has received from OSCR. That said, even though we have a different system, we live on the same island and the regulations that apply in England and Wales set some of the context in which we operate in Scotland, so we have an interest in the legislation relating to England and Wales that is passed in this House.

Susan Elan Jones (Clwyd South) (Lab): May I make a quick point? Not many people will be aware—I myself was not until about six months ago—that every charity in Scotland is registered with the regulatory body, whereas in England and Wales many of the smaller charities are not. I think that that is of relevance to the wider debate, and I wonder whether the hon. Gentleman has a view on the matter.

Tommy Sheppard: All I can tell you is that it works well in Scotland, and we tend to take the approach “if it ain’t broke, don’t fix it”.

I will make a couple of points on specific aspects of the Bill in a moment, but first I want to welcome the Minister’s general support for the role of charities in our society throughout the country. It is important to recognise, however, that the people involved in charitable organisations are not just there as service providers who deliver things. They are also a valuable source of information and opinion, which can inform many of our social policies, and despite the Minister’s support, the Government may have some bridges to mend with the charitable sector in some areas of social policy. In particular, more than 60 disability organisations and charities have been critical of the Government’s changes to disability benefits. Let us contrast that with the situation in Scotland, where the leading children’s charities have actually praised the Scottish Government for amending some of the regulations.

Turning to the Bill, there are some clauses in which you are bringing the situation into line with that in Scotland. Clause 2 relates to the time limit on the suspension of trustees and clause 8 relates to property. These provisions already apply in Scotland in more or less the same way. I note that in clause 10, which covers the criteria for the disqualification of trustees, you are going a lot further than we have done in Scotland. Our approach would be to let you get on with that and see how it works out—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I gently point out to the hon. Gentleman that he has frequently used the word “you”. Actually, that was quite appropriate in the first part of his speech, because he was in a way addressing the Chair. However, when he is referring to the Government, it is better to say “the Government”, or “the Minister”, rather than “you”, because I will not take the blame.

Tommy Sheppard: I stand corrected, Madam Deputy Speaker. Sometimes I use the word “you” in its Scottish vernacular to imply “one”, but I will try to refer to the Government in the third person.

There are some clauses in which you are bringing the situation into line, and some in which you go further, and it is our intention to wait and see what happens. A review is under way in Scotland, which has in part come about because of the discussions that are taking place in England and Wales.

Our main concern relates to the regulations on the ability of charities to raise money. The Scottish Council for Voluntary Organisations has expressed concern that the high-profile cases in English charities relating to the misuse of funds, and the inappropriate ways of raising funds, will have an effect on charities in Scotland, even though they are not part of the same regulatory framework; they could effectively be tarred with the same brush.

We see no great need to change the funding regulations at the moment. Our charitable fundraising arrangements are essentially self-regulatory, and we would like that to continue. However, a discussion involving the charitable sector is under way in Scotland and we are determined that, whatever happens, we will arrive at an appropriate agreement, in which the charitable sector will be involved. It is a matter of debate whether we continue with self-regulation or whether we see the Government becoming more directly involved. The Ministers here have taken

[Tommy Sheppard]

the view that this Government should be more directly involved, and that they wish this House to be the ultimate place to which the regulatory system is accountable. We shall watch the situation with interest, and we wish you very well in your endeavours to improve the regulation of charities in England and Wales.

1.7 pm

Maggie Throup (Erewash) (Con): I am delighted to be able to speak today on this very important Bill, which I believe will protect and strengthen the governance of our charities. Our charities play an extremely important role across our nation, and I believe we are stronger for the extensive work that they carry out. We would be so much poorer as a nation if we did not have our amazing charities. It is the hundreds of thousands of generous volunteers who really make a difference, and 41% of people have reported taking part in volunteering in the last year. That is a massive 21 million people across the UK.

Only three weeks ago, every member of my staff took a day's holiday and spent it volunteering across the constituency as part of my inaugural Erewash volunteering day. One of my staff volunteered at the homelessness charity, the Canaan Trust—which I will talk more about later—and then went on to help with street collections for Children in Need. Another volunteered at a church food bank, then helped to serve a two-course lunch at the Pavilion luncheon club organised by Community Concern Erewash. She also helped to wash up afterwards, which I thought was very noble of her! A third member of my staff helped at the local hospice and joined the Treetops garden club. The club is very proud that one of its team has just been awarded Hospice UK's volunteer gardener of the year award.

My senior caseworker spent the day at Direct Help and Advice, based in Ilkeston, which has just been awarded Big Lottery funding. And of course I did some volunteering too. I visited a local church to find out more about its outreach community projects. One of these involved chair-based exercises, which are a lot more energetic than they sound. But that project offered more than just exercise; it offered a chat over a cup of tea at the end of the session, and therefore provided social inclusion as well. My whole team really enjoyed the day, and we have decided to make it an annual event. We are already looking forward to next year's Erewash volunteering day and to working with even more local charities.

Wendy Morton (Aldridge-Brownhills) (Con): Does my hon. Friend agree that volunteering and charitable giving are not just about giving, because when we volunteer and give we also gain a great deal from it, often from the experience of getting to know different people?

Maggie Throup: My hon. Friend is completely right, and we both experienced that in our time volunteering in Rwanda as part of the social action there. We thought we were going there to give, but we learned and benefited a great deal from that experience. Whether overseas or in my own constituency, I feel very humble every time I go to see a charity.

During our day spent volunteering, my staff and I met all the charity volunteers, the staff and the trustees. Trustees play a very important role in a charity—in the past, I have been a trustee of two charities. Before being appointed as a trustee, on both occasions I went through a selection process and was put under scrutiny. This is only right, as trustees hold very responsible roles. Sadly, we have heard some bad news stories recently of instances when trustees may not have been quite as scrupulous as they should have been. This should not happen, as it reflects very badly, and undeservedly, on every charity across the board, even those not involved. That is why I support this Bill and its aim to strengthen governance and give more powers to the Charity Commission to remove inappropriate trustees. As my hon. Friend the Member for Congleton (Fiona Bruce) pointed out, regulatory abuse in charities is rare, but it is vital that measures are in place to ensure that the public, and indeed the many charity volunteers, do not lose confidence when such incidents happen.

Another aspect of the Bill is to protect members of the public from unscrupulous and unrelenting fundraisers. Once again, there have been some very disturbing stories in the media recently, which simply end up reflecting badly on every charity, even though so many are not involved in such procedures.

Kevin Foster (Torbay) (Con): Does my hon. Friend agree that “chugging”, as it is called, also puts people off donating, particularly when they hear about the sorts of fees these people receive for the donations they collect from the public?

Maggie Throup: I completely agree. When we see these people on the streets, we tend to avoid them. I think it affects the local shopkeepers as well, as people get a bit fearful of what they are going to find on their high streets.

It has another effect, too. In their later years, my parents stopped donating to charities when the donations were in any way traceable. This was because after making one donation, they got phone call after phone call trying to persuade them to set up a direct debit. My parents were subjected to just a fraction of the pressure that Olive Cooke suffered, which ended in such a tragedy. With 44% of adults reportedly giving money to charitable causes every month, it is very important that donors feel they can make their donations freely and know that their donations are being spent wisely. This Bill ensures both things.

Of course, our small local charities do not employ third-party professional fundraisers, but have to use their ingenuity to raise their funds. Members will have heard me talk before about the fundraising events organised by my local hospice, Treetops, which provides amazing care in the community. I have awarded prizes at its dog show, which raised money, and taken part in its sponsored bike ride taking in all its charity shops across Derbyshire—and I did that on a tandem. There is always something happening somewhere in Erewash; there is always a charity event going on somewhere.

Only last Saturday I popped along to the Christmas fair organised by the League of Friends of Ilkeston Community Hospital. When I got there I was delighted not just to see Father Christmas but to find that Ilkeston Rotary had a stall there, as I knew from last Christmas

that it would be selling locally made Christmas cakes which are very tasty, and which have saved me trying to find the time, rather belatedly, to make one. At the Long Eaton Christmas lights switch-on last Thursday, I was able to win on the Scout's tombola—every ticket was a winner—and buy some handmade Christmas tree decorations from the Women's Institute stall. All these make fantastic contributions to my local area, and it is much richer as a result.

I said earlier that I would come back to the Canaan Trust, a Long Eaton-based charity providing much more than just a bed for homeless young men. The social investment part of this Bill will provide the ideal vehicle for this charity, should it wish to provide low-rent accommodation for those young men once they get their lives back on track, and help them move on even further with their lives. As my right hon. Friend the Minister said, social investment is the way of the future, and I am delighted that it forms part of this Bill.

I believe this Bill provides a suitable means of protecting our many charities from unscrupulous behaviour, so maintaining the confidence of the public, the confidence of the many donors, and the confidence of the amazing volunteers as well as those who are employed by the charities. I will want to ensure in Committee that our small local charities will not be penalised in any way as a result of these changes, but I do like the way the Bill provides a mechanism to enable charities to develop social investments that can be of great benefit to those they serve.

I am delighted to have been able to speak in support of this Bill, with my reservation about its potential impact on small charities such as those I have talked about today, and to outline its benefits to the constituents of Erewash.

1.16 pm

Susan Elan Jones (Clwyd South) (Lab): It is a great pleasure to take part in the debate on this Bill. I want to make a few points. I think many people welcome the fact that the Government are taking action to prevent individuals who are unfit to become charity trustees from doing so and are tackling abuse and mismanagement of charities more effectively. However, I have a few questions over some details.

There is widespread agreement across the voluntary sector and among the general public—this very much recognises what the hon. Member for Erewash (Maggie Throup) said—about the problem with predatory fundraising when it is done in an unethical way. It is good that the sector itself is coming forward with the idea of a fundraising preference service. That will be very important.

It is worth bearing in mind, however, that across England and Wales there are 943,000 trustees, and we in this House bear some responsibility for making sure we do not scare them to death with regulation. The bulk of charities in this country are not like Kids Company, which appears to have got away with a remarkable amount. We are talking about people who give up their time to serve on management committees, often when they do not have much time to give up. We do not always do that well in the diversity of trustees. I think the average age is 57, and only about one in 200 is between the ages of 16 and 24, so I would be reluctant to do anything that scares off too many people. However,

there is a case for returning to the proposal suggested a few years ago by Lord Hodgson for time limits—for larger charities only; it would be ridiculous for the village hall committee and many smaller management groups. I hope that can be considered during the Bill's passage.

I have a couple of other small points. Members have already suggested that clause 1 gives the commission an absolute discretion to publish an official warning to a wider audience. However, charities depend heavily on funding and reputational matters, so if there is no real right to appeal against a warning and no minimum notice period, that needs to be looked at.

The issue with clause 11, which centres on the power to disqualify from being a trustee, relates to clarity. We agree in principle that, if there is genuine abuse, it is important that such a power can be used. On clear cases, there is a question about whether the amount of discretion available is too wide; many of us agree that that needs to be defined much more clearly. The hon. Member for Congleton (Fiona Bruce) raised the issue of past behaviour in her extensive speech.

I welcome the Bill. It is part of the consideration of how charities develop in the modern world, but we have to be careful. It is so easy for us to add new regulations that frighten charities, especially smaller charities, from doing their work. Often, charities start off very small. For example, Your Space in Black Park in my constituency started off very small, but it has now become a state-of-the-art charity working with children and young people with autism. Such things often begin from little acorns, but we must not smother the little acorns with too many regulations. I am not sure whether it is possible to smother little acorns, but if it is possible I do not think we should do it.

Although I broadly welcome the Bill, we need to look at some of those details. In the last Parliament, the Government made changes following the Committee stage of the Small Charitable Donations Act 2012. I hope we can debate at a later stage the issues I have raised.

1.21 pm

Wendy Morton (Aldridge-Brownhills) (Con): It is a pleasure and a privilege to take part in this debate. Charities do fantastic work, both nationally and locally, across the breadth of the country. We have heard some fantastic and inspirational examples from my hon. Friends the Members for Erewash (Maggie Throup) and for Congleton (Fiona Bruce), who is no longer in her place, of the work that goes on up and down the country.

In the days when I used to run half-marathons, such as the great north run, rather than just run from my office to this Chamber or to the voting Lobby, I was always particularly impressed by the number of charities represented by runners and the generosity and support of the general public. I was often a little disheartened when somebody wearing fancy dress ran passed me at a much quicker speed, but you can't have it all ways.

The local charities in my constituency include Rosie's Helping Hands, which was set up by a couple to help them handle the grief of losing a beloved daughter and to deal with it in a very positive way for our local community. They hold numerous events, including a charitable walk, and the money raised goes into helping children and young people in our local community.

[Wendy Morton]

We also have many local branches of some of the big national charities. Our local branch of the Royal British Legion does so much, like every other branch in the country, to raise awareness and funds for an incredibly important charity that supports armed forces veterans. In the village of Pelsall it encourages the whole of the local community to knit poppies in advance of Remembrance Sunday. The red poppies were placed over the clock tower, and the way in which the charity brought the community together and raised funds is another example of why the charitable community is so important.

Maggie Throup: Does my hon. Friend agree that this is partly about fundraising and partly about the feel-good factor created in communities?

Wendy Morton: I could not agree more. Even I got out the knitting needles and learned how to knit again. It was a case of knit one, purl one and then drop several, but I did my bit, as did everybody else. The community came together, worked together and had a bit of fun for an incredibly worthwhile cause.

Small charities often play a huge part in our local communities. They provide something over and above, or in addition to, what the Government or the public sector provide. Those small things often make a big difference to the lives of individuals and their families.

Through my involvement with social action projects over the years, I have been extremely fortunate to get to know many charities, both in the UK and overseas. I have also spent time with other Members on projects working with charities in Rwanda.

As some Members will be aware, a private Member's Bill of mine is going through this place, to help Great Ormond Street Hospital Children's Charity. I had the great pleasure of visiting the hospital and seeing some of the fantastic work it does in supporting patients. It is involved in building projects and has a chapel, and it does a huge amount of paediatric research. None of that would be possible without the work of the charity and all the people involved in it.

Sadly, the results of high-profile charity crises can damage trust in charities. It is really important that we do all we can to maintain and strengthen that trust, and the Bill demonstrates the importance of having an effective charity regulator.

I support the Bill because it will provide stronger protection for charities in England and Wales. It will also equip the Charity Commission with new and stronger powers to tackle charity abuse more effectively and efficiently.

Kevin Foster: My hon. Friend is making some strong points in support of the Bill. Does she agree that, in order to keep the flow of funds coming in from the public and from donors, it is vital that abuse is not possible and that the public have confidence that there is a mechanism to tackle it?

Wendy Morton: Absolutely. Trust and confidence are critical. That is why I believe that robust but proportionate action should be taken where serious mismanagement

occurs. It is about maintaining and strengthening trust in a vital sector and enabling all charities, both large and small, to continue to do their work.

I have one plea, which is that the Bill needs to ensure that smaller charities are not disproportionately affected by any bureaucracy or too much legislation. It does not matter whether a charity is small or large: charities have so much to give to our country, society and communities, and I will do all I can to ensure that they get the support they deserve.

1.28 pm

Robert Jenrick (Newark) (Con): I welcome the Bill, which is a much needed and sensible Government reform. I am delighted that they have introduced it.

Before entering this place, I practised as a solicitor for several years. I practised corporate governance, among other areas, and over the course of the past year, I think we have all come to realise that the governance of charities is in crisis and it is affecting all charities. The large charities are infecting the small charities, which is why it is so important for this House to act.

As has been said by many Members on both sides of the House, we all support the charities in our constituencies, including those we give to and those of which we are trustees. We want them to thrive and we want public confidence in them to increase, because, undoubtedly, public confidence in charities has been knocked this year. As the head of a charity based in my constituency recently told me, charities are different from many other parts of our society. When large businesses get knocked by scandals, the public turn towards the little guys and confidence in them rises. If there is a horsemeat scandal at Tesco, we all go to our local butchers and sales there start to rise. Charities seem to have the inverse situation. If the big charities get hit by scandals, the little guys suffer as well.

It is essential that we protect the thousands of excellent small charities that we, as Members of Parliament, get to know more than most members of society. It is for them that we must ensure that the larger charities, in particular, have the highest quality of governance. That comes down to trustees. It has been a torrid year in many respects for how the large charities have behaved, whether the scandals have been about the high salaries of chief executives and the management teams of big charities, about the question of politicisation or, above all, about the question of the inappropriate use of fundraising on our high streets. Of course, there has been the tragic case of Olive Cooke.

Kevin Foster: My hon. Friend is making a very strong speech. Does he agree that part of it is about the public having confidence about how much of the pound that they donate ends up going to the good work of the good cause, particularly as with some of the larger charities there have been issues about how much ends up going on overheads and administration?

Robert Jenrick: My hon. Friend makes a strong point. I want to come on to how we can ensure proper financial management of our charities. That cuts in both directions: how they govern themselves and what percentage of their organisation and resources is deployed on central management.

Kids Company has seen the last and perhaps most prominent scandal, which has raised all manner of questions about the governance of our most high-profile and largest charities, particularly their capacity to handle their finances appropriately. I do not want to dwell on Kids Company, which is an outlier, but it has done huge damage to other charities. That is why those who have been at the heart of it and those parts of Government that have worked with Kids Company have to take it seriously. It is damaging all our charities throughout the country. The powers in the Bill to bar ineffective and inappropriate trustees from acting as trustees will be tested if there are Kids Company-type scandals in future.

Nigel Huddleston (Mid Worcestershire) (Con): Is that not at the heart of the matter? The vast majority of people who work with, volunteer for or have leadership positions in charities across the UK generally do the right thing in their day-to-day activities. Through this Bill and other initiatives, we need to try to get the right balance between governance and allowing them to get on with doing the things that they really want to do.

Robert Jenrick: My hon. Friend makes the point perfectly. It is important to remember that the core activities of our charities are rarely questioned. They are usually performed incredibly well and incredibly sensitively and appropriately. The scandals and disappointments tend to come from the way the operation of our charities occurs. That is why it is incredibly important that trustees play their full role in managing, scrutinising and supporting those organisations, as do directors and non-executive directors of our companies.

The role of a trustee has to be at the heart of it all. The new Bill is important in that regard as the power to bar individuals who are not appropriate to be trustees and who bring charities into disrepute is incredibly important. I would be interested to know from the Minister how many trustees he believes that that would apply to in an average year. Will the difference be marginal, or will it be more significant? As for the question of preventing trustees from moving on, after damaging an organisation, to continue in many others, we all know that many people—many good people—are trustees of several charities and so, inevitably, the bad apples are also involved in many charities. We want to ensure that that involvement cannot continue.

The power to issue warnings to charities is important if the Charity Commission considers their actions to amount to misconduct or mismanagement. Of course, that must be done proportionately and the Charity Commission has not always acted proportionately on a range of other issues, including, as we heard from my hon. Friend the Member for Congleton (Fiona Bruce), the issue of the Plymouth Brethren. Had I been in the House at the time, I would certainly have supported that important campaign.

Many involved in the third sector have expressed concern that the Bill gives the commission the benefit of the doubt, but bearing in mind the importance of raising public trust in our charities, particularly the big ones, it is essential that we have a strong regulator with the tools to act. The Bill provides that.

I have some questions and thoughts for the Minister on the role of trustees. First, it is absolutely essential, as Kids Company showed—this seems a simple and obvious

point—that a board of trustees contains the right range of expertise. That is stipulated within the guidance of the Charity Commission but, clearly, it does not always happen. In particular, that must include the right range of financial expertise. When charities reach a certain size, like our larger companies, they qualify to be in the FTSE 250. They are huge organisations and require individuals with genuine financial expertise and knowledge of financial controls so that they can scrutinise the organisation and hold it to account.

Fiona Bruce: I hear what my hon. Friend is saying, but my concern is, as the hon. Member for Clwyd South (Susan Elan Jones) mentioned, possible regulations for larger charities. My concern is how that is defined and that one might bring in the smaller charities. Does my hon. Friend not share my concern about the difficulty in attracting officers of charitable organisations, particularly to the role of treasurer, as my experience shows?

Robert Jenrick: I share that concern. We all know through the other organisations in which we are involved how difficult it can be to find good people, particularly younger people, as has been said, to act as trustees. Incidentally, the charitable sector is a lot more diverse than our corporate sector. About 40% of charitable trustees are women, and that figure is not the same in the corporate sector. It is important that we do not put people off from getting involved. It might be that the time has come when “one size fits all” does not work and that our largest charities, which uphold public trust and confidence in charitable giving more generally and which are very large—we are encouraging charities to merge and get larger—should be subject to far greater scrutiny and a different regime from the small ones that we all know in our constituencies and want to thrive.

Fiona Bruce: My hon. Friend is being very generous in giving way. Perhaps for the very small charities there needs to be some sort of Charity Commission kitemarked course that a would-be trustee can go on to ensure that they have the necessary understanding of the role required.

Robert Jenrick: My hon. Friend comes on to a point that I wanted to make. By the Charity Commission's own reckoning, knowledge of governance rules and best practice is quite limited among our trustees. I do not blame them—they are busy people who are doing this voluntarily and we want to encourage that—but knowledge is quite limited. The awareness and knowledge of some of the guidance—for instance, CC3, which is “The essential trustee” guide—are quite modest. Surveys that the Charity Commission has put out to trustees of larger and small charities suggest that basic functions of being a trustee are not widely known by our trustees.

Anything that the Charity Commission can do to boost awareness without putting off our trustees is essential. I know that the Charity Commission takes that seriously, because I have spoken to it, but it needs to do something to boost that awareness and support trustees in a way that strikes the right balance between not deterring people and ensuring that they know what they are supposed to do. Some of the reports and surveys are quite scary when it comes to how few trustees understand their responsibilities, particularly as regards finance.

Kevin Foster: My hon. Friend is being extremely generous with his time. Does he agree that it is also important that we ensure that anyone who wants to do the best for their community or to support a good cause does not feel excluded from being a charity trustee merely because they do not have formal qualifications? It is important that the Charity Commission helps to build the skills they need, as I would not want to see trusteeship become a graduates-only zone.

Robert Jenrick: That is very important, but I do return to the theme of some of our biggest charities. They are major organisations dealing with hundreds of millions of pounds of not only the public's money, through charitable donations, but the taxpayer's money. I am nervous to dwell on the case of Kids Company, but its trustees had very little relevant expertise. One was a celebrity hairdresser—there is nothing wrong with that, but I do not expect that person necessarily to have expertise in running a major multinational business, as Kids Company had become. It is therefore essential that those organisations step up and have appropriate trustees. I would like this Bill and the Government to push our biggest charities to have those individuals.

I know that charities are now required in their annual return to confirm whether or not they have reviewed their financial controls. Clearly, that important lesson has come out of recent scandals, and such a provision is essential. Anything we can do to beef it up, without deterring the little guys, is essential.

Another issue is that, unlike as happens in companies, most trustees do not meet in mixed board meetings with their management, and so the interplay between the two is often limited. Those trustees who take their role most seriously and work hardest at it no doubt get to know the senior management of their organisation, but others do not and often rely, crucially, on the chief executive, who may be, as we have seen in other scandals, an overbearing founder. Such a person may be incredibly charismatic, powerful and knowledgeable about the organisation, but it is difficult to scrutinise them, stretch them and hold them to account. That is important, and our larger charities have started to have mixed board meetings involving executive and non-executive directors—I use the corporate setting there.

I would like the Government to think about the role of overbearing founders, because it is an incredibly important issue. Anyone involved in the charitable sector sees examples where someone who may be a brilliant individual founds a charity and then it gets out of control, as they become extremely difficult to scrutinise and perhaps the time comes when they should step aside or hand over to somebody else. Perhaps it would be appropriate for these individuals to have term limits, as we might have for a chairman of a public company, where they have to go through a rigorous procedure at the end of a certain term in order to be reappointed.

A number of our charities, even the largest ones, are riddled with conflicts of interest. We see trustees having friends and relatives employed in the organisation, and trustees sometimes getting benefits that are not appropriate. I do not think the Bill particularly deals with that issue, but it does a lot of damage and undermines confidence in the charitable sector.

Lastly, I wonder whether the Minister really believes that the Charity Commission has the capacity to regulate the vast number of charities. We have thousands of charities in this country, some of which are extremely complex organisations, as we have seen. Does the Charity Commission have the resources to do that work? I suspect it does not, a view shared by many in the sector. Some of our most experienced chief executives believe the time has come for some form of beefing up of the Charity Commission through self-funding, whereby the big charities, which are the holders of public trust and confidence, might contribute some money towards ensuring that trust in the wider sector is maintained through a Charity Commission that has the funding required to see that happen.

I know that the Minister wants to speak, so in conclusion, trustees are absolutely essential and those of our biggest charities are letting down the entire sector. Scandals such as what happened at Kids Company matter, because they are harming the small charities, which are the lifeblood of charitable giving. As a Member of Parliament, I have taken huge pleasure in getting to know and working with these charities in my constituency, and I know other Members feel the same. Those who hold those positions in the big organisations need to step up and behave as if they are non-executive directors of large and important organisations, which they are.

1.43 pm

Louise Haigh (Sheffield, Heeley) (Lab): This is my first time at the Dispatch Box responding to a Bill, so may I say that it has been a pleasure listening to learned contributions from hon. Members on both sides of the House? I would have liked a few more hon. Friends to be behind me today, but I assure the House that the fact there are not is not a signal of our disinterest but one of our wholehearted support of the Government's objectives in the Bill.

This has been an important and helpful debate, and I congratulate all Members who have participated in it and everyone who has been involved in getting the Bill to this place, particularly our colleagues in the other place. We have had a small number of contributions, but fortunately this debate has been defined by its quality, not its quantity.

The hon. Member for Congleton (Fiona Bruce), who brings extensive experience in the sector, spoke about the difficulties in encouraging trustees to charities. She also discussed concerns about giving the Charity Commission the power to judge whether a potential trustee had committed misconduct and about powers to publish a warning notice, risking enormous damage to a potential trustee's reputation.

The hon. Member for Edinburgh East (Tommy Sheppard) spoke about how the Bill cannot be viewed in a vacuum and should be viewed in the context that charities in our communities are increasingly being asked to do more with less, as the cuts, particularly those to our local authorities, bite further.

The hon. Member for Erewash (Maggie Throup) paid tribute to the many volunteers across her own community who respond to vital need, just as they do across all our communities. All of us will have fantastic charities that fill sadly much-needed demand in our

constituencies, but I will not put your patience to the test by listing all the ones in my constituency, Madam Deputy Speaker.

My hon. Friend the Member for Clwyd South (Susan Elan Jones) praised the charitable sector for developing the fundraising preference service, demonstrating the willingness of the sector to tackle issues highlighted by the Bill.

The hon. Member for Aldridge-Brownhills (Wendy Morton) spoke passionately about her experience of volunteering, the impact of small charities in her constituency and her own private Member's Bill on supporting the renowned, fantastic work done by the Great Ormond Street Hospital Children's Charity.

The hon. Member for Newark (Robert Jenrick), a fellow former corporate governance practitioner, spoke about how we must ensure that small charities do not pay the price for the mistakes of larger, misbehaving charities. He made reference to Kids Company, whose case has had ripple effects across the whole sector. I am glad that that charity has not dominated our debate today, because, as he said, it is an outlier, at best.

Today's debate has provided a platform to debate the much-needed powers that will allow the Charity Commission to regulate the sector better, but first I wish to echo the feelings of Members on both sides of the House by saying that we know the special role charities play in our constituencies and in the country as a whole. As the Minister for the Cabinet Office and Paymaster General rightly said, "the work charities do transcends politics and unites" this House. Britons donate billions of pounds per year, and very often it is those without a great deal donating what they can to the causes close to their heart or to those in need in the community around them.

Charities are also the vehicle by which many of us can try to make a difference for the communities in which we live. Figures vary, but the latest estimate is that nearly three quarters of us do some form of volunteering for charities at least once a year. To put it simply, the values and ethos of those nearly 1 million trustees who give their time to make our country a kinder and more interesting place are the best of Britain.

We know, therefore, that charities have a great deal of good will and public support. As my hon. Friend the Member for Redcar (Anna Turley) rightly said in opening for our side, they support our vulnerable and our sick and elderly, and give people the chance to change lives. With that in mind, it is vital that charities and their regulator have the appropriate powers to act in the extremely rare event that misconduct occurs.

As we have heard, deliberate wrongdoing in charities is extremely rare, but it is important that the regulator has the power to take robust action where it does occur. We know that the measures in the Bill to prevent trustees who are not fit to hold the position from serving as trustees are widely supported by both the public and charities themselves—this is simply common sense.

We therefore support Government moves to close the loopholes and strengthen the Charity Commission in this important aspect. As Members across the House will know, the Charity Commission already has a wide range of compliance and enabling powers, but there are underlying weaknesses, including a limit on the commission's

ability to prevent and/or tackle abuse in charities. The powers the Charity Commission did have were not powers that we would expect a modern regulator to hold—they did not go far enough—so we welcome the strengthening of its powers.

In securing these new powers, we will enable the Charity Commission to regulate more effectively. We know that it is of the utmost importance that we are able to find the right balance between having good governance that gives people the confidence to support the sector and ensuring that charities have the freedom to be able to do what they do best—being brave in their determination to build a better society, innovating, responding to the challenge of today and tomorrow, and delivering effectively and with value for money.

As we have heard, the vast majority of charities and trustees act in the interest of their beneficiaries, but the poor governance and unscrupulous fundraising activities of a few undermines confidence in the whole sector. We therefore welcome this Bill, and we very much welcome the new social investment powers and powers to disqualify trustees. But we would not be an effective Opposition if we did not point out areas of room for improvement.

We are disappointed that the Government will seek to overrule the other place by removing clause 9, a vital amendment that protects charities from arbitrary rulings requiring them to dispose of their assets in contravention of their charitable purpose. I hope we can revisit that matter in Committee and that we can do so in the same cross-party manner of this debate.

A number of hon. Members have made good points on fundraising, on the very important protection of minority views, which we in this House should hold so dear, and on ensuring the balance between regulation and enabling charities to do good in their communities. I know that the Minister will have been listening closely to this debate. I hope that we can work together on a cross-party basis to improve this Bill at Committee stage. With that, I can assure the House that we are happy to support this Bill on Second Reading.

1.50 pm

The Minister for Civil Society (Mr Rob Wilson): I thank all hon. Members for their excellent contributions to this debate. Clearly, these issues are very important to them and their constituents. May I add my welcome and congratulations to the hon. Member for Sheffield, Heeley (Louise Haigh) on her first outing at the Dispatch Box? I am sure that it is the first of many.

It is clear that the House has great respect and admiration for the good work currently being done by charities throughout the UK. I also know that hon. Members have much experience and expertise of charities in the voluntary sector, which was demonstrated during some of the speeches today.

There is also a strong desire to protect the privileged position that charities hold in the eyes of the public, as was demonstrated in the latest world giving index, which found Britain to be the most generous nation in Europe. We also have a strong, diverse and growing charity sector. Over the period of the last Parliament, the number of registered charities in England and Wales increased by more than 2,000 to 165,000. Their combined income has grown by more than £10 billion, and is now just short of £70 billion a year.

[Mr Rob Wilson]

Before I address the remarks that have been made by hon. Members, let me take the time to echo a point that has been made throughout this debate. The vast majority of charities in this country do excellent work and are run by good, honest and generous people. They wish to help those most in need and make the world a better place. I particularly wish to pay tribute to charity trustees, without whose unpaid efforts there would be no charity sector. For their selfless passion and commitment, they have my respect and sincere thanks. However, their good work is threatened by a small minority who seek to abuse charitable status for their own ends. The Bill will help the independent regulator to take robust action against that small minority. By doing so, it will reinforce public trust and confidence and protect the reputation of charities as a whole.

The powers in the Bill have broad support from the charitable sector and the public. The charity commissioner has been involved throughout the process of developing these proposals. The sector has also been subjected to public consultation and pre-legislative scrutiny, both of which helped inform and refine the proposed powers.

Some have argued that the Bill would give the Charity Commission too much power, or that some of the powers are too broad. In response, I say that the Bill seeks to achieve a balance. The new commission powers need to be broad enough to make them useful. If they are too narrow they would be impractical and go unused or would leave loopholes to be exploited by the unscrupulous. Charities also need to know the circumstances in which the commission will use its powers.

Although this Bill achieves the right balance, I wish to draw the attention of hon. Members to a couple of key safeguards. The Charity Commission is subject to a general duty under section 16 of the Charities Act 2011. That means that the commission must be satisfied that the exercise of any of its powers would be in line with the principles of best regulatory practice, including that it is proportionate, accountable, consistent, transparent and targeted only at cases in which action is needed.

Fiona Bruce: I thank the Minister for drawing our attention to that section. It is a pity that it was not invoked when the whole interpretation of public benefit was being debated, and that the Charity Commission did not refer itself back to it then. My concern is that this Bill could be in force before there is a clear definition of non-violent extremism. The Government's counter-extremism strategy says that this Bill would give the commission powers to disqualify trustees for wide reasons, including past conduct and a variety of other abuses, such as extremism. In the same strategy, there is also reference to non-violent extremism. Will the Minister address that point?

Mr Wilson: I thank my hon. Friend for her contribution this afternoon and her question. She raises some extremely important issues, with which I intend to deal in full. As she has asked, let me just deal with the public benefit and religion issue first. Religious charities play a hugely important role in our public life. Over 25% of registered charities have a religious purpose and are often working in some of the most hard-to-reach communities. The advancement of religion is one of the oldest charitable

purposes, and there is no question but that it is under threat. There are more than 25,000 registered religious charities, almost all of which have no difficulty in demonstrating their public benefit.

My hon. Friend mentioned the Plymouth Brethren in her speech. Its case was an exception, and I am pleased that it was resolved in a sensible way, even though it took too long. I will come back to some of the other issues that she raised later in my comments.

All the proposed commission powers in the Bill have a right of appeal, in most cases to the Charity Tribunal, ensuring that there is independent judicial oversight of the exercise of the commission's powers. There have also been some questions, notably from my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier), about the rehabilitation of offenders.

The Government believe that individuals with serious convictions should not be able to hold the position of charity trustee and have control over charitable funds and fundraising activities until those convictions are spent or a waiver from disqualification is obtained from the commission. The waiver regime exists to enable disqualified individuals who wish to be a charity trustee to apply to the Charity Commission for their disqualification to be overturned.

A waiver application would be considered on a case-by-case basis, and the Charity Commission would take into account the nature and seriousness of the conduct that had resulted in the conviction and consequential disqualification.

A decision by the Charity Commission not to grant a waiver could be appealed to the Charity Tribunal, which would consider the matter afresh. That strikes me as a fair and proportionate system that on the one hand protects charities from individuals who present a known risk, and on the other hand provides for the rehabilitation of offenders and a way back into charity trusteeship on a case-by-case basis.

People have also raised concerns about the official warning power and the fact that there is no right of appeal to the Charity Tribunal. There is a right of appeal, which is judicial review. That is the same position as now, where the commission publishes its operational compliance case reports on non-inquiry cases that have attracted public interest and that highlight important lessons for charity trustees.

The Bill provides for a period of time to allow representations to be made in relation to an official warning, which the commission would be obliged to consider. There is then the option of judicial review. We consider that proportionate.

A right to appeal an official warning to the tribunal would be disproportionate and could tie the commission up in red tape, rendering the power impractical for its intended purpose. The last thing that we want to do is give the Charity Commission powers that it cannot use, and for which it could be criticised for failing to exercise several years hence. The Joint Committee that undertook pre-legislative scrutiny agreed that, with the appropriate safeguards in the provision, judicial review was the appropriate route for appeals.

Let me turn now to fundraising. I was deeply disappointed to see the extent of poor practices by large charities in relation to their fundraising. That matter was widely exposed by the media earlier this year following

the sad death of Olive Cooke. Since then, further damaging cases have come to light, and once again the reputation of charities has been put at risk by the actions of a small minority. Public trust and confidence in charities have not been this low since 2007, and charities now rank 12th in the list of most trusted institutions, below supermarkets and television and radio stations. Only 48% of people said they trusted charities.

In response to the fundraising scandals, we acted swiftly to amend the Bill in the other place to reinforce charity trustees' responsibilities and accountability for the charity's fundraising. Clause 14 will encourage charities to exercise greater control and oversight of those who fundraise for their organisation. It will ensure that there are proper processes for dealing with vulnerable people and will generally safeguard the public. Large charities will make this commitment public through their annual reports so that anyone can hold them to account for how they interact with them.

I asked Sir Stuart Etherington to conduct an independent review of how fundraising regulation could be improved to safeguard vulnerable people and better respect the public's wishes about how and whether they are contacted. He was supported by a cross-party panel of peers. I have since accepted the review's recommendations in full, and I am now encouraging the sector to move quickly and firmly to show that it gets the public's anger and concern and is committed to making self-regulation work.

I also expect the sector fully to back the new fundraising regulator, both financially and through compliance with its rulings. In the past few weeks, I have announced that Lord Michael Grade has been recruited as the interim chair of the new body and will oversee the set-up and initial phase of operations. I am confident that he is the right man to lead this important task and that the sector will unite behind him to address these urgent issues and restore public trust in fundraising.

The new regulator will also host the fundraising preference service, a tool that will allow people to opt out of receiving fundraising requests and that will stop charities wasting resources on approaching those who do not wish to hear from them. A working group is currently being set up to establish how the service will work in practice. In addition to a simple reset button, there will no doubt be a few more nuanced options should people wish to opt into certain charities only. Crucially, it will provide everyone with a way to get off charity contact lists they no longer wish to be on.

Charities need to demonstrate that fundraising and its self-regulation can work in the best interests of the public. They will have the chance to do so at a summit tomorrow, when the next steps for implementing better self-regulation will be announced. I hope that this will be a constructive and collaborative meeting where charities show their commitment to the new self-regulator and to meeting the public's expectations. Should they fail to do so, I stand ready to step in to safeguard the public and their trust in charities.

For that purpose, I will seek to add two reserve powers to the Bill: one to compel charities to sign up to the new regulator and a second to mandate the Charity Commission with regulation should the sector fail to rise to the challenge. I also welcome the commission's revision of its guidance for charity trustees on fundraising, which it has published today. It reminds trustees of

their duties and responsibilities in relation to fundraising, including the need to protect their charity's reputation and that of the wider sector.

The Bill also provides support to social investment. As many will have seen in the autumn statement, the Government have shown a strong commitment to social investment, having invested £80 million to grow social impact bonds in the UK. For charity investors, the power of social investment enables them to increase their mission impact and sustainability by making investments that provide a financial return as well as furthering the purpose of the charity. Although most charities can make social investments under the current law, it can be complex and costly to do so. The new social investment power for charities in clause 15 was recommended and drafted by the Law Commission to overcome that complexity and reduce the costs of investment for charities. It was widely supported on consultation.

The UK is already recognised as a world leader in social investment, an area in which the Government have taken pioneering action. For example, we have set up Big Society Capital and stimulated the use of social impact bonds to deliver services to some of the most disadvantaged in society through initiatives such as social outcomes funds. With the power of social investment conferred on charities by the Bill, we take another step forward in building a sustainable social investment ecosystem.

I now turn briefly to interventions and speeches. My hon. Friend the Member for South West Wiltshire (Dr Murrison) asked about the transparency of direct debit fundraisers. Professional fundraisers are already required to state how much they are paid for asking the public to donate, but I would be happy to discuss the matter further in Committee. I was delighted by the contribution from the hon. Member for Edinburgh East (Tommy Sheppard), who spoke for the SNP and may well have set a precedent under English law: he said that the SNP would not be taking part in any other stages of the Bill. I hope that that precedent will now stand.

I thank my hon. Friend the Member for Erewash (Maggie Throup) for an uplifting speech and her comments about her inaugural volunteering day. I hope it sets a precedent for other MPs. It is great to see that that will now become an annual event, and I certainly wish it well. I also thank the hon. Member for Clwyd South (Susan Elan Jones) for supporting the fundraising preference service. For the sake of fundraising in the future, it is important that it works. I also thank my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton), who told us the wonderful story about poppy knitting in one of her villages. It demonstrates the value of civil society and the contribution of charities. She is absolutely right that a small kindness can make a big difference.

For several reasons, legislating for a maximum trustee term does not appeal. The evidence is that 50% of charities are carrying at least one trustee vacancy, and we must be mindful that the role is a voluntary one. My hon. Friend the Member for Erewash mentioned the impact on small charities and made an important point about minimising the burden of regulation, as did the hon. Member for Clwyd South. We are keen to minimise the burden of regulation on small charities. For example, the new reporting requirement on fundraising in clause 14

[Mr Rob Wilson]

will apply only to charities with incomes over £1 million, and the new fundraising self-regulator will need to consider exemptions for small charities from the fundraising preference service.

My hon. Friend the Member for Newark (Robert Jenrick) made a strong speech that clearly set out how big charities were causing great concern for some smaller charities. It is certainly our intention to try to protect them. The Opposition raised concerns about campaigning. To be clear, charities cannot engage in party-political campaigning, and where they undertake any other types of campaigning to support their charitable purposes, they must avoid adverse perceptions of their independence and political neutrality. In addition, they must not embark on campaigning to such an extent that it compromises their legal status as a charity. The Charity Commission provides clear guidance, in CC9, about what is permitted. It makes it clear that charity law recognises that non-party political campaigning can be a legitimate activity for charities and sets out the general principles.

A concern was raised about whether the commission should be able to publish official warnings. Charities exist for public benefit and depend on public support, so there should be transparency and publication of official warnings when the regulator considers it necessary to intervene, unless there is a good reason not to publish them. There should always be an opportunity, though, to make representations about the factual accuracy of a statutory warning before it is published, and a process for representations is included in the Bill. Concerns were also raised about the scope of official warnings being too broad. We consider the scope to be right and clear. Under the Bill, a warning can be issued in respect of a breach of a statutory provision, breach of a commission order or direction or breach of a trust or duty.

I will turn briefly to the concerns about extremism raised by my hon. Friend the Member for Congleton (Fiona Bruce). Extremism or the terrorist abuse of charities of any kind is very rare but must be addressed to protect public trust and confidence in charities. Although it may not represent most of the Charity Commission's compliance work, it represents a serious risk to public trust and confidence. The reforms proposed in the Bill are not specifically focused on counter-terrorism or extremism—they would enable the commission better to tackle all types of abuse of charity—so the Bill does not seek to define extremism, nor should it. Charities and their work can be an important protection against extremism. We have no intention, as I said, of undermining freedom of religion or freedom of speech, and the Bill has been certified as compatible with the European convention on human rights.

Susan Elan Jones *rose*—

Mr Wilson: I am going to finish there as I know that many Members want to get away from the Chamber today.

This Bill is about protecting charities and safeguarding their place in the public's mind. It is about ensuring that charities will not fundraise in a manner that victimises the most vulnerable in our society, and it is about giving charities a new way to utilise their assets through

social investment. Charities rely on the public's trust and confidence. Abuse, where it happens, must be rooted out. These measures have broad support, as my right hon. Friend the Minister for the Cabinet Office said earlier: 83% of the public and 92% of charities support new powers being introduced for the commission.

Charities play a vital role in our communities and this Bill aims to bolster their position in the public's trust and help them to continue the good works they have been doing for hundreds of years, continuing our country's long and rich tradition of charity. On that basis, I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time.

CHARITIES (PROTECTION AND SOCIAL INVESTMENT) BILL [LORDS] (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Charities (Protection and Social Investment) Bill [Lords]:

Committal

- (1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

- (2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 7 January 2016.
- (3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

- (4) Proceedings on Consideration and proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
- (5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
- (6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

- (7) Any other proceedings on the Bill (including any proceedings on consideration of any message from the Lords) may be programmed. —(*Sarah Newton.*)

Question agreed to.

CHARITIES (PROTECTION AND SOCIAL INVESTMENT) BILL [LORDS] (MONEY)

Queen's recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Charities (Protection and Social Investment) Bill [Lords], it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable under any other Act out of money so provided. —(*Sarah Newton.*)

Question agreed to.

Mental Health: Out-of-Area Placements

Motion made, and Question proposed, That this House do now adjourn.—(*Sarah Newton.*)

2.12 pm

Norman Lamb (North Norfolk) (LD): It is a great pleasure to be able to raise a very important issue for debate, albeit three hours earlier than expected. It is good to see the Minister for Community and Social Care taking his seat.

I want to raise an issue of profound importance. It is a practice which I think is intolerable but which carries on every week of the year and probably every day of the year: the shunting of people around the country, sometimes a long distance away from home, at a moment of mental health crisis. Typically, someone at a moment of acute crisis would be taken into hospital but there would be no bed available for them, so they would be taken away somewhere else in the country. There are numerous stories of people being taken hundreds of miles away from home on a regular basis.

Such practice would never be tolerated in physical health services. Let us imagine, for example, someone who had had a stroke or with a heart condition being taken by ambulance and being told, "I'm sorry, there's no room at the local hospital. We're taking you to Cumbria from Norfolk." It would be an outrage. It would be regarded as a scandal, so it does not happen—yet it happens every week of the year in mental health. I regard that as discrimination at the heart of our NHS and it is one of the very many examples of how people who suffer from acute mental ill health are disadvantaged by the system.

Incidentally, I make no criticism of any individual Government; this practice always happened, but there has been a rise in the number of instances, which I will come to in a little while. In many ways, someone suffering from mental ill health does not get the same right of access to treatment at a moment of need as someone with a physical health problem. If any of us in the Chamber stopped and thought about it for a moment, we would conclude that we cannot begin to justify that, and that there must be a programme designed to achieve genuine equality of access to support at that moment of need.

Mr Mark Williams (Ceredigion) (LD): I congratulate my right hon. Friend on securing this debate about an area in which he has done so much work to date. The debate is about out-of-area mental health placements, but does he agree that there is also a huge problem in some of the vast health board areas—in our case in Wales—where rurality is an important factor? For instance, the closure of the Afallon mental health ward in Bronglais hospital in Aberystwyth means that constituents of mine have to travel or be sent 50 miles away—not over the easiest terrain—to the Morlais ward in Carmarthen. There is a huge problem across the country, but there is a great problem in those great geographic areas too. I do not expect my right hon. Friend to comment on the details of the Welsh national health service, but I am sure the problem is replicated in English health areas.

Norman Lamb: I am grateful to my hon. Friend for raising that. He makes an extremely important point. I will come on to address it in more detail later.

There is, for example, evidence of an increased risk of suicide if people are treated a long way from home and family and friends who struggle to visit them. The idea of care close to home is incredibly important in mental health. We should, as far as possible, seek to care for people at home, not take them into hospital unless that is unavoidable. There are times when that is necessary, and as far as possible there should be a place close to home.

Mr Williams: I know that what I am about to ask is not a central point of my right hon. Friend's debate, but does he agree that one of the unacceptable outcomes has been the increased use of the police and police cells for holding people overnight? That has been the situation in my constituency.

Norman Lamb: That is a shocking practice. I applaud my hon. Friend for the work that he has done on it in his area. The idea of putting someone who is suffering an acute mental illness into a police cell, which is defined in the legislation, unbelievably, as "a place of safety", is bizarre and ought not to be tolerated. I am pleased that the Government have indicated an intention to legislate, in effect to eradicate the problem completely for under-18s and to make it an exception for adults. We managed to reduce the numbers in England by 50% in the past two years, which was considerable progress, but we need to go much further and bring an end to an unacceptable practice.

It is interesting that where local passion and drive exist, amazing things are possible. In our capital city, London, last year around 20 people in total ended up in a police cell, whereas in Sussex the number was over 400. That demonstrates that with real drive from both police and mental health services, practices can be changed and people's lives can be made better. My hon. Friend is right to persist with the issue in Wales, just as I have tried to do in England.

Kevin Foster (Torbay) (Con): I congratulate the right hon. Gentleman on securing the debate and on the work that he has done to bring the issue to the fore. A police cell should be for someone charged with a crime, not for someone who is unwell. Does he agree that to some extent the problem could be overcome with better co-ordination? I had a case in my constituency where a local treatment unit was full so a person was placed in Maidenhead. We then discovered that there was someone from Maidenhead in the local treatment unit in Torbay and arranged a swap.

Norman Lamb: Such a story makes one weep and leaves one feeling that there is a degree of incompetence somewhere. I will come to that point. Much of what I want to see happen can be done by better organisation, rather than by providing more money. I strongly believe that we need more investment in mental health services, but a lot can be done just by organising things much better.

Tom Brake (Carshalton and Wallington) (LD): Will my right hon. Friend commend the work that South West London and St George's Mental Health Trust has done with a number of local authorities in the area, including mine? The police work with a nurse, to ensure that if the police are dispatched somewhere where a

[Tom Brake]

person has a mental health problem, there is someone who is able to assess them immediately and ensure that they go to a place of safety, as opposed to going to a police cell.

Norman Lamb: Absolutely. My right hon. Friend is talking about something called street triage—I am sure that the Minister is familiar with it—which we introduced in many areas of the country over the past two to three years with a bit of pump-priming grant. Some pioneering areas, such as Leicestershire, just went ahead and introduced it before the national pilots started. The evidence is dramatic. Where we have that collaboration between the police and mental health services, with a nurse embedded in the police team, we achieve amazing results. We completely reduce the number of people being taken in under that legislation, because the nurse can find alternative solutions or provide care at home. Where it is necessary to take somebody to a place of safety, the numbers having to go into police cells falls dramatically. That innovative work was very much part of the crisis care concordat that I pioneered when a Minister, the aim of which was for the first time ever to set standards in mental health crisis care.

Mr Mark Williams: It would be wrong not to acknowledge in my area the Dyfed-Powys police and how the health board has embarked on such an initiative. My right hon. Friend will acknowledge that areas such as mine face the challenge of rurality and making those services available where they are needed. There is still a fear that all too often the need is not met.

Norman Lamb: I agree. My own county of Norfolk, with its widely dispersed rural communities, suffers from the same challenges. Sometimes having a nurse in a car with a couple of police officers does not work in a big rural area. However, we can do other things, like having a nurse embedded in the police operations room so that whenever an issue arises they can speak immediately by telephone or, if necessary, get a resource to the scene. Depending on the geography, there are ways of dealing with those challenges. We need to be much smarter in doing that. I applaud the innovation across the country.

Our whole approach in the crisis care concordat was rather different from the traditional Government approach, which is sort of to impose a straitjacket. The crisis care concordat said, “These are the principles. You come up with your plan for implementing them, working with the police, mental health services and the local authority, in a way that works for your locality.” That generated the most amazing degree of innovation across the country, and real progress has been made. Although I initiated it, I have enormous admiration for the people on the ground who got on and did it. It was inspiring.

Tom Brake: Will my right hon. Friend give way?

Norman Lamb: I will give way, but then I really ought to make some progress.

Tom Brake: I want to return to the point my right hon. Friend started with. We had an issue in Sutton where the mental health facility is based on what had been the Sutton hospital site—it was shut down mainly

because Legionnaires’ bacteria were discovered. Patients now have to travel to Springfield hospital. As we see more people being treated at home, which is what we want, and therefore fewer people in acute crisis, how does he deal with the fact that, because hopefully fewer people will need to be treated in specialist centres, there is likely to be a smaller number of them?

Norman Lamb: My right hon. Friend makes a good point. Again, it means that we need to think afresh and innovate. The third sector has been very good at coming up with concepts such as crisis houses, where at quite low cost a facility can be provided in a locality where someone can go at a moment of crisis. They therefore might not need a formal hospital admission, and it might be a much more therapeutic place to be as they get through their crisis. I recently visited the Hertfordshire Partnership NHS Foundation Trust, which, in addition to crisis houses, has host families that someone can go to be with, if that is appropriate, for a week or however long is necessary. That might be exactly what is needed, rather than the cold, clinical environment of a hospital ward. That sort of innovation is what we need in order to ensure that we have services that meet patients’ needs.

I want to share with the House the testimony of a constituent who has experienced an out-of-area placement. It has been anonymised, for obvious reasons, but it is very powerful none the less. It is quite shocking. It reads as follows:

“I was admitted to accident and emergency at Norfolk and Norwich Hospital on a Wednesday afternoon, following a suicide attempt. I regained consciousness the following day, having been transferred to the Acute Medical Unit, and it was quickly decided that I needed to be admitted to a mental health ward.

I had previously been on Glaven Ward at Hellesdon.”

That is the mental health hospital in Norwich. My constituents continues:

“At this point I was very woozy, suffering from a dangerously low mood, and angry that my suicide attempt had failed. I was at grave risk of making another attempt on my life. Throughout the Thursday and Friday efforts were made to find a mental health bed.”

That is what happens in the system.

“My parents were frantically trying to find out what was happening, as they were desperate for me to be looked after locally. For a time we were told that I would be going back to Glaven Ward at Hellesdon, but the news kept changing between there and a unit in London.”

London is between 120 and 130 miles away from Norwich, and further away from my constituent’s home.

“I was expecting to go to Hellesdon on Friday morning, but we were then told later that day that I would be going to south London. During the Friday, I twice walked off the ward and out of the hospital, without my absence being noticed, and went down to the Watton Road”—

which is near the hospital—

“with the intention of walking in front of a bus or a lorry. The main reason I didn’t go through with it was that I did not want the vehicle to swerve into an oncoming car and cause death or injury to someone else.

Meanwhile, my parents resorted to contacting the crisis team, as they could not get any information from the bed team. A member of the crisis team took responsibility for finding out what was happening and he was able to let me and my parents know that I would be transported to south London later that Friday evening.

Finally, after more uncertainty”—
this is really shocking—

“two men arrived to take me to London. At 10 pm, feeling suicidal, frightened and confused, I got into the back of a private ambulance (which was no more than a pretty austere minibus) and was driven away from the Norfolk and Norwich Hospital. Throughout the three-hour drive, I was spoken to just once by one of the two men, and felt more like a prisoner being transported than a patient.”

That is the way our NHS deals with someone who is acutely ill. It is really shocking. It ought not to be accepted. My constituent went on:

“At 1 am, by now completely disorientated, I arrived at the front door of the mental health unit in south London. After lots of knocking at the door, someone answered, and I was handed over with a quick ‘good luck’. I was booked in and shown to my room. I felt isolated and scared. My room was nice, but the unit felt like a prison. The internal doors were like cell doors, and there was a tiny outdoor area, fringed by a high fence with spikes on the top. It was a mixed ward, both in terms of sex and in terms of illness: people with depression and anxiety were alongside those with psychosis, personality disorders and acute problems.”

It is really shocking that a whole load of people with completely different conditions were thrown together like that. It is probably the least therapeutic environment imaginable. That is about containing people, not caring for them, and it ought to be a thing of the past.

Mr Henry Bellingham (North West Norfolk) (Con): I had a similar case in King’s Lynn, although I cannot go into it because it ended in tragedy, with the individual committing suicide, having previously made an attempt. Does the right hon. Gentleman agree that it is absolutely essential in such cases that there is proper monitoring and supervision of the individual, whose life is obviously at risk during such an episode?

Norman Lamb: It is absolutely critical that that happens—not only monitoring but proper treatment. As I will go on to describe, that is not what happened in this case.

The constituent continues:

“The following morning, I had a meeting with my named nurse. Extraordinarily, it was the only real conversation I had with him until I was discharged back to Norfolk 10 days later.”

That is not therapeutic care—it is neglect. I have asked whether there are any contractual requirements on the private provider who provided that “care” and received a substantial sum of money for it. I have been told that it was understood that there would be therapeutic care but no apparent requirement that that should be undertaken in return for a substantial amount of public money being spent on his care. He goes on:

“The care was unacceptable. It felt as though I was being kept in a holding facility, and my mental health deteriorated, with my suicidal thoughts increasing. In stark contrast to Glaven at Hellesdon, the staff were holed up in an office with a heavy steel door that you couldn’t see into. I was being checked up on every 15 minutes, as I was a suicide risk.

But I rarely had a conversation with a member of staff. My parents came down from Norfolk twice to see me, and were horrified by what they encountered—both the level of care and my deterioration. They were constantly contacting Norfolk and Suffolk mental health trust to try to get me moved back to Hellesdon. The stress made them both ill.”

That shows the impact there is on families as well. He continues:

“Thankfully their persistence paid off, and after 10 days, I was told that I was going to be recalled. I had a brief period of uncertainty, as I didn’t know whether I would be going to Hellesdon, King’s Lynn or Great Yarmouth.

Eventually, I was told it would be Glaven at Hellesdon, and I got into a taxi with a member of staff and was driven from south London to Glaven Ward.

When I arrived there, I cried, mainly through relief. I was greeted with compassion and understanding by the staff, and—after 10 wasted and expensive days—my recovery finally began.”

That experience, sadly, is repeated day in, day out across the NHS. It is a scandal that it continues. One of the things I will put to the Minister when I conclude is that I want his commitment to end this practice, because it is intolerable that it continues in this day and age.

I mentioned cost. An analysis has been done by the national confidential inquiry into suicide and homicide by people with mental illness, which, having looked at 29 providers, says that the cost of out-of-area placements went up from £51.4 million to £65.2 million in 2014-15. That is an extraordinary amount of money to spend on an unacceptable practice, demonstrating that with smarter use of the resources available it should be possible to bring that practice an end.

The national confidential inquiry also found that being treated out of area increases someone’s risk of suicide. The pattern is most apparent in England, where suicides by in-patients and patients recently discharged from hospital have fallen, although suicides following discharge from an out-of-area ward have increased. The annual number of suicides after discharge from a non-local unit has increased from 68 in 2003-07 to 109 in 2008-12. Experts have warned that mental health patients are at the highest risk of taking their own lives in the first two weeks after being discharged from hospital, and these figures confirm that. When we are talking about a risk of people actually losing their lives, surely we have to see the absolute importance of bringing this practice to an end.

I want to refer to a recent report by the Independent Mental Health Services Alliance called “Breaking Down Barriers: Improving patient access and outcomes in mental health”. It says that we must prioritise something that I have argued for consistently—the introduction of comprehensive waiting time standards in mental health so that someone with a mental health problem has exactly the same right of access to treatment as anyone else. It also says that people who end up in an out-of-area placement, sometimes a long way from home, get “lost in the system”; they are almost forgotten about. They are away from the commissioners and the normal provider, and they can sometimes languish in these centres for far too long. That, again, is completely intolerable.

The report also refers to the problem of delayed discharge. It says:

“We have found that between 2013/14 and 2014/15, the average number of days of delayed discharge per month for trusts providing mental health services increased by 22.2 per cent. This indicates that delayed discharges are having an increased impact on patients’ access to appropriate care.”

In other words, if beds are clogged up by people who are ready to leave and go home or to go to another facility, but they cannot because nothing else is arranged for them, then someone else at a moment of crisis cannot get access to a bed and is shunted off, sometimes to a place a long way from home. That is a completely unacceptable practice.

The report refers to children and young people’s mental health services. The Minister will be particularly aware of the acute concern about children being shunted

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off, often to places hundreds of miles away from home—an intolerable practice. I know that that has happened in the south-west, where there has been a particular shortage of beds for children. A team within NHS England undertook an inquiry that came up with recommendations for eradicating that problem. The taskforce's report, "Future In Mind", which we published shortly before the general election, pointed to the absolute need to care for people close to home and to have better crisis support to avoid admissions where possible. Yet the practice continues, and it must be a priority for the Minister to bring it to an end.

One of the things that "Future In Mind" sought to address is the perverse incentive that exists in the system with the awful tiering of care within children's mental health services. If a child is put into tier 4 from tier 3 because it is judged that they need more acute in-patient care, then the financial responsibility for their care is transferred to NHS England. There is therefore an incentive for local commissioners to push them into the top tier, which is precisely the opposite of what ought to be happening. We ought to be focusing our incentives on preventing deterioration of health, not shunting people into the most acute care, too often away from home. Imagine what it must be like for the parents of, say, a 14-year-old child who is taken to a unit 100 miles or 200 miles away from home. It is really shocking, and I hope that the Government will feel the need to commit to eradicating that practice as quickly as possible.

When the issue came to my attention as a Minister, I asked my officials to provide me with data to find out what was happening around the country. I was confronted by freedom of information requests by campaigning organisations and by news reports of shocking things that were happening in the system, but I had no information on which to base my own judgment. I was told by the officials that they did not collect data on the issue. The Government are operating in a complete fog, and we have to rely on campaigning organisations to make inquiries under the Freedom of Information Act 2000.

Incidentally, I urge the Minister to use what powers of persuasion he has to argue against undermining the Freedom of Information Act. At the moment, a process is under way that runs the risk of doing precisely that. It seems to me that freedom of information is a really important way of holding the Government to account.

I was faced with having no information or data on that practice, so we initiated a process to collect such data. We have now collected those data. They are still in experimental form, but they are better than nothing. The data show that there is extraordinary variation around the country. That brings me back to the point that this is about not just extra money, but good practice. It is about learning from areas of best practice. We now discover that many mental health trusts have no out-of-area placements, but they are funded in broadly the same way as those in areas that have a persistent and unacceptable problem.

There is a three-month delay before the data are published, so the latest data are those from the end of August, but 2,198 people were in out-of-area placements at that time. We are not entirely clear about whether the

drift upwards is caused by the collection of more data or by a worsening of the problem. I do not want to draw the wrong conclusion from the numbers, but they certainly do not appear to be going down.

I want to raise with the Minister the issue that the data are incomplete because some private providers refuse to return data. Under their contractual dealings with the NHS, they are obliged to return those data. When I was a Minister, I raised that matter with officials and with the information centre. Surely, it is completely unacceptable. I have no difficulty with a good private provider providing a good service, but they must absolutely play by the same rules as everybody else.

Tom Brake: To return to my right hon. Friend's earlier point about freedom of information—in fact, there is a case for extending it—is it not right to ensure that private companies doing public work are covered by FOI in exactly the same way? That applies to the health sector, as well as to many other sectors.

Norman Lamb: I agree. There should be a level playing field, which there is not at present. We now have the unacceptable situation that data are incomplete because some private providers refuse to play ball. That leaves one suspicious, because if they do not provide data about how many people are held, it is impossible to hold the system to account or, indeed, to hold such private providers to account. The Minister must find a way to hold those providers to account and to ensure that they return the data they are obliged to provide.

A horrific number of people are still sent a considerable distance away from home. In August, 501 people were sent more than 50 km away from home. Surely that practice is intolerable, given what I have said about the increased risk of suicide, the fact that it does not provide therapeutic care and that it can lead to someone being confined for 10 days at enormous cost to the public purse. It seems to me that this is the most outrageous misuse of public money.

There are areas where that problem is persistently at its greatest. In August, the Devon Partnership NHS Trust had 45 people in out-of-area placements. The caveat is that we do not know precisely where responsibility lies, and whether this is a commissioning or a provider issue. However, that is the local provider, and one would normally expect such people to be in a bed provided by the local provider. The figure of 45 people means that significantly more than one person a day is shunted more than 50 km away from home, which is outrageous.

Mr Bellingham: Has any analysis been done of whether the families have been contacted in such cases? It is incredibly important that one strand of support for these patients is through their families. What percentage of cases involve families being informed, having given permission for the patient to be moved?

Norman Lamb: We do not have that information—the data are very basic—but that matter is crucial. I imagine that communications often fall down when urgent referrals to another location take place.

I would raise another issue about families. If they have to visit a loved one 50 km or 100 km from home, just imagine the cost involved. Members in the Chamber—

any of us could be in this situation—can afford to visit a loved one, but many people cannot do so. That is another reason why the situation is intolerable.

Kevin Foster: It is very interesting to hear the right hon. Gentleman's statistics on my own area of Devon. It is important to get to grips with the issue for the reasons he has mentioned. He raised the point about communications in the example of the expensive round trip from Devon to Maidenhead. In many cases, families may know where their loved one will go, but the reality is they are presented with a choice: "Your loved one needs treatment—this is where it's going to be. There is not much you can do, other than trying to mitigate all the impacts in the best way you can."

Norman Lamb: Such a situation leaves the family feeling desperate, guilty that they can do nothing to help their child or loved one, and powerless to do anything. That is similar to the case of Josh Wills, a little boy with autism, who lives in Cornwall. He was placed in a specialist unit in Birmingham, so we can imagine the journey his parents had to make every week. He was there for more than three years, and when I was the Minister, I had to intervene personally to get the commissioners to London to try to sort out the case. Josh is now back in Cornwall, but it took far too long for that to happen. Such cases must put families under intolerable pressure and strain.

I should mention the areas where the problem is at its worst. In the Lancashire Care NHS Foundation Trust, there were 30 cases in August. Again, that is one a day. In the Kent and Medway NHS and Social Care Partnership Trust the figure was 30, in West London Mental Health NHS Trust it was 25 and in Birmingham and Solihull Mental Health NHS Foundation Trust it was 25. Again, there is the caveat that we do not know where the responsibility lies, but we should all accept that the practice is not acceptable and has to be brought to an end.

The data focus on non-specialist beds. There will be cases, just as with physical health problems, where a patient needs specialist input and where a referral to a specialist hospital, such as Papworth in the case of a heart condition, is appropriate. However, non-specialist beds and services should surely be provided closer to home. So we got these data together and they now allow us to hold the system to account. As well as establishing the dataset, we got Monitor and the Trust Development Authority to do, to use the jargon, deep dives into a number of organisations, both good organisations and those with a bad record of out-of-area placements, to get a better understanding of what was going on. When they reported back to me, their conclusion was that this problem ought to be solvable.

That is the important point for the Minister. It is not that this problem is something we would all love to solve but find it impossible to do. It is achievable, but it requires drive, ambition and determination to see it through. If I may, as an ex-Minister, I will offer a bit of advice to the incumbent. It is no good saying that we need to make incremental progress to reduce the numbers. We need to establish the principle that this practice is not acceptable. Someone in a mental health crisis who does not require specialist care should not be sent away from home, full stop. This is not a difficult issue. It should become what in the NHS is known as a "never

event"—it should never happen. If we know that there is a link between this practice and an increased risk of suicide, how can we tolerate it?

The Minister has to set the objective of ending this practice. I understand that it will take time. Back in March, I wanted to see it end by the end of this calendar year. I recognise that that is now not achievable, but I set the objective of ending it within 12 months. That is achievable, provided that there is drive, ambition and purpose to make it happen.

A related issue is that of money. I have made it clear that I totally sign up to the importance of doing things differently and making better use of resources to achieve good results for people. However, investment is needed in mental health. In the negotiations in the run-up to the March Budget, my right hon. Friend the Member for Sheffield, Hallam (Mr Clegg) secured £1.25 billion of extra investment in children and young people's mental health services for the five-year period of this Parliament. In year 1, the amount that ought to have arrived on an equitable division of that £1.25 billion was £250 million. The amount that was made available was £143 million, which means there is a shortfall.

We were told that that was because we were part way through the year, we had had the general election and we needed to make sure that the money was spent effectively. I sort of accepted that explanation, but I have since heard from reliable sources that there was a land grab going on and that money was taken away from children and young people's mental health services to prop up the finances of acute hospitals, for example. I urge the Government to make good the shortfall in future years.

On 13 October, the Minister helpfully reconfirmed that the full £1.25 billion would be spent in this Parliament. I call on him to repeat that commitment today. It is critical that the extra investment that was confirmed in the Budget in March is stuck to. It is a matter of good faith by the Government and I would like to hear that confirmation. I also think, incidentally, that we should make good the shortfall in year 2 because, just as with the rest of the NHS, frontloading the money to invest in change is the best way to use the resources that are available.

I will move towards the end of my contribution, which has been rather elongated owing to the additional time that is available. I will end by asking specific questions of the Minister. I would be grateful if he addressed each of them directly this afternoon. If he is unable answer any of those questions directly, I would be grateful if he wrote to me as soon as possible and responded to them directly.

First is the issue of principle. Does the Minister accept that this practice is intolerable? I am not talking about specialist beds; I am talking about non-specialist beds where someone at a moment of mental health crisis, or in other circumstances, is shunted around the country—a practice that would never be tolerated in physical health. Secondly, will he commit to ending that practice completely within 12 months, and effectively to make it a "never event"? Thirdly, will he personally drive that change, because I know from experience that that is necessary? He needs to be on the case constantly to ensure that the system responds to that moral imperative.

Fourthly, will he ensure that all providers provide the data that their contracts oblige them to provide to the information centre? Anything short of that is completely

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unacceptable. The data are still in experimental form, and information centre notes state that they provide a “reference point” for a more accurate measurement in the future. There must therefore be an evolution to get to a point where data around the country are completely accurate, so that providers and commissioners can be held to account. Will the Minister commit to ensuring that the experimental data are turned into final-form data that we can all rely on?

Finally, will the Minister reconfirm his total and absolute commitment to ensuring that £1.25 billion of additional investment is spent on children and young people’s mental health services this Parliament? Will he commit to sticking with the vision that we published in October last year and to introduce comprehensive maximum waiting time standards? I did that work—which led to the publication of that document—in collaboration with the Secretary of State, and he was incredibly helpful in supporting me to get that published. The vision was clear, and it recognised that until we have comprehensive waiting time standards for mental health, just as exist for physical health, we will not get equality of access to treatment. An essential principle in a publicly funded service is that all people must have the same right to receive evidence-based treatment on a timely basis. As I have said, will the Minister write to confirm any specific point that he feels unable to deal with this afternoon?

2.58 pm

The Minister for Community and Social Care (Alistair Burt): We have been fortunate in having rather longer than we normally get for an Adjournment debate, and that has allowed the right hon. Gentleman to speak at greater length about some of the issues affecting the historical imbalance between mental and physical health, with particular emphasis on out-of-area mental health placements. I congratulate him on securing this debate, and I am delighted to respond to it.

I thank other hon. Members who have contributed to this debate, including the hon. Member for Ceredigion (Mr Williams), the right hon. Member for Carshalton and Wallington (Tom Brake), and my hon. Friends the Members for Torbay (Kevin Foster), and for North West Norfolk (Mr Bellingham). My hon. Friend the Member for Halesowen and Rowley Regis (James Morris), who chairs the all-party group on mental health, has dropped in as part of his responsibilities in the House, which I welcome. I also welcome the Whip, my hon. Friend the Member for Truro and Falmouth (Sarah Newton).

Before I come on to respond in more detail, let me make one or two general remarks. The right hon. Gentleman referred right at the beginning to the long-standing nature of some of these problems. These issues have not arisen in the past six months. They have been here—Government in, Government out—for some time. The coalition Government made huge strides in recognising the importance of mental health and drove forward some of the changes that needed to be made. It is certainly clear that part of my responsibilities now is to pick up on that and to build on it.

If I may just make reference to the right hon. Gentleman for a moment, I think his key achievements include: the expansion of psychological therapies; the reduction in

the use of police cells for people experiencing a mental health crisis; introducing the first access and waiting time standards; and piloting the sense that there has to be parity of esteem. Those achievements absolutely underpinned what I came in to find in the Department. The intractable nature—or at least intractable up to now—of some of the problems has been graphically illustrated by the right hon. Gentleman’s passionate expression today of some of the things he was not able to do during his time as Minister. They set the baseline for what I hope to do. He asked for a personal commitment to drive forward the changes. Absolutely. The bar has been set quite high.

As the right hon. Gentleman and others have mentioned, what has puzzled me most since being in office is the variability of practice. How is it that in two areas side by side with exactly the same resources there will be one that has a set of procedures in place to ensure that good treatment is provided, while in another that is not the case? It is not always about resources, but management and leadership. I have been puzzled by why there is so much variability.

There is another puzzle that is very pertinent to what we are talking about today and to which the right hon. Gentleman referred: the perverse incentives in the system. Treatment costs are split between local authorities and the NHS. They seem to be based not on what is in the best interests of the patient, but on what suits the budget best. Now, none of us are naive. We all know this goes on. However, his description of the letter from his constituent, which I know about because I responded to him about it this week, illustrates the impact on the individual of decisions that people make for perverse incentive reasons—perhaps relating to budget, if that was one of the reasons. I am interested, as he is, in why there is such variability between areas. Some areas seem to have very few out-of-area places and others do not.

I hope to be able to deal with all the right hon. Gentleman’s questions, but before I do I want to put a few points on the record. The Government’s commitment is clear. We have given the NHS more money than ever before for mental health, with an increase to £11.7 billion last year. We have made it clear that local NHS services must follow our lead by increasing the amount they spend on mental health and making sure beds are always available. In the spending review and autumn statement, we announced an additional £600 million for mental health over the next five years to increase psychological therapies, crisis care and perinatal mental health. This reaffirms our commitment to achieving parity of esteem for mental and physical health.

In perinatal mental health services, for example, I want to ensure that women are able to access the right care at the right time, and close to home. I know that provision of specialist perinatal mental health services varies across the country. Some women have access to excellent care and support, while there are serious gaps in provision in other areas. Women suffering the most severe and complex perinatal mental illnesses need access to specialist in-patient mother and baby units, and good quality community support care in the area where they live. There are currently 15 units in England—I understand that the number fell by a couple from between 2010 and 2015—but NICE estimates there is a UK shortfall of between 60 to 80 mother and baby unit beds. That is why we announced in the March Budget that the

Government would invest an additional £75 million over the next five years, £15 million a year, to support women suffering from mental ill health in the perinatal period. NHS England is leading a work programme to ensure that this extra money is spent in the right way at the right time and in the right places. The right hon. Gentleman's work has made that base. I give him as much assurance as I can that in the areas where he set the work in progress, that work is going to continue; in places where the work is going slowly, it will be challenged; and in places where he was not able to make the progress he wanted to make, I set myself the challenge to do just that. I do not have to worry an awful lot about freedom of information requests because I will get the questions from him and from a number of hon. Friends and colleagues who have grasped how important this issue is.

Let me return to the source of the debate. I greatly appreciate the work that the right hon. Gentleman put in train earlier in the year with NHS England and mental health provider organisations to understand the pressures that lead to people being sent away from home for treatment that should be available locally. This has helped to provide a picture of the scale of the problem and to raise its profile. We know that the principle should always be for care close to home in the least restrictive setting. It is not acceptable for people to be travelling for miles when they are acutely unwell.

I know about the case that the right hon. Gentleman raised because I dealt with it this week, and I agree with him that some of the attitudes expressed by some of those responsible for people's care are just not good enough. It cannot be acceptable and it cannot have been acceptable to listen too little to those who are in care or who are being cared for when they have made complaints about treatment. I am well aware of the problem—I am occasionally chased on Twitter about it—and I say to one or two of the groups that I am looking carefully at how to deal with it better. Sometimes people feel that they have not been listened to, and I suspect that the sort of example revealed in the right hon. Gentleman's constituent's letter might be rather more common than we think. Accordingly, I want to ensure that the inspection and regulation regime really picks things up. I know that there will sometimes be differences in opinion and that things will need to be clarified, but I do worry about the attitudes sometimes expressed, and I want to make sure that the Department has really got hold of ensuring that those sort of complaints are picked up and, whenever possible, really burrowed into to find out what might have gone on.

Norman Lamb: I appreciate the Minister's reassurance. One of the issues highlighted in my constituent's case was the fact that he was transported very late at night, arriving at about 1 am, and there was another person from Norfolk in the same unit that same week who was collected at 1 am from the unit to be brought back to Norfolk. This treats people like chattel; it does not treat them as human beings. Is the Minister prepared to highlight to the Care Quality Commission that it should investigate and explore that particular aspect—the transporting of people—because having to travel in a minibus with someone who does not talk to them for three hours, and arriving very late at night is simply outrageous?

Alistair Burt: Of course it is, and I share the right hon. Gentleman's frustration. I write a lot of letters to colleagues who express concerns and I have to signpost them to the other organisations in the health sector that have responsibility for taking particular decisions. That is quite right, because local decisions ought to be local. Clinical commissioning groups or trusts need to be responsible and accountable for what they are doing. However, I have to tell the right hon. Gentleman that it is occasionally frustrating when I feel that I cannot pick up the phone and make my own inquiry. We cannot run a system in which Ministers arbitrarily pick up cases because they are the ones we know about; there has to be a structured system. When particular things come to light, I am looking at how to use my position and the authority of the Department to make sure that something has been properly gone into—even if it is somebody else's statutory responsibility. We in this House who remain accountable for things should be able to make sure that those statutory groups, including the CCGs, have really got a grip. I am keen to pursue that.

Mr Bellingham: Does the Minister agree that there is something fundamentally unsatisfactory—and, indeed, wrong—about moving someone late at night unless it is absolutely necessary for medical and clinical reasons?

Alistair Burt: Yes. It seems very puzzling that that should be a regular practice, if it is. That should not be the case. Of course there are all sorts of different pressures on the system, and it would probably not be appropriate to say that it should never happen, but, in principle, people who are in a state of anxiety should be moved with the maximum care, at the time that is of greatest benefit to them and their health needs.

As I was saying, it is not acceptable for people to be travelling for miles when they are acutely unwell. It is also not acceptable for staff to be spending time phoning around to find beds for their patients.

Let me return briefly to the impact of social media. A couple of weeks ago, I read in a tweet from a frustrated doctor—I hope he will pick up on today's debate—that on that particular day no bed had been available for a woman anywhere in England. Along with the hon. Member for Liverpool, Wavertree (Luciana Berger), who had raised the matter with me, I made inquiries and found that that was not technically true; beds were available. The response from the doctor was, "You may be technically correct, Minister, but it is very difficult to find them", and the results of my inquiries suggest that that is true. We need to establish a better system of identifying beds that may be available, because that too is part of the problem. People should not be spending time looking for beds. I have an idea about that, which I shall mention later in my speech.

I had to tell the clinician that I did not think that, technically, what he had said was true. However, I recognise that for those who are in the business of finding beds for people, it should not be as difficult as it appears to be, and I want to establish what we can do to help.

We know that the need to place people out of area, away from home, family, friends and networks, is a "warning sign" of a mental health system that is under pressure, and we know that no one wants to spend scarce resources on sending people out of area. However, we cannot look at out-of-area treatments in isolation,

[Alistair Burt]

because they are part of the mental health acute care pathway as a whole. I welcome the interim report of Nigel Crisp's commission, which was set up to review the provision of acute in-patient psychiatric care for adults, and I look forward to reading his final report and recommendations early in the new year.

Lord Crisp's interim report made it clear that—as I am sure the right hon. Member for North Norfolk knows—the situation is more complex than a shortage of beds. We know that there has been a long-term reduction in the number of psychiatric beds in England, but the report suggests that in many areas there would be enough beds if improvements were made to other parts of the system and integrated, community-based services were commissioned. That very point has been made this afternoon in relation to the variability of practice. The report also made it clear that the so-called bed crisis, or admissions crisis, is a problem of discharges and alternatives to admission, and can be dealt with only through changes in services and in the management of the whole system.

As the right hon. Gentleman pointed out, that can be done, as has been demonstrated in a number of local areas. Sheffield, for example, has almost entirely eliminated adult acute out-of-area treatments, and has reduced average bed occupancy to 75% by redesigning the local system. That has included investing in intensive community treatment, and working in partnership with housing. In the right hon. Gentleman's own constituency, Norfolk and Suffolk NHS Foundation Trust has begun to reduce its historical problem of out-of-area treatments through a combination of investing in more acute adult beds and working with commissioners to develop community and crisis resolution services.

I understand that the independent Mental Health Taskforce has spent some time discussing these issues. I hope that its report, which will be published in the new year, will be an important driver for improving mental health services over the next five years, and will address many of the key issues raised in Lord Crisp's interim report.

Norman Lamb: Can the Minister confirm the likely publication date of the taskforce's report? I think he said it would be in the new year, but can he give me his best estimate of a specific date? Also, I would like to acknowledge that the Norfolk and Suffolk NHS Foundation Trust has made real progress. The number of people being sent out of area has come down significantly, and that needs to be recognised.

Alistair Burt: I am grateful for the right hon. Gentleman's comment about his trust. My understanding is that the taskforce's report will come through very shortly. I am not sure whether it will be done this month or by the start of next month, but it is imminent.

I appreciated the right hon. Gentleman's kind remarks about the Secretary of State for Health. The Secretary of State has already agreed an action plan to tackle out-of-area treatments for adult acute in-patient care. Where out-of-area treatments are a problem, local areas will be asked to put in place clear action plans demonstrating how they can reduce out-of-area treatments, in the best interests of patients, during the course of 2016-17. Now I come to one of the right hon. Gentleman's challenges.

Building on this, I intend to go further and put in place a national ambition to address out-of-area treatments. I will do this in consideration of the Crisp commission and the taskforce report, and I will communicate details of this ambition by the end of March 2016—that is, by the start of the next financial year.

I want to wait and see what Lord Crisp and the Mental Health Taskforce say and then consider exactly what the ambition should be. Should it be an ambition for complete elimination? Should it provide a much tighter variation? I want to see those reports before I set the ambition, but I will set it, and the targets, and come back to the right hon. Gentleman and the House before the end of March next year to communicate those decisions. I hope that helps.

I also commend the right hon. Gentleman for recognising the need to improve mental health crisis care and for launching the mental health crisis care concordat, which we have discussed today. This debate has given us an opportunity to talk about variation in practice, the quality of street triage and the fact that we can do different things in different areas. I saw the work being done in Bradford, for example, where the mental health practitioner is located in the control room, as opposed to being on the street. The galvanising of local groups to work together by giving them the responsibility of doing the job has been absolutely vital. The way in which we are reducing the number of people detained in police cells is a clear example of how that process is working.

The Government are equally committed to reducing out-of-area mental health treatment for children and young people. In-patient child and adolescent mental health services—CAMHS—admission is a relative rare event. At any one time, however, there are approximately 1,300 children and young people from England in CAMHS in-patient services. Services themselves are usually subdivided into different specialties, such as eating disorder units or low secure units. That means that it is highly challenging to provide complex care in all areas, and on occasion, some children and young people may need to be referred for specialist treatment at a distance from their home, if that is in the best interests of their care. However, we are committed to ensuring that that is as rare an event as possible, and much progress has already been made.

Norman Lamb: One of the recommendations from the taskforce that NHS England established to look at tier 4 services, at the number of beds required across the system and at the variability of the services was that treatment should always be contained within a region—in other words, that no child who lives in the south-west should ever go out of the south-west for treatment. I cannot remember where the child from Torbay had to go—

Kevin Foster: Berkshire.

Norman Lamb: Indeed. Is the Minister going to stick to that? Is he going to ensure that that is the objective, and will he monitor it to ensure that he meets it?

Alistair Burt: As much as possible, absolutely, yes. There will be occasions when very specialised treatment has to be given, and that will on occasion be outside the

area. But apart from that, absolutely. We want to provide care that is appropriate to people in a place that is closest to where they are, as much as possible.

In 2014, NHS England published the tier 4 CAMHS review. This found a relative shortages of beds in some regions, meaning that some children and young people had to travel long distances to access a bed, owing to an uneven distribution around the country. As the right hon. Gentleman knows, there was an immediate response to this: £7 million in additional funding, taking the total number of beds now to 1,440, the highest number there has ever been. In addition, NHS England has introduced new national protocols for referrals and discharge, and a new “live” bed monitoring system to make the best use of existing capacity. I am interested in whether that capacity has reference and relevance to the adult acute beds, and could it make the job of my friend the clinician doctor that bit easier?

But while these measures have helped in the short term, we want to build on this progress still further and ensure long-term, sustainable improvements. In January this year, NHS England commenced a comprehensive review of the procurement and commissioning of inpatient beds. The aim of this is to establish the long-term requirements for inpatient services and ensure quality, sustainable services are commissioned in the right place, based on population need.

It is not enough simply to provide more and more beds. In order to ensure that improvements are sustainable, we need to improve the community-based support we offer to children and young people. This is at the heart of the vision set out in “Future in mind”, and we are determined children and young people have easy access to the right support, from the right service, at the right time and as close to home as possible.

Key to achieving this vision are the local area transformation plans now being put in place. CCGs have been asked to work with NHS specialist commissioning teams responsible for inpatient services in the creation of these plans.

I have two final points. I have been interested in what data are available and what are not, and I answer a number of questions by saying, “The data for these are not collected centrally.” I am looking hard at each and every one of those questions, asking, “Are there occasions when we should be doing more on the data?” There is a lot still to do, but I entirely take the right hon. Gentleman’s point.

On data, we are looking at the limitations. The right hon. Gentleman was right to talk about the problems in getting this dataset right, but, again, I am on to that; it is essential, and I will take the challenge of driving and moving on that data.

On providers, the responsibility seems to come down to CCGs. It is unacceptable that private providers do not submit data. Some more have started submitting since the summer. It is the responsibility of CCGs, who have the contractual levers, and need to use them. That is not good enough; if we need this information, we need this information. I am going to look at whether the

CCGs are using those contractual levers, and if not, why not. If they are not, and a sanction can be applied, we will apply the sanction. That information is necessary, and I am going to do this. The right hon. Gentleman is absolutely right on that.

On the principle in respect of determination, I will come back to the right hon. Gentleman by March next year and set out the national ambition. Do I commit to ending the practice completely? I do not know yet, because I want to get the result of the commission. It is right that it should be reduced to an absolute minimum. I want to know technically whether it is possible to eliminate it, or whether that would actually not do the job that is necessary. I want to see what the commission has to say.

Will I drive these changes? Yes, I will. Will all providers provide data? Yes, they will. Will I commit to the £1.25 billion? Yes, I will. I have said that enough times in enough places to make this a very difficult Government commitment to slip away from. It is over the course of the next five years, but I am happy to repeat that.

Norman Lamb: I am grateful to the Minister for his patience in allowing me to intervene again. I am conscious that there is a risk that the shortfall in the first year is made up in 2020 or something like that. Because of the principle of frontloading to invest in change, it would be incredibly helpful if we could get the commitment to make good the shortfall in 2016-17. Can he commit to doing that?

Alistair Burt: There are things I can do and things it is unwise to take a flyer on, standing at the Dispatch Box.

Norman Lamb: You can try.

Alistair Burt: I will try, but we need to make sure all the money is used sensibly. There are a lot of pressures on the system, and I am trying to be as bold as I can without being foolishly bold and saying things just for the sake of it. I understand the importance of this £1.25 billion. I have spoken about it a great deal; I want to see it all used. I am not responsible entirely for the timescale, but I understand the right hon. Gentleman’s point and I suspect it will come up in the Opposition day debate we have next year.

I will talk to the Secretary of State about the right hon. Gentleman’s last point about comprehensive maximum waiting times. I will see where we can go further and include it in a comprehensive letter to the right hon. Gentleman.

I hope that this has been helpful. I am delighted that we had extra time to cover the ground. I am pleased to take up the challenge to do some of the things that could not be done in the past few years, and I will do my best to live up to the expectations of the House, as expressed by a number of Members today.

Question put and agreed to.

3.25 pm

House adjourned.

Westminster Hall

Thursday 3 December 2015

[MR DAVID NUTTALL *in the Chair*]

BACKBENCH BUSINESS

Fisheries Policy

1.30 pm

Mr David Nuttall (in the Chair): Before I call Mrs Sheryll Murray to move the motion, one or two Members have said that it is a little warm in Westminster Hall this afternoon. If any gentleman Members wish to remove their jackets, they may do so.

Mrs Sheryll Murray (South East Cornwall) (Con): I beg to move,

That this House has considered fisheries policy.

First, I thank the hon. Member for South Down (Ms Ritchie) for making the case for this debate to the Backbench Business Committee. She is a strong voice for her fishing industry. I thank the Committee for allowing time for this debate, although it would have been good if we could have held it in the main Chamber, as we usually do.

I ask Members to spare a moment to pay tribute to those brave fishermen and women who put to sea, sometimes in the most dangerous conditions, to bring a fry to our table. I would also like the House to remember those who, over the past year, paid the ultimate price in the course of their daily work and did not return to their families. My heart goes out to their loved ones. From my own experience, I know how they feel. I also pay tribute to all the maritime rescue services, including the Royal National Lifeboat Institution, the coastguard and the National Coastwatch Institution, and those maritime charities that help our seafarers and fishermen in times of need, including the Fishermen's Mission.

I have been involved in fishing for many years. As an observer of—and, since 2010, a participant in—these debates, I have noticed that we hear the same message each year from all over the UK: fishermen are struggling to survive and the fleet is getting smaller. While no one would question the need to manage our fish stocks responsibly, the system of management first introduced in 1983—the total allowable catch and quotas system—has been an absolute disaster for fish stocks, fishermen and the UK industry. Various tweaks and changes over the years have made things no more credible.

The European Commission's proposals this year seem to fly in the face of the sensible conservation of some stocks in the south-west. One example is Dover sole in area VIIe. A 44% TAC increase is advised by the International Council for the Exploration of the Sea, but article 4 of Council of the European Union regulation No. 509/2007 limits any increase or reduction of that stock to 15%, because that stock is subject to a management plan. That flies in the face of the demersal landing obligation. We would need an uplift of around 30%, or to have fishermen tied to the quay, if we were to take account of the ICES advice. In the light of the introduction in 2016 of the demersal landing obligation for Dover sole, among other stocks, there can be no justification

for restricting the TAC increase to the 15% laid down in the regulation. I urge the Minister to make that point to the Fisheries Council in a couple of weeks.

I also ask the Minister to look at channel plaice in areas VIId and VIIe. In area VIIe—the western channel part of the stock—the advice corresponds to a 20% increase in catches because of growing biomass, which is well above the maximum sustainable yield, and falling fishing mortality. Area VIId, which is the eastern channel part of the stock, is similarly growing in biomass, with fishing mortality falling steadily over years. Under the maximum sustainable yield approach, the increase in catches could be up to 202%—yes, 202%—with biomass falling by just 4%. The Commission very recently agreed an in-year increase in the 2015 TAC for the stock, which provided the UK with an immediate 30% increase for the final quarter. Given the impending introduction of the demersal landing obligation, I hope the Minister supported the French in their endeavours to maximise the increase in the TAC and quota for plaice in areas VIId and VIIe in 2016. Indeed, I hope he may have some good news on the stock.

I am also looking for reassurance from the Minister that he will totally oppose the Commission's proposal to reduce the TAC for haddock in area VIIa by 52%, given that ICES has advised that it could be increased by 400%. Turning to other stocks in area VII, there is no new advice for pollock, and the advice for monk is the same as last year, but the Commission have proposed a cut in pollock of 20% and in monk of 11.9%. I urge the Minister to secure at least a roll-over of the TAC from last year.

Given how the Commission puts the proposals in place, I wonder whether the Minister, who I know is hard-working, is being constrained by the European legislation under which he has to operate. In October 2014, he said on his web blog:

“Another feature of the reform is that there will be a ban on discarding healthy fish back into the sea. Instead, we will help fishermen manage the realities of the marine environment allowing flexibilities between the quotas they have. So if a fisherman catches more haddock than he expected, rather than having to throw the catch overboard, he can count it against quotas he has for other species, like whiting or cod, so that he can land the fish he has caught. He will also be able to borrow some quota from the following year if needed and there will be an uplift in the amount that he can catch to take account of the fact that fish are no longer being discarded.”

Is he prepared to share with us today the precise size of that uplift for each species? Furthermore, is it right to encourage year-on-year borrowing? Could that not result in next year's quota being used up prematurely?

Sea bass is a concern for my hon. Friend the Member for Southend West (Sir David Amess), who has not been able to get to this debate because of other duties. On 30 March last year, the National Federation of Fishermen's Organisations published an article on its website that stated:

“The Federation accepts that some remedial measures are inevitable, although we do not agree that the 80% reduction in fishing mortality, suggested by an MSY approach, would be deliverable, necessary or appropriate. We support a balanced package of measures, including all fisheries which impact the bass stocks, applied in a fair and proportionate way.”

The Commission's factsheet said:

“Sea bass is a special case: real management measures for sea bass were only put in place in January 2015 and catch limits were only put in place in June 2015. The Commission is therefore building

[Mrs Sheryll Murray]

on the measures taken in 2015 to halt the dramatic decline in this important stock. Today's proposal includes a complete fishing ban for commercial vessels and recreational anglers in the first half of 2016. For the second half of 2016, the Commission is proposing a monthly one tonne catch limit"—

that almost halves the quota for my Looe fishermen—
“and a one fish bag limit for recreational anglers.”

The Minister confirmed in a recent answer to my written parliamentary question that the UK response to those proposals is being considered in advance of negotiations at the December Fisheries Council meeting. Can he share with the House today what that response will be?

Finally, I wish the Minister well in his negotiations. I know he will do his best for Cornish and UK fishermen. However, having seen the industry suffer under the common fisheries policy, first as someone connected with the industry and, from 2010, as a Member of Parliament, I have to say that enough is enough. On the 12-mile limit, there is a case for ending access rights. We see from the regulations that France has access to 15 areas in UK territorial waters. Ireland has access to two areas, Germany to six, the Netherlands to three and Belgium to five for a variety of species. The UK gains access to two areas in German waters and one area in French waters. This is not fair.

Mr Christopher Chope (Christchurch) (Con): My hon. Friend is making a brilliant speech. Is the natural conclusion of her analysis that unless or until we leave the European Union, things will go from bad to worse?

Mrs Sheryll Murray: My hon. Friend has anticipated the point that I will end with.

My hon. Friend the Minister was the Conservative party's head of press when Michael Howard said:

“From a British perspective, the Common Fisheries Policy has been a failure: it has led simultaneously to the dwindling of fish stocks and the near-destruction of the British fishing industry.”

He went on to say:

“That which no one owns, no one will care for. The first step towards regenerating fisheries as a renewable resource is to establish the concept of ownership. That is why an incoming Conservative government will immediately negotiate to restore national control over British fishing grounds, out to 200 miles or the median line as allowed under maritime law, with sensible bilateral deals and recognition of the historic rights of other nations.”

The shadow Minister at the time, my right hon. Friend the Member for North Shropshire (Mr Paterson), drew up a Conservative party Green Paper of more than 30 pages, entitled “Consultation on a National Policy on Fisheries Management in UK Waters”, dated January 2005.

A recent debate in Westminster Hall demonstrated cross-party support for fisheries to be included in the EU renegotiations being carried out by my right hon. Friend the Prime Minister. I know that it is not in the Minister's gift to deliver a promise of national control today, but would he make a simple request on behalf of Cornish and British fishermen, and ask the Prime Minister to make this inclusion in his negotiations? It is not a case of fish knowing no boundaries, but more that, as his then boss said,

“That which no one owns, no one will care for.”

1.43 pm

Mr Alan Campbell (Tynemouth) (Lab): It is a pleasure to serve under your chairmanship, Mr Nuttall. I congratulate the hon. Members for South East Cornwall (Mrs Murray) and for South Down (Ms Ritchie) on securing the debate, and I welcome my hon. Friend the Member for Stockton North (Alex Cunningham) to his new role. I thank the Backbench Business Committee for granting time for the debate, but not for granting this venue. In my view, debates of such importance should be on the Floor of the House. In my constituency—indeed, in the north-east as a whole—the fishing industry is still a significant employer. It also remains the most dangerous peacetime occupation, an unfortunate fact that we reflect upon each year in our annual service for lost fishermen and seafarers. I hope that in future years the venue will reflect the industry's importance, even if it means having a debate in Government time.

I wish to raise three points; I make no apology for their being local to my constituency. The first concerns the difficulties that fishermen are currently having where they depend upon the nephrops fishery—prawns to the rest of us—particularly in the Farne Deeps, which is a critical fishing ground for local fishermen, particularly for the under-10 metre boats. I understand that stocks in the Farne Deeps are under a great deal of pressure. Local fishermen talk about boats coming from other parts of the United Kingdom, including from Northern Ireland and Scotland. Before I cause a stir, this is not a geographical or even a national point, it is about the size of the boats that are coming and the amount of stock that they are able to take. My guess is that they have been displaced from their traditional fishing grounds, or that they have diversified into prawn fishery.

The danger level for the Farne Deeps is being reached. ICES would say that the stocks are at least heading towards being unsustainable, even if they are appropriate at present. If the answer is a reduction in catch, which some are talking about, then unless the issue of access is dealt with, that will not support the local fishermen I am here to speak on behalf of. The options that the Minister has suggested to me that his officials are looking at have been met with scepticism by local fishermen. Why does he appear to have rejected measures that would limit access to the Farne Deeps?

The prawn fishery is key for North Shields fishermen, and those fishermen and the fleet are key to the success of the port. The port is key to the successful regeneration of the coast, and regeneration of the coast is key to the local economy. So this is of the utmost importance to my constituency and the fishermen in it. What can the Minister say to reassure them? What does he believe will come out of the Fisheries Council that might reduce pressure on areas such as the Farne Deeps and at the same time support the livelihoods of local fishermen? Will he, for example press for low-impact boats to have priority access to coastal waters under article 17? That is my first set of questions.

My second set of questions is about the salmon fishery and the future of the relatively few driftnet licences that remain. There are at present only 11 licences left. They are few in number, but very important to the local families who still hold them. The fishermen who have licences not only take salmon but play a part in renewing the salmon stock. It is a sustainable fishery. The salmon summit met on 19 November, and I look

forward to the outcome, but why did pressure from me and others have to be applied before fishermen themselves were invited? The list of invitees that I saw was so weighted in favour of groups that want to get rid of those few licences that it looks like the end of the fishery is in sight. Does the Minister at least accept that it looks like vested interests are playing a part in driving policy towards the end of the licences as soon as possible? Why is this sustainable heritage fishery being kept in Ministers' sights when it is exactly the sort of sustainable local fishery we should be looking to support?

I have raised my third point in a slightly different form in previous debates. It concerns the regeneration of North Shields port and the much-needed urgent quay renewal project. I understand that the European fisheries fund is being replaced with the European maritime and fisheries fund, but that grants from the new fund might be capped. The new arrangements might work against investing in port infrastructure, particularly in small ports such as North Shields, which might prove to be the big losers, yet those are precisely the ports that are struggling with the implementation of the discard ban. Can the Minister clarify whether the EMFF is on track to replace the EFF? If it is, can he reassure me and my local fishermen that it will not work to the detriment of North Shields, where regeneration is vital if we are to safeguard the future of the fishing industry?

1.49 pm

Dr Sarah Wollaston (Totnes) (Con): It is a pleasure to serve under your expert chairmanship, Mr Nuttall. I thank and pay tribute to my hon. Friend the Member for South East Cornwall (Mrs Murray), who spoke on a complex subject with her customary expertise and set out the difficulties faced by the fisheries industry. I join her in paying tribute to our fishermen, who put their lives on the line by taking to sea to put food on our plates. Likewise, I pay tribute to all those in the rescue services and those who raise money for charitable causes throughout our fishing industry and beyond.

I have the great honour of representing Brixham, Dartmouth and Salcombe. The fishing industry's contribution to our local economy cannot be overestimated. Brixham lands the highest-value catch in England, and has added an extraordinary amount to our economy. Although the catch has increased by 5% since last year—largely because this year we have not had the appalling winter storms that we suffered in 2014—we still have not recovered to the level we were at five years ago, and much of the uplift in fishermen's income has come because of factors such as falling oil prices, rather than because the challenges they face at sea are being addressed.

It is not just the fishermen themselves who contribute to our local economy; the wider industry on land does too. There is not only the processing sector but the engineers, electricians, painters, riggers and marine scientists, so the impact on our wider economy cannot be overestimated. It is not just about the value of the catch, which this year alone was £21.441 million; we need to bear in mind the effect across the wider economy rather than focus only on the fishing industry.

I do not want to repeat the points about the quotas that my hon. Friend the Member for South East Cornwall made so eloquently, but will the Minister bear in mind the fact that in a mixed fishery the implementation of the discard ban has unintended consequences? Everyone

recognises that there can be no morality in discarding perfectly good dead fish at sea. We have to be careful that implementing the policy does not just equate to discarding on land, and that discarding does not continue in the run-up to the introduction of the total ban.

In our mixed fisheries, particularly where species are recovering, if changes along the lines of those that my hon. Friend suggested are not made, we will see considerable, completely wasteful discarding this year. Will the Minister look into that? I hope that he will make the point very strongly that if we expect our fishermen to support changes that sometimes demand reductions in catches, we expect the same rigour to be applied when there is a clear increase in biomass and a compelling case to send things in the other direction. My hon. Friend's point about the arbitrary 15% limit on the maximum uplift is right—surely that is wholly unacceptable. Will the Minister set out the points he will make at the Fisheries Council to try to get things to work in the other direction?

We should be going further on the issue of bass. No one in this Chamber is unconcerned about bass stocks. Although it was difficult for some sectors, the important change that was made to bring to an end pair trawling and increase the minimum landing size has received widespread support. Nevertheless, closing the fishery entirely for six months appears draconian, and it will have huge unintended consequences for other species. Fishermen will be forced to switch their effort to other species, and we are likely to see an increase in wreck netting, for example. There are also implications for the spawning stock of fish such as pollock.

We need to look at the bigger picture. Fishermen make a strong case that we risk seeing the destruction of our sustainable under-10 metre fleet, which includes many rod-and-line fishermen who face becoming entirely unsustainable. That case has been put forcibly by a number of fishermen from the under-10 metre fleet. Rather than agreeing to conditions that will effectively put them out of business forever, will the Minister consider asking whether we can have a little more time to see the impact of important measures that have not yet been given a chance to take effect? Might there be a compromise that addresses the fact that such fishermen will be changing their effort?

We must also consider the fact that some fishermen in small vessels will be put at personal risk if they are driven further out to sea in dangerous conditions in order to sustain a livelihood. Will the Minister give us more detail about the measures he is going to put in place? The difficulty in trying to impose a one fish per angler bag limit on recreational anglers is that it is likely to be ignored. We want to carry recreational anglers with us. We must at least ask how the limit is going to be policed, because it is not clear at the moment.

On the science of our seas, we all know that we are in challenging times financially, but the importance of good science to guide the decisions made in Europe cannot be overstated. Will the Minister set out what he is doing to support the science behind our fisheries to ensure that future decisions are based on the best possible science?

Peter Aldous (Waveney) (Con): My hon. Friend is spot on about the importance of science. Hidden away in last week's autumn statement was the announcement of a significant £5 million investment in the Centre for Environment, Fisheries and Aquaculture Science, which is

[*Peter Aldous*]

the marine science arm of the Department for Environment, Food and Rural Affairs, to be spent on refurbishing its premises in Lowestoft. That will give it the opportunity to work up exciting plans to carry forward its great work.

Dr Wollaston: I am delighted to hear that that is happening in my hon. Friend's area. We would like to see that kind of investment around the UK, and we would like more scientists out on boats with our fishermen to collect the evidence that they need in real time. We should focus on basic marine science as well. My hon. Friend will know, for example, that the AstraZeneca premises in my constituency were taken over by Plymouth University. I hope that there will be a strong focus on everything we can do to improve our knowledge of marine science.

I know that many Members wish to speak, so I will bring my remarks to a close. I say again that I hope my hon. Friend the Minister will stress as firmly as he can that in a mixed fishery, particularly as biomass is increasing, the proposed quotas will not save a single fish unless we see the right level of uplift for some species. The fish will still be discarded at sea, perfectly healthy to eat, but dead. No one in this Chamber or beyond would support that.

1.58 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): It is a pleasure to serve under your chairmanship, Mr Nuttall. I congratulate the hon. Members for South East Cornwall (Mrs Murray) and for South Down (Ms Ritchie) on securing this debate, and I endorse the view expressed by the right hon. Member for Tynemouth (Mr Campbell) that this subject really belongs in the main Chamber. The fishing industry matters for all our coastal and island communities and deserves that degree of respect. I hope it will receive it in years to come.

I echo the comments made by the hon. Member for South East Cornwall when she spoke of the current EU renegotiations as a missed opportunity to reopen discussions on the common fisheries policy. There was an opportunity for the Prime Minister to atone for the sins of his political ancestors, if I may put it that way, and it would be an eminently achievable objective, because I do not think the common fisheries policy, as it stands, has many friends, even in Brussels. We can all see the damage that it has done to our respective countries and industries. We have the opportunity to reboot it.

Mrs Murray: I praise the right hon. Gentleman for securing the earlier Westminster Hall debate on the common fisheries policy. Does he agree that it would send a message to the fishing industry that the Government care about fishermen and women?

Mr Carmichael: Indeed it would. For that reason, I intend to keep making the case, and I do not doubt that the hon. Lady will, too. This case is best made in this House, as is generally the case—I speak as a Member who represents a fishing community—to ensure it is made in the broadest possible way. By and large, there is not a great deal of difference between the parties on fisheries policy. We all face the same challenges in our communities. For that reason, it will be easy to build a cross-party consensus.

I want to dwell on two areas today. I understand—perhaps the Minister will deal with this in his remarks—that the EU-Norway negotiations are proceeding fairly well. It looks as though they will produce quota uplifts for most species, with a significant—and worrying for my constituency—exception for mackerel and blue whiting. That exception will be even more significant in the discussions that are about to start in Copenhagen between the European Union and the Faroe Islands. I hope the Minister will take that point away and pursue it vigorously with the EU negotiators in those discussions. There is grave concern in the pelagic industry about the way in which the 2014 deal between the EU and the Faroe Islands is being allowed to operate.

As hon. Members are doubtless aware, the deal was designed to allow EU vessels some access to Faroese waters. In return, Faroese vessels can catch a proportion of their mackerel and blue whiting in EU waters. The deal was met with substantial scepticism in my constituency and by the pelagic fleet in Shetland, in particular. They have gone along with it and have done their best to make it work, but with every week and month that passes it becomes more apparent that the deal requires urgent review.

The recent Seafish study shows that this year the Faroese have overcaught their entitlement of mackerel by 1,400 tonnes, but there have been no boats catching mackerel or blue whiting in the Faroese waters. Surely, it is possible to do this without threatening the access of EU vessels to Faroese waters. Essentially, the Faroese were given an inch in 2014, since which time they have taken a mile. The deal looks more and more unbalanced with every day that passes. It requires urgent attention from Britain and the EU.

The other matter that I wish to bring to the attention of the Minister and of those in the devolved Administrations, because it is of significance to them, is the implementation of the demersal discard ban, which is due to come into force at the beginning of the year. We always knew that the demersal ban would be tricky.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): The right hon. Gentleman probably has the same concerns as I do about the lack of port infrastructure for the discard ban, which will affect some boats. Has he encountered that issue in Orkney and Shetland?

Mr Carmichael: It is very much an issue that we have encountered, especially in Shetland. The real difficulty is that until we have the discard ban, we will not know exactly what we are dealing with, in terms of stocks and the infrastructure that will be needed. However, all the indications are that it will be substantial. The Government have a role, because the way in which the discard ban is implemented is down to the Scottish Government, the UK Government and the other devolved Administrations. I say to the Minister, as I say to others, that there is a real need for much greater flexibility, especially in the early years, until we see exactly what we are dealing with and how it will work.

Mr MacNeil: I have two boats—the Aquarius and the Cheerfull—in Barra. They are not very cheerful at the moment, because the discard ban is coming into force on 1 January—in four weeks' time—and the main port they are landing in does not have the infrastructure.

Mr Carmichael: I would be astonished if they are landing on 1 January.

Mr MacNeil: So would they.

Mr Carmichael: But no doubt issues will come down the track shortly thereafter. Flexibility in the implementation is needed. The indication is that the approach of the fisheries departments in Edinburgh and elsewhere is too prescriptive and does not allow the flexibility that is needed.

I bring to the House's attention the recent report from Seafish entitled "Landing Obligation Economic Impact Assessment, Interim Report Two"—a snappy title—from August. I will read it into the record, because it should concern every representative of a fishing community. It states:

"Even considering the benefit of the most generously defined policy levers"—

that is, flexibilities and exemptions—

"the analysis shows that a significant volume and value of quota could remain uncaught as a result of the landing obligation."

The worst-case scenario is that,

"In 2019...the fleet segments in Scotland would catch and land 51% (£99.9 million) of the value"

of the total allowable catch. Essentially, that would leave 49% of the catch unaccounted for, uncaught and unlanded. No fishing fleet can cope with a cut of that significance. That is the worst-case scenario and worst-case scenarios need not happen, but it is a warning. That is what the Scottish fishing fleets face at the moment. Unless we have the necessary flexibility, something that was brought in with good intentions could have serious and profound unintended consequences.

I hope that Ministers here and elsewhere will heed these warnings and act on them. It comes down to a basic principle that we have spoken about over the years: when it comes to fisheries management, the people who need to be listened to first are the fishermen. We will be watching to see whether the Minister and his counterpart in Edinburgh, Richard Lochhead, are prepared to do that. It will be obvious to all if they are not.

2.8 pm

Craig Mackinlay (South Thanet) (Con): I thank the right hon. Member for Orkney and Shetland (Mr Carmichael) for securing this debate.

Mr Carmichael: I didn't.

Craig Mackinlay: I apologise. I thank the hon. Member for South East Cornwall (Mrs Murray) for opening the debate. Once again, all Members will congratulate the House of Commons Library on its excellent publication.

The Prime Minister recently wrote a letter setting out the areas in which he is seeking to reform our membership of the European Union. The second of the four areas in what everyone is now calling the Tusk letter is competitiveness. In that section, he called for a target to cut the total burden on business and he sought to boost the competitiveness and productivity of the European Union and drive growth and jobs for all—all very good, laudable aims. However, he missed the opportunity to raise the question of the damaging common fisheries policy and, for that matter, the common agricultural policy.

Later in that letter, the Prime Minister highlighted the fact that the United Kingdom is the European Union's second-largest economy and the fifth biggest in the world. He could also have noted that, until relatively recently, Britain had claims to 80% of Europe's fishing waters and that, in some estimates, British waters enclose up to 80% of western Europe's fish.

It cannot be underestimated how wrong it is that, despite all the reforms of the CFP—every 10 years we have a new cycle of reforms—43% of the UK's quota is bought by foreign-owned vessels. The UK was allocated just 30% of the EU quota for fishing ground stocks that occur in UK waters. The United Nations convention mentioned by my hon. Friend the Member for South East Cornwall states that the usual limit is 200 miles or the median line, but our membership of the EU has reduced those rights to just 12 miles.

I am here to discuss the problems in my constituency, where Ramsgate is the focus for local fishermen. In 2013, those fishermen implemented a pilot community quota group that provided 26% more quota to small boat—under 10 metres—fishermen and helped to reduce discards. It was deemed a great success by DEFRA at the time, but it has not been taken any further. Failing the extension of such local measures, which are in the Minister's sphere of influence, local fishermen with whom I have spoken feel that we sincerely need to re-establish the principle of British fishermen in British waters.

Reports suggest that two thirds of the seafood consumed in Britain is now imported. Although that partly represents our evolving tastes and demand, it is also about supply. Last year, imports of fish and fish preparations fell by 3% to 721,000 tonnes, while exports increased by 10% to 499,000 tonnes. The main imports were cod, tuna, shrimp and prawns, and the main exports were salmon, mackerel and herring. By and large, we export what we catch and import what we eat. If we had a fairer share of the fish in the seas around this island nation, once described as an island of coal surrounded by a sea of fish, we would surely be a net exporter, not a net importer.

Over 78% of vessels in the UK fishing fleet are under 10 metres, such as those that operate out of Ramsgate and other ports in the constituencies of Members around the room. Shellfish is increasing in importance in the catch of those vessels, now representing 80%. The increase in relatively high-value shellfish catches has arisen because there is little else for boats to do, Ramsgate has seen a particular increase in whelks. The more than fivefold growth in shellfish landings since 1960 is explained by much, if not all, shellfish being outside of quota stocks.

The fish in our own seas are no more of a common resource to which all members of the EU should have equal and free access than the sunshine enjoyed by member states in the Mediterranean. If we really want to boost competitiveness, as so well described in the Tusk letter, and to drive our need for growth and jobs for all, we need to take back responsibility for managing our own fishing fleets and conserving our own fish stocks, but that is perhaps wishful thinking. Let's get back down to brass tacks: we are where we currently are.

The brass tacks in Ramsgate are that we now have just 25 under-10 metre vessels, representing just 20 full-time employees and a landed value of just £1.5 million. With the value added in other local jobs, we can perhaps

[Craig Mackinlay]

double the employment figure and the value to the local economy. The under-10s fleet is environmentally sustainable and well supported by organisations such as Greenpeace, which currently has legal action under way. The vessels have a low impact on local stocks and provide a greater opportunity for local job creation than industrial fishing. Article 17 of the common fisheries policy includes the right to earn a living, but that right is simply fantasy in Ramsgate. The article also allows Ministers to devise mechanisms to ensure that distributions to coastal and inshore fishermen are right and fair, and the modern CFP is meant to incentivise sustainable fishing that benefits local coastal economies.

My fishing community faces problems on four fronts. First, members will be aware of the massive expansion in offshore wind in that part of Kent and the substantial dredging for operations in London. It would be fair to say that fishermen in Ramsgate are operating in a new building site, which causes them particular problems.

Secondly, the six-month precautionary ban on bass that is proposed by the European Commission for January to June next year will be simply devastating.

Mrs Sheryll Murray: Does my hon. Friend agree that our fishermen would want the Minister to go over and ask the Commission to keep the restrictions that were introduced last year, so that we can see their effects before the bass quota is reduced even further?

Craig Mackinlay: My hon. Friend raises a wider point about the validity of the current scientific data, which often falls far behind the reality on the ground. To get back to bass, it is a key catch during a tough period for the industry. My fishermen need 300 kg a month simply to survive, but that will be taken away from them.

The third problem, which I have spent much time discussing with the Minister when we meet in corridors, is the nonsensical situation of the quotas for skates and rays. The classification used under the CFP is far too broad. The precautionary quota reduction of recent years now means that my boats are allowed only 275 kg a month on average, which is barely enough to pay for fuel. However, local fishermen are reporting an abundance of thornback ray. They are almost like paving slabs on the bottom of the sea, but the fishermen are unable to catch this valuable and well-loved fish. The science is once more well out of step with reality. With the extra £5 million that is available, I ask the Minister for an urgent review by CEFAS, so that we can see what the reality is, particularly for thornbacks, which should fall outside of quotas under any reasonable expectation.

Another issue that I have never managed to get to the bottom of is the apparent lack of mackerel allocation in the southern North sea or zone IVc. I hope the Minister will be able to explain that this afternoon.

My hon. Friend the Member for Totnes (Dr Wollaston) made a good point that the discarding of good fish in a hungry world is frankly unacceptable. The ban on pelagic discards, which is not particularly relevant to my fishermen, is already in place, but the demersal discard ban coming in from next year will cause particular difficulties. Like much of the CFP, the ban is ill thought out, particularly for smaller ports and the under-10 metre fleet. There is no capability in Ramsgate for the sale, distribution or

disposal of potential discards. We do not have agricultural product or food producers on hand ready to take away discards for other use. The ban will simply lead to an additional cost in an already struggling fishing community. I am, however, aware of the de minimis and survivability exemptions.

The reality of life for Ramsgate fishermen is truly dire. A living is impossible. Too many fishermen are now lone working, with the dangers that that brings. Low fuel prices are perhaps one of the few saving graces in the industry at the moment. Most fishermen have to supplement their income with part-time work, and there are no new entrants into the industry locally. I therefore want to appeal to the Minister as he goes off to the meeting on 15 December. I want him to utilise his powers of flexibility for quota allocation, so that the under-10 fleet gets its fair share. I want him to push for a special category for thornback rays that is outside of the quotas, because the facts differ from the science. The category of skates and rays is too broad, covering more than 40 species. I would like to see a ban on the truly appalling pulse beaming, which has become factory fishing of the wrong type. I will certainly ask the Prime Minister to secure the return of fisheries policy to the UK as part of the EU renegotiation.

I wish the Minister well on 15 December and I look forward to his answers this afternoon.

2.20 pm

Calum Kerr (Berwickshire, Roxburgh and Selkirk) (SNP): It is a pleasure to serve under your chairmanship for the first time, Mr Nuttall. Thank you for the opportunity to speak in the debate.

One thing that strikes me about fishing debates is the passion people have for the subject, and the way in which they fight for their constituencies. We have already had excellent contributions from the hon. Member for South East Cornwall (Mrs Murray) and the right hon. Member for Orkney and Shetland (Mr Carmichael). I await with interest the speech of my hon. Friend the Member for Banff and Buchan (Dr Whiteford), who was of great help as I tried to get my head around the language and terminology of the fishing industry. Having worked in telecoms, I am used to acronyms, but I have had to learn a whole new set of them.

Fishing is an important contributor to the UK economy, and especially to Scotland's, but it remains an inherently dangerous way to earn a living, and many sacrifices have been made to the sea. Few other jobs require those involved to brave the full force of the elements when they can be at their most terrifying. Only this week in Scotland we were reminded of that by the marine accident investigation branch report on the death of a fisherman from the Beryl who went overboard off Shetland in February.

Many brave efforts are of course made to protect and save those who are constantly in peril, and I express our gratitude to the officials, coastguards and volunteers of organisations such as the Royal National Lifeboat Institution and the Fishermen's Mission, which provide rescue and support. Their job is vital and selfless, and we must thank them for it.

I have already alluded to the fact that fishing is of major importance to Scotland. We have only 8.4% of the UK population, but land around two thirds of the

total UK catch at our ports. The Scottish fishing zone accounts by weight for 80% of landings of key stocks. The fishing industry is an important contributor to the economy of my constituency, so it is very much an activity taking place on my doorstep.

At this time of year, our attention turns to the annual fisheries round in Brussels, which always acts to concentrate minds. There is some good news to report. Scientific advice from ICES for 2016 has now been released, and it incorporates joint science and industry data on many of Scotland's key fish stocks. For white fish in particular, it paints a promising picture. North sea cod appears to have turned a corner, and there was a recommended increase in quota of 15%. Other rises to be recommended include one of 56% for haddock, 20% for monkfish, 26% for megrim, 20% for Rockall haddock and 6% for northern hake. On the west coast there is a recommended rise of 15% for nephrops, although disappointing recommendations include an advised reduction of 26% for North sea nephrops and 10% for North sea whiting. The Scottish Government in particular are fully aware of the challenges to do with such stocks and will be seeking to mitigate them in future negotiations.

The launch of the ban on discards for white fish and prawn stocks next year will prove to be nothing less than a milestone for the fishing industry in Scotland. As we have heard, there is widespread concern about the practical implementation of the discard ban in our mixed fisheries; that poses real challenges, so I am pleased about the agreement on phasing in the landing obligation from the start of next year. On discards in general, I am pleased that in Scotland we are already making sound progress, with combined discards of North sea cod, haddock and whiting falling from 40% of the catch to only 18% in the six years to 2014. There is more to do, but we should be pleased with the results so far. They are the outcome of pioneering conservation measures devised with the fishing industry.

Mrs Murray: It is good to hear the hon. Gentleman send a message to the Minister that Scottish white fish vessels that target cod and haddock are doing well. Has the hon. Gentleman had the same message from those vessels that at times come down as far as area VII? There we see a proposed cut in the TAC of 27.1% for haddock, for which we already have a minuscule quota, at only 8% of the European TAC or thereabouts, and a 29.6% cut for cod, for which we have about 10% of the EU TAC. Has he had that message from the Scottish vessels that come to the south-west?

Calum Kerr: The hon. Lady has a level of knowledge to which I aspire. There are some definite challenges in different areas, but the danger is that we always see the negative side. We should also look at the positive impact. Fish stocks are recovering in certain areas, but we should never be complacent about the challenges that she expresses so well.

It is encouraging to see more young skippers being attracted to fishing, because they represent the future of the sector. We have to recognise in some areas the economic hurdle to getting involved. We now have the European Commission's initial draft of its proposals for fishing opportunities during 2016, which includes quotas for stocks exclusively managed by the EU. At this stage, the proposals largely follow scientific advice and reflect

the Commission's drive towards achieving MSY by 2020 at the latest. There are still gaps relating to stocks for which the quota depends on negotiations with third countries such as Norway, the Faroe Islands and other coastal states. Talks between the EU and Norway should conclude tomorrow. There are other gaps, too, but talks, as is usual at this point in the cycle, are under way and progressing.

The final package of quota will be agreed at the December Fisheries Council, at which key goals for Scotland will include continuing the effort freeze in all sea areas and working to dismantle the discredited cod recovery plan. We will also seek to conclude discussions establishing a new flexibility provision for haddock and securing increased flexibility for monkfish. In addition, we shall seek a more proportionate response to the challenging advice on herring in the west of Scotland fishery, and to overturn the zero-catch recommendation. We want recognition that that fishery is sustainable, and to secure a TAC that allows fishing to take place while supporting the Pelagic Advisory Council's rebuilding plan. We hope that the Minister will be supportive of that.

Some of the issues that I am raising are not exclusively Scottish. There are challenges, in particular with western herring, for Northern Ireland's fishermen, as well as for England's. That leads me on to the wider pelagic issues. The discard ban that came into force at the beginning of the year does not seem to have caused any significant problems in the sector, which is encouraging. Economically, the mackerel catch is the most important pelagic catch, and the Scottish Pelagic Fishermen's Association reports that the stock is in good health. It is disappointing, though, that Norway will have access to the benefit of reduced-tariff mackerel exports to the EU and an increase in the herring tonnage, which will make worse an already difficult marketing environment. Furthermore, the fact that this week's mackerel talks in London closed without agreement, leaving Iceland and Russia outwith the arrangement, is clearly a source of disappointment. It is likely to lead to overfishing, and that will impact on all of us.

We must remember that the onshore part of the fishing sector is important as well, in particular in Scotland, where processing plays an extremely important role in places such as Peterhead, Fraserburgh and Shetland. Disappointingly, we have seen some job losses in the processing sector, but north-east Scotland is now the most important seafood processing centre in the UK. More than 70 companies employ nearly 4,000 people and deal with not only cod and haddock, but pelagic fish, shellfish and, of course, farmed salmon. We must not lose sight of that important part of the industry, and its value both economically and to the consumer in the wider food chain.

We also need to continue our strong focus on sustainability. Of Scotland's 12 key commercial stocks, eight have already met the maximum sustainable yield target. That is commendable. Scotland has led the way in developing innovative conservation measures, and it is vital that we continue to develop approaches to fisheries management that incentivise behaviour that brings social, economic and environmental benefits.

As far as the CFP is concerned, the Scottish National party has been sceptical about its effectiveness over the past 40 years, though we are not alone in that. However, even the policy's fiercest critics should acknowledge

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that the last round of reforms represent a substantial step forward in terms of regionalising the CFP and bringing key stakeholders to the table.

Mrs Sheryll Murray: Is the hon. Gentleman saying that the SNP's policy of withdrawing from the CFP and taking back national control over the 200-mile limit has changed?

Calum Kerr: I may be a new boy, but the hon. Lady cannot trip me up so easily. No, it has not changed. I am sure that, over the coming months, we will have considerable debate on this. In fact, I see fellow members of the European Scrutiny Committee here who do not share all of my views. The EU's role in fishing will be a key part of that debate. In this debate, it is important to focus on our own interests and regional interests, because a wider discussion will follow.

Kelvin Hopkins (Luton North) (Lab): The reality is, if we gave notice that we as a nation wanted to withdraw from the common fisheries policy, we might be thrown out of the EU. I tested that with a member of UKRep, the UK Permanent Representation to the European Union. It is a bit of a contradiction to be in favour of the EU but want to get out of the CFP.

Calum Kerr: I thank the hon. Gentleman for his contribution; I always enjoy them. [Interruption.] I am still to develop that skill. We are at a point where the issue is not whether we should be in or out of the CFP, but how we can make it better, more effective and work for all our communities. I look forward to sparring with him when we come to the EU debate.

Ms Margaret Ritchie (South Down) (SDLP): The hon. Gentleman is making compelling points. Does he not agree that if we are to have areas of compromise, it would be best to ensure greater devolution under the CFP, so that we had continued membership of the European Union while enjoying the benefits of greater decision making in relation to quotas?

Calum Kerr: What the hon. Lady said is what I should have said. I thank her for that most excellent intervention—I shall endeavour to visit *Hansard* and memorise it for next time. I am surprised we got this far without that coming up, but I notice one or two Eurosceptics in the Chamber. The important point to make is that, all along, the SNP has championed the regional approach to fisheries, and we will continue to do so. The system is not perfect, but we shall work hard to make it better.

There is another important point, which my hon. Friend the Member for Argyll and Bute (Brendan O'Hara) was going to raise, but unfortunately he cannot be here today. There are real problems recruiting local crews to work on boats, on the west coast in particular. For some time that has been addressed by employing staff, notably from the Philippines, who have a specific employment classification. Without them, some boats simply would not be able to put to sea. We already see the impact of that.

Ian Blackford (Ross, Skye and Lochaber) (SNP): Is my hon. Friend aware that the Irish Government have just announced that they will give up to 500 permits for

such fishermen, and will guarantee that those who come from outside the European economic area will be given the minimum wage? Should the Westminster Government not do that as well?

Calum Kerr: I thank my hon. Friend for that intervention. His example shows that where there is political will, a solution can be found. The Government's clear focus is on reducing immigration numbers, which is why they are starting to clamp down on those personnel, but the important classification of international seafarers is notably different. The answer given to many skippers—to look to recruit from eastern Europe—will make things worse. Next Wednesday, a number of us are attending a meeting with the Minister for Immigration. I ask the Minister present today to speak in support of this endeavour to ensure that we keep our boats in the water.

Finally, I was disappointed not to see sea fish levies in the Smith commission proposals. I encourage the Minister to look at how the issue could be devolved to the Scottish Parliament as a matter of urgency. There has been some discussion, but I would welcome his input and support for that. That would address the bewildering and anomalous situation whereby Scottish levy money is used to promote Norwegian fish in the UK market.

Mrs Sheryll Murray: Will the hon. Gentleman give way?

Calum Kerr: I will not, if the hon. Lady does not mind. I would like to finish, because I am conscious of time. Our approach to this year's talks will be dictated by numerous fundamental principles, which include respecting science, stock sustainability, and protecting the socioeconomic wellbeing of the industry and the communities that depend on it.

We also aim to continue pursuing our commitment to achieving discard-free fisheries, and opposing the "use it or lose it" strategy of automatic cuts for data-limited stocks. There is a lot to do, but I am confident that we are on the right path. Credible, sensible and practical monitoring, along with a robust defence of our fishing and processing industries, is the best way to effect positive change and achieve the long-term sustainability of the catch. If we do that, we will ensure that our fishing communities in Scotland and throughout the UK not only survive, but prosper.

2.37 pm

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Mr Nuttall. I congratulate the hon. Member for South Down (Ms Ritchie) and my hon. Friend the Member for South East Cornwall (Mrs Murray) on securing the debate.

Last month, I attended the annual festival of the sea service at Christ church in Lowestoft, which is the most easterly church in the UK. That was an opportunity to acknowledge and thank fishermen and their families. When we eat our meals, we should not forget the risks that they take to put fish on our plates. We should also acknowledge, as many Members have, the work that the RNLI, the Fishermen's Mission and other support groups do around the coast of these islands. Our coast is one of the British Isles' main assets, but at times it can be unforgiving.

Our current fisheries policy is set out in the CFP, which was reformed in 2014. The reforms consisted of three parts: first, a legally binding commitment to fish at sustainable levels; secondly, more local decision making; and thirdly, the phased ban of discards. If those policies are implemented, they can bring significant benefits to the coastal communities we represent. I represent the port of Lowestoft, which was once the fishing capital of the southern North sea.

Kelvin Hopkins: I used to know Lowestoft well in my youth—[*Interruption.*] It was a long time ago. When I was a youth we used to go to Lowestoft, where there were many fishing boats. Would the hon. Gentleman like to contrast the number of fishing boats in Lowestoft now with 50 years ago?

Peter Aldous: Indeed I would. Although the hon. Gentleman casts his mind back to his youth as being a long time ago, he must have extremely good eyesight, because he has read what I was coming on to.

In days gone by—I will not say anything about the hon. Gentleman's youth—it was possible to cross from one side of Hamilton dock in Lowestoft to the other by walking from boat to boat. Today, that same dock is virtually empty of fishing boats. The trawlers that underpinned the industry have gone. The vessels in the Lowestoft Fish Producers' Organisation are now largely based in the Netherlands. Their fixed quota allocation of 79,000 units is landed elsewhere, not in Lowestoft. The industry that remains in Lowestoft is an under-10 metre inshore fleet of 10 to 12 vessels.

When we have debated this subject previously, I have been pretty pessimistic and said, "Time is of the essence. We're at one minute to midnight. We have very limited time to save the industry in Lowestoft." Today, I am more optimistic. I can see a light at the end of the tunnel, although I am conscious that it might be an oncoming train. I believe there is a real future for the industry in Lowestoft, and not only because of the announcement about CEFAS that I mentioned.

We can build a new, 21st-century fishing industry in Lowestoft. The future of the port is beginning to become clear: it is a sustainable and exciting future, involving offshore wind and fishing working together. Two weeks ago, it was announced that the construction base and the operations and maintenance base for the East Anglia One offshore wind farm would be in the port of Lowestoft. It has also been announced that the construction base for the Galloper offshore wind farm will be in Lowestoft.

The fishing industry, through Associated British Ports and other interested parties, is now providing us with the opportunity to work together to invest in the fish market and to secure a long-term future for fishing in the port. My vision is of an inshore fleet of approximately 25 boats that can help to underpin the processing businesses and smokehouses that remain in the town to this day. It will not be easy to achieve that vision, and I will outline the five challenges we need to address in order to deliver that goal.

First, the Government need to honour the legally binding commitment in article 17 of the reformed CFP to encourage sustainable fishing that has the least possible impact on the marine environment and that maximises economic and social returns to coastal communities such as Lowestoft.

Mrs Sheryll Murray: Does my hon. Friend agree that to have a productive and healthy fish market, we need not only the quality of supply from the inshore fleet but also the quantity of supply from the larger offshore vessels? We must never forget that one complements the other.

Peter Aldous: That is a point well made. The nature of the fish market has probably changed over the years, in that it is no longer only about the merchants in it; we must bring the public into the fish market as well.

There are opportunities to address the article 17 commitment on sustainable fishing. Research carried out by the New Economics Foundation shows that coastal communities can derive significant social benefits from having an active port with fishing vessels. That, in turn, can play a significant role in revitalising and regenerating the towns and villages all around the British coast that we represent, therefore achieving the goal we so often talk about of rebalancing the economy.

The second challenge is the elephant in the room: quotas. We need to ensure that the inshore fleet has a realistic quota available to it. I covered that issue in quite a lot of detail in the debate we had in this Chamber in September, so I will not go into the same detail again, other than to repeat that the under-10s have been treated poorly in the past. I compare them to *Oliver Twist* in the workhouse, holding out their bowl for more fish, only to be denied it by an overbearing Mr Bumble. That still applies.

I acknowledge the work that the Minister is doing in top-slicing 25% of the quota uplift in England and allocating it to the under-10s, but much more is needed. The industry also needs to play its role in keeping accurate records, so that we avoid the problem the under-10s had in the 1990s when they were not keeping those records. That is one reason why they have had such a poor result in the past.

Mrs Sheryll Murray: I do not know whether my hon. Friend was around the fleet at the time, but it was not a question of the fishermen not keeping those records; they were not required to keep the records according to EU legislation. The Ministry of Agriculture, Fisheries and Food—the equivalent of DEFRA at the time—estimated their catches.

Peter Aldous: I thank my hon. Friend for correcting me; she has far more historical knowledge than I do. That tells us that fishermen must not rely on others to do the hard work and the recording, they must do it themselves. The Marine Management Organisation is doing a sampling project at the moment, carried out by CEFAS, to address that particular problem.

The third challenge is the discards ban. It is right that we eliminate discards, but for the inshore fleet the road to doing so will not be an easy one along which to travel. We have heard from around the coast that port infrastructure needs to be significantly upgraded so that we can address that problem. There is real concern that the discard ban could yet bankrupt many inshore interests if not carried out properly.

To be fair to the Minister and his officials, I know that they have been working with the sector, through Jerry Percy of the New Under Ten Fishermen's Association, to develop a workable approach to implementing the

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new rules. That approach must meet the spirit and requirements of the new legislation, but we must ensure that it does not have grave unintended consequences. The MMO needs to take a pragmatic and sensible approach to implementing the legislation and must not be over-zealous.

A similarly pragmatic approach is required for the management of sea bass stocks, which are particularly important for smaller coastal fleets. As we have heard, the current proposals present real challenges. I direct the Minister to the detailed proposals from the Low Impact Fishers of Europe organisation—LIFE—which I believe would safeguard the interests of both bass as a stock and fishermen. I urge the Minister and his European colleagues to look at those proposals closely.

My final point, which has been touched upon, is the massive increase we have seen in electric pulse fishing, particularly by Dutch vessels. There are major concerns about the impact that that is having. It is estimated that 105 such vessels are currently charging around the North sea, using a system that is causing significant damage to fish stocks and leaving fish to die on the seabed. We are transferring discarding from taking place on land to taking place at the bottom of the sea, which flies in the face of everything the Government and responsible British fishermen seek to achieve. I urge the Minister to halt that practice, at least until full scientific research has been carried out, hopefully by CEFAS.

Significant challenges remain, but my tone has changed from being pessimistic about the future of the Lowestoft industry to being more optimistic. I acknowledge that significant hurdles remain along the way. There will be plenty of shouting and plenty of banging of tables, as there always is in fishing, but I believe that together, fishermen, their representatives, scientists, the Government, the managing organisations, the European Union, MPs and MEPs can deliver an exciting future. It will be very different from what took place in the past, and we must do our best to ensure that it is sustainable, that we do not just move from boom to bust, and that it provides those working in the industry with an opportunity to earn a wage that reflects the risks that they take—both the risks in investing in their businesses, and the risks to their very lives by going to sea.

2.50 pm

Jim Shannon (Strangford) (DUP): It is always a pleasure to speak on anything to do with fishing, Mr Nuttall. I congratulate the hon. Member for South Down (Ms Ritchie) on securing the debate—or as we call her, the Member for down south, for her politics. We were pleased to go along with the hon. Lady and Members of the Scottish National party to present our case for this debate at the Backbench Business Committee. Of course, my opinion on Europe and the EU is very different from that of my other three colleagues who were there, but I would like to ask some questions along those lines, as it is important to do so.

First, I want to thank some people who have given us background information. In particular, I mention Alan McCulla from the Anglo-North Irish Fish Producers' Organisation, who is here in the Gallery today. I also mention Dick James from the Northern Ireland Fish

Producers' Organisation and Mark Palmer from the Northern Ireland Trawlermen's Trading Company. Those are three people and three organisations that have given me some information on this matter.

Once again, loathed diktats from Brussels are making our fishermen's lives much harder than they should be. First, there were the illogical quotas, on which we have all commented. Then there were the Spanish fishing fleets—the modern-day armada—robbing fish from our seas, and now we have a new threat in the form of the EU landing obligation. Although the delegation who went to the Backbench Business Committee have different opinions on Europe, we are united on how we can help our fishing industry across all the regions of the United Kingdom. Perhaps some of those hon. Members will swallow their anti-Europe rhetoric and accept that we need to work together on addressing these issues.

Fisheries up and down our United Kingdom need to be on a sustainable footing—that is so important. Fishing lobbies from across the United Kingdom of Great Britain and Northern Ireland, including the National Federation of Fishermen's Organisations, which incorporates all those and many more, have contacted me and others in this House, saying that the EU landing obligation was an issue that continually raised its head. I understand that it is not the aim of the new landing obligation to be of harm to the fishing industry; rather it has ended up bad for fishermen because of the way in which the EU has gone about the obligation. When it comes to addressing that issue, hopefully the shadow Minister and the Minister will be able to indicate how best we can help our fishing sectors, given the way in which the EU has gone about those obligations.

On Saturday week I will be at my advice centre in Portavogie, where fishermen will come and tell me about all these things, including the landing obligation. Looking at Portavogie as an example of one of the fishing villages that I represent, there was once a vast and vibrant sector there, with 130 boats at one time, but that is now down to 70, which indicates where things are going. The landings, by the way, are pretty much the same as they were, so the gap has been filled. However, although we used to have four fishing factories to process the landings, now we only have one small one. Some have moved to Kilkeel, and I am pleased that they have been retained and that at least one of the villages has benefited.

According to the NFFO:

“The most serious aspect of the landings obligation is its potential to ‘choke’ mixed fisheries; meaning that the exhaustion of one...quota would require vessels to tie up for the rest of the year, foregoing their main economic quotas.”

That could be absolutely disastrous for the men and women whose livelihood comes from fishing, but we have yet to hear any suggestion of EU research into how to avoid that, let alone mitigate it altogether.

It is critical that the concerns of fishermen up and down this nation are addressed in respect of the landing obligation, as we do not want to see good, honest, hard-working people falling on hard times as a result of red tape and bureaucracy. Just to reiterate, the views that I have contributed were expressed to me by not just one individual, or by one individual organisation, but by a large number of different individuals and different groups from all across our United Kingdom of Great Britain and Northern Ireland, many of whom I am sure have never met, but who all have the same concerns and

feel the same pain. I presume that some have contacted Members of Parliament who are here as well. The main concern of the people affected was not about moving toward a sustainable fishing system for the United Kingdom; we would be hard pushed to find anyone who disagrees with doing that. Their concern was that they were not being included in decisions that matter to them—decisions they care about, and which potentially have a huge impact on their lives.

We can lead by example in Parliament by listening to those in the fishing industry—as we all do, and we reflect those viewpoints in this Chamber in today's debate—and by consulting them when deciding how best to regulate our fishing industry. We do not need the top-down diktats that we have seen in this well-intended yet hated EU landing obligation. We need to do things differently, recognising that those who ultimately know best about our fishing industry are from the fishing industry itself.

Let me come back to a point referred to by the hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) about Filipino fishermen. The men in the fishing sector in the village of Portavogie—and the hon. Member for South Down could refer to her two fishing ports—want to have Filipino fishermen. And do you know why? Because they are dependable. There was a tradition of service in the boats in the fishing fleets in Portavogie, but that is not there any more. Next week, we have the opportunity to meet the Minister and we have to express these concerns. We cannot ignore the fact that the Republic of Ireland has taken a step in that direction, and next week that must be part of our attempts to persuade the Minister of the merits of our case.

The NFFO has issued a bleak warning about what may happen if we continue to do things as they are currently being done. It stated:

“The EU's blundering policy, supported it has to be said, by UK fisheries ministers, has the capacity to derail our fisheries and put us back decades if not handled very sensitively from here on in.”

That must be addressed—if that is not a wake-up call, what is? In the future, the approach to these issues should be to include fishermen and the organisations that represent them at the heart of such legislation, whether it is sovereign legislation or imposed on us from Brussels—good old Brussels. Well, Brussels sprouts are good.

I want to mention one final quote that illustrates just how illogical the bureaucratic EU diktat on landings is. If it were true that the EU and the Council of Ministers routinely set quotas that are unsustainable, it is a little difficult to explain how our fisheries are doing so well. At the annual “State of the Stocks” meeting in Brussels, the chairman of the International Council for the Exploration of the Sea advisory committee, Eskild Kirkegaard—it is hard to get my tongue around that; I imagine it does not sound right in my Ulster-Scots accent—said, importantly:

“Over the last ten to fifteen years, we have seen a general decline in fishing mortality in the Northeast Atlantic and the Baltic Sea...For the majority of stocks, it has been observed that fishing mortality has decreased to a level consistent with Maximum Sustainable Yield...meaning levels that are not only sustainable but will also deliver high long term yields.”

It is clear from that statement by that knowledgeable person, who is chairman of the International Council for the Exploration of the Sea advisory committee,

through the EU, that there is a sustainable industry out there. The hon. Member for Waveney (Peter Aldous) referred to positivity—let us breathe the positivity into this debate and make sure that we get the return, which is very important.

To refer to my constituency of Strangford, fishermen from the Irish sea and from the boats of Portavogie tell me that they have never seen the abundance of cod in the Irish sea that they have been seeing in recent times. Although the fishermen see that every week, the scientists who advise Europe do not see it, so we need to address that issue. We need to ensure that the quotas are right. The Minister knows about getting the quotas right for the prawn industry. That is very important; it is now the backbone of the industry in Portavogie and of the fishing fleets. When it comes to addressing those issues, let us have some reality from Europe in relation to a sustainable fishing industry and the fish that we have in the sea—the cod and the prawns.

I can only hope that hon. Members have taken note of these very important issues, that in the future fishermen and their organisations have a proper say in what affects them, and that fishermen from the villages of Kilkeel and Ardglass in the constituency of the hon. Member for South Down and from the village of Portavogie in my constituency are afforded an integral role in deciding the best way forward for the industry. After all, who knows the industry better than the fishermen themselves? I wish the Minister every success. I place it on the record that he has done well for us in the past few years and we look forward to his doing well—no pressure—for us again this year.

3 pm

Mr Iain Wright (Hartlepool) (Lab): It is a pleasure to serve under your chairmanship, Mr Nuttall, and to follow the hon. Member for Strangford (Jim Shannon), who is always an assiduous attender of these debates and takes his parliamentary duties extremely seriously. I thank the Backbench Business Committee, and I particularly thank the hon. Members for South East Cornwall (Mrs Murray) and for South Down (Ms Ritchie) for securing an important debate that I think should be taking place on the Floor of the House.

I have tried to attend fisheries debates every year since I became a Member of the House and have tried to represent the interests of the fishermen in Hartlepool. The fishing industry in my constituency is perhaps not a staple part of the local economy as it is in other constituencies, but the key point is that generations of Hartlepool families, going back at least 800 years, have carved out a hard living in the dangerous and often unforgiving North sea. Bluntly, I find it very difficult to understand the conditions in which these brave men and, often, women serve: wet, cold, often dark, treacherous, freezing and far too often fatal.

[MR DAVID CRAUSBY *in the Chair*]

Mrs Sheryll Murray *rose*—

Mr Wright: Before I give way to the hon. Lady, I pay tribute to her. Her professionalism and her knowledge of the industry shine through in everything that she says in the House, and her personal experience moves everyone in the House.

Mrs Murray: I thank the hon. Gentleman for those comments. Will he acknowledge that a commercial fisherman often also has to be an accountant, an engineer, a mathematician, a fisheries scientist and a gear mender? There are masses of qualities and areas of expertise that these hard-working fishermen need before they go to sea.

Mr Wright: The hon. Lady makes an important point. With regard to the point about being an accountant, I should declare my interest: I am a chartered accountant. If any fishermen want my services, I will be more than happy to provide them for a reasonable fee. But there is an important point, which is that fishing is a dangerous profession. My right hon. Friend the Member for Tynemouth (Mr Campbell) made an important point about a service that happens in North Shields. The same service happens annually in my own constituency, organised by the Mission to Seafarers for the Tees and Hartlepool, whose headquarters are on Seal Sands Road. There is a nice connection there, because it is a delight to be able to say that it is in the constituency of my parliamentary neighbour, my hon. Friend the Member for Stockton North (Alex Cunningham). It is a delight to see him serving on the Front Bench in this debate.

As I said, in my time in the House I have tried to reflect the concerns and issues of Hartlepool fishermen. The fishing fleet in my constituency consists predominantly, if not exclusively, of under-10 metre boats. The fishermen have expressed the same issues to me year in, year out, and I have raised them in these fisheries debates year in, year out. They have struggled with persistent problems: the quotas for under-10 metre boats and how those quotas are being squeezed by the bigger boats; unlicensed fishing; discards; and how to ensure that there is sustainable stock that allows for the maximum yield. However, what is really frustrating is that the issues that I raised in these debates on behalf of Hartlepool fishermen a decade ago remain concerns that threaten the livelihoods of people in my constituency today, such as Phil and Marty Walsh. Those problems pose—I am not being melodramatic—an existential threat to the Hartlepool and UK fishing industry.

I want to put some figures on that—perhaps I am comfortable about doing that, being a chartered accountant. People might think that an awful lot of money is involved, but in 2014, according to figures from the Marine Management Organisation, under-10 metre boats in Hartlepool landed fish with a value of just over £69,000. That is spread over a number of boats—a number of small businesses—in my constituency, so it is clear that the fishermen are hardly getting fat on the proceeds of their trade. It is a harsh climate—often literally, but also financially. The fishermen have to pay fixed costs such as insurance, without any guarantee of whether conditions will allow them to go out to fish. That is coupled with the fact that the revenue arising from their endeavours is low and often precarious.

I have raised the matter repeatedly in the House, and other hon. Members have done so far more eloquently than I can. The quota system is unfair—it favours large producer organisations at the expense of smaller boats. The quota allocations for 2015 show that although the under-10 metre fleet makes up 77% or 78% of England's fleet—a fact mentioned by the hon. Member for South Thanet (Craig Mackinlay)—it was allocated only 3.2% of the quota. To add insult to injury, the producer organisations

often do not use all the quota allocated to them. That suggests to me that the market is distorted and failing, and that smaller boats should be given a larger allocation.

I believe that the Minister is sympathetic to that point. I know that he is certainly very knowledgeable in this area, and I commend the work that he has done in the past two or three years. I am not telling him anything that he is not aware of or that I have not mentioned time and again in previous fisheries debates. He has recently committed to ring-fencing for small boats the first 100 tonnes of quota uplift, followed by an additional 10% or 15% of all available uplifts. That is a welcome step, but can he go further? Will he safeguard the interests of the under-10 metre fleet in Hartlepool and elsewhere?

In last year's debate, I mentioned how the discards policy, although incredibly welcome and entirely sensible, is consolidating further market power in the hands of producer organisations at the expense of smaller players. I asked the Minister what the Government were doing to ensure that they met the requirements of article 17 of the reformed CFP, which requires member states to use transparent and objective criteria, including of an environmental, social and economic nature, when allocating fishing opportunities. Article 17 should move the quota system away from a methodology based on what was caught before and a system that disproportionately favours those who caught the most in the past. Those points are identical to the ones that I raised last year, but the question remains.

Several hon. Members have mentioned Greenpeace. Let me quote what Greenpeace has argued, which I think is striking:

“The government is currently starving our local, low impact fleet of fishing quota, sending some of them to bankruptcy or food banks. Meanwhile just one Dutch controlled vessel continues to get a mammoth amount of fishing quota because the system of allocating quota hasn't changed since the 1990s. This is despite the fundamental change in the CFP that says that fishing quota should be used to incentivise sustainable fishing and benefit coastal economies. So it's not just blatantly unfair, it's also unlawful.”

We need to change that.

Mrs Murray *rose*—

Mr Wright: I am sure that the hon. Lady agrees.

Mrs Murray: Actually, if the hon. Gentleman had attended the last-but-one meeting of the all-party group on fisheries, he would have heard the other side of the argument. He might like to look at the very short film on the all-party group's website that counters some of the mis-messaging from Greenpeace, because it puts the point of view of that large Dutch vessel. I think that the hon. Gentleman would be better advised to hear the other side of the argument before using Greenpeace's complete propaganda.

Mr Wright: Well, I do feel disciplined, Mr Crausby; I feel chastised, and I will certainly look at the film that the hon. Lady mentions. The point about Greenpeace is important, because the Minister is obviously aware of the judicial review that it has brought about on the grounds that the Government have not fully and properly implemented article 17. I understand that a verdict is imminent. It could even come this side of Christmas, and I know that the Minister, in responding to the debate, will be hindered in what he can say.

Dr Wollaston: Does the hon. Gentleman acknowledge, though, that there is a value attached to these quotas, and that there should be full compensation if they are removed unilaterally? As my hon. Friend the Member for South East Cornwall (Mrs Murray) said, we need to recognise that the bulk of the fish on our plates must come from the large fleet.

Mr Wright: The hon. Lady makes a really important point. This is not an easy matter to solve, and successive Governments have struggled with it, although the Minister has gone some way towards addressing it. The hon. Lady is right that the quota allocation has a value and can be classed as an asset on the balance sheet, so there would need to be some sort of legal compensation if it changed. I fully recognise that it is a complex issue, but I am trying to represent my constituents, who are suffering deeply because the allocation of quota is incredibly unfair.

Peter Aldous: The hon. Gentleman is making his point extremely well, and we represent very similar constituencies with the same issue. However, I want to question what he said about quota being an asset on the balance sheet. Lord Justice Cranston, in his judgment in summer 2013, said that fish was a public resource, not an asset for any company to own.

Mr Wright: But the producer organisations can often lease quota and put the lease and the future revenue streams on the balance sheet, so, in that regard, quota can be seen as an asset.

What can the Minister say about making sure we fully implement article 17? Despite the complexities and confusions, which I fully recognise, can he do anything to increase the quota for the under-10 metre fleet? Will he commit to ensuring that under-10 metre fleet representatives have a place at the table when decisions are made on fishing at national and EU level?

I started by saying that the fishing industry in Hartlepool is more than 800 years old. It is a tough way to make a living, and it is made tougher by the restrictions and market distortions that are in place. As I said, the arguments I have set out are not new, and I have raised them time and again in fisheries debates. None the less, will the Minister do all he can following this annual debate to ensure that firm and tangible action is taken, and taken now, to ensure that this 800-year-old heritage industry, which, crucially, provides the livelihood of fishermen in Hartlepool, is not lost to history in the next few months or years?

Several hon. Members *rose*—

Mr David Crausby (in the Chair): Order. I want to call the Front-Bench speakers at about 3.50 pm, so that I can give Margaret Ritchie time to wind up. Four or five Members are standing, so if they can keep their contributions to less than 10 minutes, we should just about fit all them in.

3.12 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is a pleasure to serve under your chairmanship, Mr Crausby. I thank the hon. Member for South Down (Ms Ritchie) and others for securing the debate.

I am lucky enough to serve what I would argue is the most beautiful constituency in the country, but it is also the one with the longest coastline. It therefore has a large number of fishing ports, including larger ones, such as Mallaig and Ullapool, and some very small ones. I want to raise an important constituency matter, and I would like the Minister with responsibility for fisheries to discuss with the Secretary of State for Defence the issues that I will raise, because they run across both their portfolios.

The North West Inshore Fisheries Group has made representations to me and the Secretary of State for Defence about the consultation on the proposals, published on 30 September 2015, to extend the British Underwater Test and Evaluation Centre range and to introduce new byelaws. Like me, the NWIFG fully accepts that measures need to be expedited in the interests of national security, and that a suitable operational area is required for the secure deployment of acoustic and other test equipment, which the Ministry of Defence has used in this area for many years. I stress that I fully support BUTEC operating in the area, but that must be done on a sustainable basis, and it must take the local fishing community's interests into account.

Given the significant scale of the proposed area extension and the associated restrictions, more could and should have been done to liaise with fishing and other interests. A full socioeconomic and environmental impact assessment should have been carried out before the consultation proposals were made public. A number of Members have mentioned the value of the fish landings in their areas, and analysis carried out over a three-month period in the area I am talking about—the fishing grounds at the edge of the existing MOD range—showed that just seven vessels landed 28 tonnes of nephrops with a value of £271,000. Those seven vessels are a tiny proportion of the fleet in the area, and I should add that the value of the nephrops catch there is approximately three times the national average—this is the most important area for nephrops in the whole of western Scotland, so it is an area of some importance for us all.

The fact that there has been little liaison with the industry is important, given the assurances given in an Adjournment debate that I secured on 23 June. The Minister for Defence Procurement said:

“I want to ensure that full and proper discussions are held with representatives of the local fishing communities, which we will start shortly, in advance of the byelaw consultation. The aim of these talks will be to investigate what options might be available that would allow some fishing to take place at certain times within the revised water space—much as happens at present in part of the area other than that which is completely prohibited, which the fishing communities are well accustomed to.”—[*Official Report*, 23 June 2015; Vol. 597, c. 863.]

Local fishermen's attempts to engage in constructive dialogue with the Defence Infrastructure Organisation and QinetiQ to get information about the plans and about the reasons behind the extent of the proposed extension were largely unsuccessful. The one meeting that did take place, with representatives of the North West Responsible Fishing Association, did not provide sufficient detail to enable the association to assess the proposals' implications for local fisheries and communities. Those were not the proper and full discussions that the Minister for Defence Procurement promised in the House on 23 June, and that must be corrected.

[*Ian Blackford*]

The NWRFA, which is a member of the NWIFG, represents 70-plus fishing vessels in the area of Skye and Lochalsh and constitutes approximately 60% of the fishing fleet registered in the Portree fisheries district. Of the 70-plus vessels represented by the NWRFA, 25 fish directly in the Inner Sound area, and the majority are directly affected by the BUTEC proposal, so this is no small matter.

The one public meeting that was held, in Kyleakin on 13 November, did provide some useful information, but there was insufficient time for that information to be reflected in responses before the original consultation deadline of 18 November. We appreciate the short extension until 30 November, but the consultation period was still well short of the standard 90 days generally allowed by other Departments. Scotland has just come through a consultation on marine protected areas, which has taken some months and involved a full public consultation. Why are my constituents not afforded the same rights when the Ministry of Defence wants to come in and make changes? Forty-nine days is not sufficient time to allow for a detailed economic impact assessment of the loss of vessel earnings if the inner sea area of the BUTEC range is more than doubled, as is proposed in the new byelaws.

Thanks to support from Highlands and Islands Enterprise, a Government agency, the NWIFG has commissioned a short economic impact assessment to provide a clearer understanding of the proposals' implications. Significant work is required to compile information that adequately reflects the complex interrelationship between the various issues—fishing activities, the displacement of activities impacting on wider areas beyond the BUTEC range and the repercussions for onshore businesses and support services that are reliant on fisheries, secondary employment and so on. It was not possible to prepare a substantive report of that kind before the consultation deadline of 30 November. The draft report is due in the third week of December. The need for such an economic assessment was discussed at the public meeting, and there was consensus that it needed to be done well, even if that went beyond the deadline I mentioned, which has now passed.

With the NWIFG, I have requested that a period of at least three months be allowed following the publication of the full socioeconomic impact assessment, to allow sufficient time for consideration of its findings. We have also requested that a working group be set up to facilitate constructive dialogue, and that it include representatives from the local fishing industry, the Ministry of Defence, QinetiQ and other relevant stakeholders. The group could consider the implications of any economic and environmental impact reports and discuss possible options in relation to the size or location of any restricted areas required for BUTEC's activities. It is not good enough for the Ministry of Defence to complete its consultation, as it has done, for the Minister then to rule, and for the fishing communities in my constituency to be put at risk. There must be proper consultation.

The BUTEC range is in the inner sound of Raasay, in the middle of some of Scotland's most valuable and intensively used inshore fishing grounds. The new draft byelaw proposes an extended inner sea area of 53.9 sq km, which would more than double the area in which fishing

by any method is prohibited at all times, and reduce the fishable area in the creel-only zone by 11%. Based on information on fishing areas collected during the ScotMap exercise and fisheries officers' local knowledge, it is estimated that at least 23 creel fishing vessels could be directly affected and no longer able to deploy a proportion of their gear where they do now; some vessels will be affected more than others.

These are all small, locally based vessels with limited range and very few, if any, options to relocate to fish elsewhere. It is therefore highly likely that the proposed extension of the inner sea area would displace creel fishing effort on to adjacent grounds, with concomitant impacts on others fishing in the area, particularly in the creel-only zone. Displaced fishing effort might result in an additional loss of catch in the adjacent area. Those involved in the fishery advise that it will exacerbate gear conflict on what are already crowded fishing grounds targeting nephrops.

I want to deal briefly with the consultation process. There are discrepancies in latitudes and longitudes of range boundaries published in MOD consultation documents. The consultation document does not sufficiently explain the reasons for selection of the boundary areas indicated, and whether any alternative areas could and should be considered. As part of the proposed working group discussions, the NWIFG requests further consideration of whether all fishing activity must be excluded from the entire expanded inner sea area, and whether continued activity may be possible, even for part of the year, or around areas with creel-friendly hydrophones. None of that has been addressed to date. Much of the proposed expansion is into the only designated creel area on the Scottish coastline. Further discussion is requested on potential for a cap or limit on the number of days that the outer sea would be closed to fishing activity. Presently, the outer sea area is open to fishing activity all the time.

Fishermen would like the current arrangement to continue, and would like assurances from the MOD and QinetiQ that the outer sea area will not be closed more regularly if the BUTEC range expands and operates under the new proposed byelaws. The MOD and QinetiQ are requested to provide a protocol for closure of the outer sea area; input should be sought from the fishing industry and sufficient forward notice and details of the closure period should be provided. We all have to work together. If the outer sea area is closed and fishing gear must be removed, fishermen will need sufficient notice to get access to their gear and move it, prior to closure. Most fishing vessels that would be displaced from the expanded BUTEC range will not be able to continue fishing with the same effect elsewhere, because the surrounding waters are already fully exploited with fishing activity. Displaced vessels may need to be scaled down, with respect to both vessel size and amount of gear, and in some instances vessels may be forced to stop fishing entirely.

If fishing vessels are forced out of operation, fishermen and their families will suffer directly through loss of jobs, and there will also be indirect negative impacts downstream—for processors, restaurants and the local service industry. Creel fishing represents a significant economic activity in the highlands; the vast majority of fishing vessels working within the inner sound are full-time operators, not part-time or hobby fishermen. A typical creel vessel in the Skye and Lochalsh area employs two

to three people—and only local people. In addition, many fishing businesses have been passed down through families, and will be inherited by the next generation. If the BUTEC range expands, a wider negative ripple effect will be felt by the community; that will include the many issues associated with elevated unemployment, and insufficient opportunities for alternative employment in the area. Ultimately, loss of local fishing jobs could result in depopulation—something that we are all too familiar with—which would have a negative impact on schools, other local enterprises' income, and service provision. I therefore appeal to the Minister to talk to the Secretary of State for Defence and come up with something respectful to local fishing interests, as well as the interests of the MOD.

Mr David Crausby (in the Chair): Order. Members will have to keep their speeches shorter than 10 minutes, as I asked, if I am to get everyone in.

3.24 pm

Melanie Onn (Great Grimsby) (Lab): It is a pleasure to serve under your chairmanship, Mr Crausby. I want to echo the comments that colleagues have made about the Fishermen's Mission, the RNLI and all the other support organisations that help fishing communities and do such good work. I also want to thank the Minister, because a couple of months ago, he met some of my constituents, and constituents of my Conservative neighbour, the hon. Member for Cleethorpes (Martin Vickers). They were deeply grateful for his time, and I was impressed by the extent of his understanding in that conversation. I cannot say that I followed it with the same degree of expertise.

There have been some excellent contributions in the debate, and there is a great depth of knowledge of the industry in the Chamber. There are many different elements to the industry. For example, Great Grimsby recently held the world seafood congress; visitors came from across the world to discuss, celebrate and support the fishing industry's future success and sustainability. The organisers are to be congratulated because the event put the focus on the fishing industry as well as on my town and its historical relationship to that industry.

I want to keep my speech quite contemporary and short, and to focus on the issues raised by constituents of mine employed in fisheries, and on how the industry can grow and continue to be successful. Many in the fishing industry to whom I have spoken believe the discards ban to be the most significant change to the common fisheries policy since its inception. The vast majority of the industry of course agrees with the principle of the ban, but there is a lot of concern, as has been discussed. There are many reasons for that, but the common theme is uncertainty. Under the landing obligation, ports are responsible for facilitating the landing of discards. At this point, though, before the ban comes in on 1 January, ports are unaware of what weight will need to be landed. Is the Minister confident that ports will be adequately prepared for the periods in the year in which discards will be high? What support are the Government offering to ports in this first year, when the level of discards is unknown?

There is also the issue of costs for landing, and on-costs. First, can the Minister confirm that fishermen will be expected to cover those costs—or will ports be asked to take the burden of the costs of the policy?

Has the Minister fully considered transportation? It is assumed that the majority of discards will go to fish meal, but I understand that there are only two mainland fish meal plants in the UK—one in Aberdeen and, luckily for businesses in my constituency, one in Grimsby. The cost of transportation from areas in Wales or the south of England is likely to exceed the value of the fish being transported.

The chief executive of my local fish merchants association has raised with me the issue of the fuel surcharge, and how it particularly affects small seafood companies across the UK. The reason for a surcharge is clear, but there is a concern that it is being used to generate extra profits for distribution firms, rather than only to cover the fluctuating cost of fuel. For example, one local refrigerated transport company charges almost double the surcharge of that charged by a competitor. That suggests that some firms are not sharing the savings from low oil prices across the local economy. In a reply to my predecessor before the election, the former Exchequer Secretary to the Treasury suggested referring that complaint to the Competition and Markets Authority. Does the Minister agree with my constituent that that is harming small seafood firms? Does he believe that it is worthy of a Government referral to the CMA?

Looking to the future, we need to ensure that a career in fisheries is an attractive option for young people. The industry workforce is ageing, and that is cause for concern for the industry in the long term. There is a risk that the skills held by the current workforce will be lost.

Mrs Sheryll Murray: Does the hon. Lady agree that Seafish, under its training arm, is carrying out a lot of training of young fishermen, and that that should be applauded and encouraged, so that there is new blood entering the industry?

Melanie Onn: Any assistance given to rejuvenate and revitalise the fishing industry, and to bring younger people into it, is of course to be welcomed. In addition to having such training directly related to fishing, it would be great if it were expanded into all areas of the industry. A low wage and an insecure job will not attract many young people when they consider what to do on leaving education.

Justin Madders (Ellesmere Port and Neston) (Lab): My hon. Friend is absolutely right to raise the future of the industry and the risk of low pay. In my constituency, fishermen working on the River Dee are really struggling to make a living because of decisions being made on quotas by Natural Resources Wales. As those fishermen are based on the English side of the river, they are struggling to get their voices heard. Does my hon. Friend agree that since so many fishing areas cross boundaries, it is important that the developing devolution agenda ensures that there is a mechanism for all voices to be heard?

Melanie Onn: If true devolution is to be delivered properly, it is essential that all communities feel they have an influence over matters that are of particular importance to them. My hon. Friend makes an important point about a matter that I was unaware of.

The hon. Member for South East Cornwall (Mrs Murray) may have partly addressed this question, but I want to ask the Minister how he plans to attract

[Melanie Onn]

more young people to the industry. It seems to me that the industry needs a proper strategy to secure its long-term future. I may well already have the answer.

There has been a lot of discussion in recent weeks about how to discourage the consumption of unhealthy food and drink, prompted by proposals to introduce a sugar tax. Should we also promote healthy foods such as seafood? Has the Minister had any meetings with the Under-Secretary of State for Health, the hon. Member for Battersea (Jane Ellison), who has responsibility for public health, to discuss that? Haddock, in particular, is a healthy and environmentally sustainable food, and stocks have increased in recent years. Greater demand for British seafood would also help to revitalise parts of the industry that need investment to improve their working environment, such as the wonderful traditional, bespoke smokehouses in Grimsby docks.

I will finish on a rather cheeky point. I have somewhat foolishly agreed to run the London marathon. [Laughter.] I know. I would like to take the opportunity—excuse the puns—to cast my net wide and ask all hon. Members who have attended and participated in the debate to throw me a line and donate, because I will be running for the cause of the Fishermen’s Mission. I say that I will be running, but I am not sure whether that will be the case. If all the participants in this debate were to donate £20, I would be well on my way.

Mr Iain Wright: Twenty pounds?

Melanie Onn: I think that £20 is very reasonable.

Mr David Crausby (in the Chair): Order. We have two people standing, and I will call the Front-Bench spokesmen at 3.50 pm. If Kelvin Hopkins could keep his speech below nine minutes, I will call David Simpson, and he will get the same amount of time.

3.32 pm

Kelvin Hopkins (Luton North) (Lab): It is a great pleasure to serve under your chairmanship, Mr Crausby. I shall be considerably less than 10 minutes, I hope. It is something of an embarrassment that I speak from a non-fishing constituency; the fishing fleet of Luton North is not large. On the other hand, I have spoken in fishing debates many times, and on every occasion I have spoken about the nonsense that is the common fisheries policy. I have consistently argued for the abandonment of the CFP, or the UK’s unilateral withdrawal from it, which would allow us to re-establish the limit of 200 miles, or 50%, for Great Britain and, I would hope, the British Isles in general.

I applaud the hon. Member for South East Cornwall (Mrs Murray), who put in her own very fine words what I am saying, and the hon. Member for South Thanet (Craig Mackinlay), who spoke in similar terms. If we withdrew from the CFP and permitted only UK fishing vessels to fish in our home waters—with possible licensing for a small number of foreign vessels, where appropriate, on an individual and carefully monitored basis—I think we would see a massive revival of the British fishing industry and of fish stocks across our waters. If all member states and, indeed, all nations operated under similar arrangements, they would all have a powerful

vested interest in managing and monitoring their own stocks and fisheries. There would surely be plenty of fish for all British fishermen working under such arrangements, and stocks would be sustained at appropriate levels for the long term.

I recently had the pleasure of meeting representatives of the Government of Guernsey, which is not in the CFP. They showed me what could be done if we managed our own fishing stocks. They have their own 12-mile limit, and they are not governed by the CFP quota limits. They manage their fishing stocks extremely well. They are, in microcosm, what we could become. They are concerned that the British Government might give away control of their fishing areas to the CFP, and they have asked me to urge the Minister to take note of their case and be sympathetic to them. They manage the number and sizes of their boats very carefully. All the fishermen involved make a good living and fish stocks remain buoyant, if that is not a contradiction in terms. That is what we should become, with our 200-mile limit.

The representatives from Guernsey contrasted their experience with that of Jersey, which has seen its fish stocks disappear because it does not have the same control over its own fishing grounds. We should give notice now of withdrawal from the CFP and make Britain another Norway—another Guernsey writ large. The CFP has been a disaster, and it should be abandoned. That would be to the benefit of all fishing nations in the European Union, not just to us.

The appalling insanity of discards has been the most grotesque feature of the CFP. Discards are supposedly being phased out, but they continue for the time being. The excellent Library note on this topic states that according to the Environment, Food and Rural Affairs Committee report published in February 2012, in European fisheries, 1.7 million tonnes of fish were discarded annually, with some discards being up to 90% of catches. That is a complete nonsense. It will be to the benefit of us all—not just fishing fleets, the fishing industry and people who fish, but the whole country—and our diets if we maintain good fish stocks and a healthy fishing industry. As a great lover of fish, I hope that we will do so.

3.36 pm

David Simpson (Upper Bann) (DUP): It is good to speak in this debate, and I may now have a few extra minutes available. As a new member of the Environment, Food and Rural Affairs Committee, like the hon. Member for South Down (Ms Ritchie), I have a lot of terminology to use. Despite the fact that I have been in the agri-food industry for some 35 years—if it comes to beef, lamb or pork I could probably hold my own—in relation to fisheries I am dependent on my Northern Ireland colleagues to keep me right on much of the terminology.

In recent days, I strayed into the hon. Lady’s constituency to visit one of the ports in Kilkeel. It was an interesting visit. Although some of the facts shocked me, I was greatly encouraged by the vibrancy and positive attitude of many who were employed around the harbour. I met trawler owners, fishermen, marine engineers and boat builders, all of whom see a future for themselves with the industry. The blue, marine-based economy of Kilkeel is developing, and it is an honour to give them some level of recognition today. I heard about the challenges that are of great interest to the fishermen, and the rising barriers that are being faced in the industry.

In terms of the recent reform of the common fisheries policy, promises of decentralisation have failed to deliver much, albeit we are only two years into a 10-year programme. Industry representatives voiced their growing frustration with the advisory council, and the feeling that they are being disfranchised by the system. Will the Minister give his opinion, if he dares, on how to encourage our most important fishing stakeholders to continue active participation in the advisory council?

During my visit to Kilkeel harbour, I received a presentation about the development of the fishing industry in the 32 years since the creation of the common fisheries policy. It was interesting to see how the industry had changed from a profitable, mixed fisheries approach to one that had been struggling with dependence on a single species—nephrops or prawns. Now, thanks to the leadership shown by the industry, many are trying to turn the corner and redevelop the mixed fisheries model that has been so successful in the past, albeit with little help from the European Union.

On 10 November, the European Commission proposed its fishing opportunities in the Atlantic and in the North sea for 2016. The numbers for the aforementioned stocks were published by the Commission last Thursday and did not make good reading. Depending on how we interpret the Commission's proposal for area VII prawns, it advocates a 10% or 17% cut for the stock. For Irish sea haddock, the proposal is for a 52% reduction in the next year's total allowable catch. If the proposals were based on rational arguments they might carry some more credibility, but the fact is that, despite the promises of the reformed common fisheries policy, the Commission continues with its outdated approach to the annual negotiations by turning out numbers that have absolutely no basis in reality.

Will the Minister explain how the Commission justifies a proposed 52% cut in the Irish sea haddock quota when scientists state that, year on year, there has been an increase of some 400% in the number of those fish in the Irish sea? I hope he agrees that Northern Ireland's fishermen have made tremendous sacrifices over the past few years to comply with EU regulations. The use of highly selective fishing gear, a reduction in the size of the fleet and a range of other measures have combined to reduce fishing effort in the Irish sea by around half.

Fish stocks, including the iconic cod, are showing encouraging signs of recovery. Local fishermen want to return to a mixed fishery form of management—a goal that the Commission claimed to share. However, the annual debacle that surrounds the EU's December Fisheries Council really calls into question any confidence in the Commission's ability to effectively remain in control of our fisheries. With that in mind, I ask the Minister to aim to secure a deal for the Irish sea when he goes to Brussels in a few days for the annual quota negotiations. The deal should recognise the socio-economic dominance of the prawn sector and the realistic goal, based upon fisheries science, of re-creating a mixed fishery with haddock at its core.

I would like to take a few minutes briefly to discuss the issue of recruitment and current crew shortages—a subject that has been touched on. When I spoke to a number of people in the Kilkeel harbour area, including in businesses owned by fishermen, it was made clear that there is a major difficulty in recruiting local staff or workers for the boats. I think we have a meeting with

the Immigration Minister next Wednesday to discuss trying to get permits to allow some people from outside the EU to come to work on the fishing boats because young people do not believe that there is a future within the industry that can sustain long-term salaries for them.

A company in the Kilkeel area, called Sea Source, has recently run courses for young people and has tried to encourage them. On one occasion, the chief executive met one of the young men who had been on the course. He was working in a car-wash. When he was asked why he was working in a car-wash after getting top marks on the course, he simply said that he did not believe that the industry and life on a fishing boat could sustain his life—marriage, buying a house and even just a full-time salary. Those are issues that we greatly need to address.

I wish the Minister every success over the next few days. I do not envy his job. He has done a sterling job since he became Minister of State and I know that he has the industry at heart, but it is vital that we get a common-sense approach. There is a good future for the industry and the industry will acknowledge that, but there must be a common-sense approach, so that everyone can get a livelihood.

3.45 pm

Dr Eilidh Whiteford (Banff and Buchan) (SNP): We have had an extremely wide-ranging debate this afternoon. Several Members have opened their remarks by paying tribute to our coastguards, and to the work of the RNLI and the Fishermen's Mission. I echo that and express my thanks to the men and women who crew our lifeboats in Fraserburgh, Peterhead and Macduff in my constituency. They are volunteers who risk their lives in all weathers to keep others safe. I thank many more besides, who work onshore for the wellbeing and welfare of our fishing communities.

I take a keen interest in this debate every year, as an MP representing two of the three largest fishing ports in the UK—Peterhead and Fraserburgh—and some of Europe's most fishing-dependent communities, and given the crucial importance of the annual December talks not only to the fishing industry, but to the onshore processors, retailers and suppliers that depend on it. I am disappointed, therefore, like the right hon. Member for Tynemouth (Mr Campbell), that we find ourselves here in Westminster Hall once again debating this crucial industry in Back-Bench time, rather than in the main Chamber. Nevertheless, I am grateful to the Backbench Business Committee for allocating this time. I particularly thank the hon. Member for South Down (Ms Ritchie) for securing the debate.

Mr Alistair Carmichael: I just want to place it on the record that the main Chamber has now been adjourned for quite some time. With a bit of efficient business management, we could have been in there.

Dr Whiteford: I am grateful to the right hon. Gentleman for that helpful point, which I hope is noted across the House.

For the Scottish fleet, this year the EU-Norway negotiations are at least as important as the December Council—arguably more so—and they are going on as we speak. There are science-based recommendations

[*Dr Eilidh Whiteford*]

for substantial increases in some of our most important jointly managed stocks, including cod, haddock, herring and plaice, which offer substantial reward to our fleet for their conservation efforts. We need to work towards a fair and balanced exchange with Norway that takes account of our present and future needs.

The right hon. Member for Orkney and Shetland (Mr Carmichael), the hon. Member for Totnes (Dr Wollaston) and my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr), among others, talked about the implementation of the discard ban. Members will know that in previous years that has been the key focus of our fisheries debates, particularly the challenges of making a discard ban workable in a mixed fishery when there is a strong likelihood that vessels will pick up by-catch of species for which they do not hold enough quota. That issue has not gone away. Indeed, it is one of the reasons that such a lot is at stake in the Norwegian talks. It is extremely important that we do not trade away stocks now that could become “choke” species in the next few years as the landing obligation is phased in for jointly managed stocks. The Government need to think ahead about the longer-term challenge. I hope the Minister takes that point on board.

On the wider issue of discards, it is important to reiterate that, for the Scottish fleet, discarding has not just stabilised over the past few years, but in many fisheries has actively substantially reduced as a result of conservation measures. I am glad that the practical concerns about the landing obligation in relation to the demersal fleet have been heard, and that it is being phased in gradually starting in January, but I am conscious of the need for ongoing flexibilities.

I hope the Minister can address the issues raised by the hon. Member for Great Grimsby (Melanie Onn) and clarify where the responsibility will rest for the disposal of unwanted, unmarketable fish landed under the discard ban. There has been some debate and confusion about that and it would be immensely helpful if the Minister would set out his interpretation of the regulations.

On the December Council, I am really quite surprised that no one has yet mentioned the ruling earlier this week of the European Court of Justice regarding the stand-off between the European Council on one hand, and the Commission and Parliament on the other. That has some implications for our fleet. It is critical that fishing does not, once again, become a political football in the turf war between those institutions any more than it has already.

When the Council took the entirely sensible and responsible decision a few years back to depart from the cod recovery plan and place a freeze on effort, they did so on conservation grounds and on the basis of sound scientific advice. The cod recovery plan was proving to be counterproductive, undermining its own environmental objectives and, at the same time, putting untold pressure on ordinary fishermen and communities. The decision to abandon the cod recovery plan has been wholly vindicated, regardless of the procedural issues it has raised, by the fact that we now have healthy cod stocks, and that the intended target has been achieved through an alternative approach. There is agreement from all the North sea EU member states that the cod recovery plan

needs to be repealed before cod is brought into the landing obligation. I would welcome the Minister's assurance that he will press for that as a priority. The bottom line is that there is no need for further effort cuts when cod stocks are recovering so strongly in the North sea.

There has been a fair bit of debate this afternoon about renegotiating the CFP, and I agree with the right hon. Member for Orkney and Shetland that the UK Government could make progress on that with better hope of a positive outcome than on many of their other demands. I would welcome the Minister's assessment of his prospects for pushing CFP renegotiation up the political agenda over the next few weeks.

Mrs Sheryll Murray: Will the hon. Lady give way?

Dr Whiteford: I will not give way because I have a lot to get through and I have already taken one intervention.

Mrs Murray: This is on a point of clarification.

Dr Whiteford: Do I have the floor or not, Mr Crausby? [*Interruption.*]

Mr David Crausby (in the Chair): Order. The hon. Lady is not giving way.

Dr Whiteford: Thank you very much, Mr Crausby. I want to pick up on the important points raised by the right hon. Member for Orkney and Shetland on the EU-Faroes deal. Between us, we represent the bulk of the UK's pelagic fleet, and I fully appreciate his frustration about Faroese access to EU waters, given the experiences of recent years and the sacrifices that our pelagic fleet has made to secure a compromise to end the stand-off on mackerel. However, it is important to remember that during those years of deadlock there were also significant adverse impacts on those parts of our white-fish fleet that historically have fished in Faroese waters. Reciprocal access to Faroese waters is extremely valuable to our demersal fleet, not least because it gives them effort refuge. Although I would strongly resist any further Faroese incursions into our waters, we need a balanced outcome that recognises the needs of every part of the fleet, including our white-fish fleet, and that is fair and workable for all parties.

Another key issue currently affecting the pelagic sector is the proposed zero TAC for west of Scotland herring, which was alluded to by my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk and the hon. Member for Strangford (Jim Shannon).

Mrs Sheryll Murray: On a point of order, Mr Crausby. I was talking about renegotiating the repatriation of UK waters, not the CFP. Is it in order for that to be corrected on the record?

Mr David Crausby (in the Chair): That is not a point of order; it is a point of debate.

Dr Whiteford: I am keen to address the important point raised by the right hon. Member for Orkney and Shetland, with which I am in substantial agreement. Everyone here today is committed to the long-term sustainability of the marine environment, our fishing

industry and our coastal communities, and to the sustainable harvesting of this precious food resource. It follows from that that we are committed to basing TACs on the best available scientific evidence. However, there is wide acknowledgment that the evidence on herring in area VIa is partial and inconsistent and does not accurately reflect what is likely to be happening in the whole area, which is ultimately a somewhat arbitrary set of lines drawn on a map. I accept the need for a precautionary approach and the need to consider clearer evidence, but that needs to be proportionate. We need an allocation that allows fishing to take place in support of the Pelagic Advisory Council plan that is already in place.

My hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) mentioned the MOD consultation on the BUTEC range, which could potentially affect a large number of fishing vessels in the area. The inner sound of Raasay is home to some of Scotland's most valuable inshore fishing grounds, and the nephrops creel fishery alone supports 54 vessels and is worth nearly £3.5 million to the fairly fragile local rural economy. I hope the Minister has listened to him and will undertake to make representations to his ministerial colleagues in the MOD.

On the subject of Government Departments that intersect with fisheries, my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk, the hon. Member for Strangford and other Members from Northern Ireland and parts of the west coast of Scotland have raised concerns about the way in which UK Border Force appears to have changed its approach to international seafarers who crew fishing vessels in our fleet. That issue affects my constituency, too, although the issues on the east coast and the west coast are somewhat different because of their geography. The boats are mostly fishing outside the 12-mile zone, and these seafarers are immensely valued by the skippers and are impossible to replace in the current context, so it is important to understand that they are not immigrants; they are contract workers who do not settle here. They are mariners whose main base is still in their home country. The industry is keen to clarify and regularise their status, so that they can continue to run their businesses effectively. I hope the Minister will help us to explain to his colleagues in the Home Office the value that those seafarers bring to the industry and to our wider economy.

The fishing industry is extremely important to Scotland's economy. It contributes more than £500 million a year in revenues and sustains many coastal communities. Sea fish are not only important to our economy and exports; they are a key sustainable healthy food source, and we must continue to work with the industry to protect our marine environment. Harvesting this renewable resource in a long-term sustainable way is in the interests of everyone, including the fishing industry, and no one recognises that better than those who work on our seas. We recognise that we have some way to go on making the discard ban fully workable, and flexibility will be essential, but we are seeing the tangible results of conservation measures. It is crucial that our fishing industry derives concrete benefits from its efforts.

The passion and commitment we have heard from Members on both sides of the Chamber today, and the wide range of issues that have been raised, illustrates the importance of the industry to our coastal communities. The viability of the industry depends on the political

decisions made in the next few days, so I urge the Minister to pick up the points made by Members on both sides of the Chamber this afternoon. I wish him well for the negotiations.

3.55 pm

Alex Cunningham (Stockton North) (Lab): It is a pleasure to serve under your chairmanship, Mr Crausby. I begin by congratulating the hon. Members for South Down (Ms Ritchie) and for South East Cornwall (Mrs Murray) on leading the charge by securing this debate. Colleagues from both Government and Opposition parties have made a number of excellent points, and I am grateful for the opportunity to contribute further on some of those matters, albeit not on the Floor of the House.

I am also grateful to the many organisations and individuals, some of them with clearly conflicting interests and views, who have taken the time to brief me since I took over this portfolio just a few weeks ago. I add my tributes to the people who work in our fishing industry, and particularly to those we see on television fighting tremendous waves offshore, to those who have died for their industry and to the voluntary organisations that provide such a tremendous service on our seas.

The annual meeting of the EU Agriculture and Fisheries Council will take place in a little under a fortnight's time, and it is a key event in the marine calendar. We must make it clear what is in the UK's best interests when the all-important fishing quotas are examined and agreed by member states. With the changes made to the common fisheries policy in recent years and the continuing assessment of their impact, it is right that we review and understand the issues ahead of the Council's meeting and make sure that the Minister knows what we, and the communities we represent, believe he should be doing in the best interests of both the industry and the marine environment.

Various Members have spoken about the agreement to reform the policy, and I will speak about discards in a little more detail. It is estimated that discards previously accounted for 23% of all EU catches, or about 1.7 million tonnes of fish, annually. Some fisheries, however, experience a staggeringly high discard rate of up to 90% of catches, as my hon. Friend the Member for Luton North (Kelvin Hopkins) highlighted. The European Commission has rightly described the practice as "unethical" and identified the problem as

"a substantial waste of natural resources".

We have heard how, on 1 January 2015, the phased introduction of a landing obligation got under way in an effort to address such waste by outlawing the discarding of fish for all pelagic fisheries. Discard bans for all other species, and all EU fisheries, are due to be phased in over the coming years, beginning in less than a month's time on 1 January 2016.

That element of the reformed common fisheries policy undoubtedly provides us with a real opportunity to promote the long-term sustainability of fish stocks and the viability of the fishing industry. However, I am aware that the imminent expansion poses a number of challenges, not least because demersal species are largely caught in mixed fisheries. Regrettably, it is highly likely that the next chapter will see additional bycatch and make this phasing in of the landing obligation more

[Alex Cunningham]

complex to implement and monitor than the ban on discards of pelagic species. Although there are various exemptions to mitigate that likelihood, what additional measures will the Government introduce to incentivise the increased use of selective fishing methods, so that we can minimise bycatch and enhance sustainability as the landing obligation is gradually introduced for demersal species? What assessment has the Minister made of the number of fleets that have already adopted more selective measures and, more importantly, the number that have not?

Although the intentions behind a discard ban—to reduce the wasting of our fisheries' resources and to drive improvements in environmental performance—are welcome, the change to allow the proportion of the total allowable catch originally held back to cover discards to be added to fishing quotas is anticipated to result in an increase in fishing quotas—the so-called “quota uplift.” Although uplift itself should not increase fishing mortality beyond recommended levels, that conclusion is built on an assumption that estimations of discarding are both accurate and verifiable. Were fishing fleets to receive quota uplift and yet continue to discard or high-grade illegally, fishing mortality could rapidly rise beyond sustainable levels and undermine recent improvements.

A report commissioned by the World Wide Fund for Nature suggests that equipping and installing all fishing vessels in the over-10 metre UK fleet with remote electronic monitoring camera systems and undertaking to review 8% of video footage could cost less than is currently spent on traditional monitoring options in the UK, which account for only 0.1% of the hours fished by the fleet. I therefore challenge the Minister to outline what safeguards he will be seeking on EU-wide monitoring to ensure compliance with the new rules and a level playing field for all member states. I would also be grateful if he told us what thought has been given to providing enhanced monitoring at sea, whether remotely by CCTV or on board by scientific observers, and what plans he has for developing a risk-based approach to monitoring through the development of catch profiles.

On a related theme, it is notable that the reformed policy establishes that decision making in areas such as fixing fishing opportunities must be guided by scientific advice on maximum sustainable yield, a theme raised in some detail by the hon. Members for Totnes (Dr Wollaston) and for South Thanet (Craig Mackinlay), among others. The central aim, as we know, is to implement sustainable management of fisheries while allowing the highest rate of extraction at which stocks can be fished without risking depletion and jeopardising future catches. That is the view of the conservationists and the industry, but I am aware that there are different views on the accuracy of the science, with some arguing for increased rather than decreased quotas.

Overfishing, as we know, is proven to be bad for fish stocks and has negative knock-on consequences for the fishing industry that relies on them and the communities supported by the sector, so the science must be accurate and verifiable. There is all the more reason for it to be so when we consider the October decision of the Fisheries Council to set total allowable catches for 2016 in the Baltic sea that exceed scientific advice in a majority of cases.

My hon. Friend the Member for Penistone and Stocksbridge (Angela Smith), speaking in the fisheries debate last year, affirmed that,

“the interests of the marine environment go hand in hand with the best interests of the fishing industry and of our hard-pressed coastal communities.”—[*Official Report*, 11 December 2014; Vol. 589, c. 1047.]

I reiterate that sentiment, and I highlight again the need to develop stronger partnerships with the fishing industry to shape the transition to a more sustainable future.

We already know of the increase in marine conservation zones around our coast. Again, co-operative work is needed to ensure that we can conserve while allowing the fishing industry to exist alongside conservation. I am clear that we will arrive at that future only when we heed the scientific advice available and exploit it to develop policies firmly grounded in evidence. While Ministers in the Agriculture and Fisheries Council continue to set limits each December that outstrip the recommendations of so-called experts, despite a commitment to end overfishing by 2020 in the worst-case scenario, that future still appears some way off.

Of the total allowable catches announced for 2014, for instance, 31 of 69 stocks, or 45%, were fished above scientific advice. The UK is a prime offender, having been placed at the top of the EU overfishing league table for 2015 by the New Economics Foundation. I hope the Minister will therefore commit to seeking agreement on fishing limits that do not exceed those levels when he attends the Council meeting in Brussels in 10 days' time or so, rather than accepting higher limits that risk more severe cuts in the run-up to 2020.

The situation is all the more pressing given that, as the Marine Conservation Society tells me, most stocks in the EU are data-poor. Almost two thirds of demersal stocks in the North sea alone are estimated to be data-deficient, ahead of the implementation of the landing obligation on 1 January. I also hope that the Minister will support a risk-based approach to the management of such data-deficient species in the short term and push for those species to be made a priority for research and assessment. Delaying that process means delaying the benefits of sustainable fishing. If the outcomes of the Council meeting show a lack of ambition similar to last year's, it will unnecessarily interrupt progress.

We have heard in the debate about the recruitment challenges facing boat owners and their desire to recruit more non-EU workers within a regulated scheme to enforce minimum standards on service, pay and treatment. I am hopeful that the Minister will respond to that in co-operation with his Home Office colleagues. As my hon. Friend the Member for Great Grimsby (Melanie Onn) and others mentioned, it is sad that so many of today's young people who might have been mariners two generations ago now shun the sea, preferring a more family-friendly lifestyle. Perhaps if the earning power of past days returned, attitudes might be different and more young people would move into the fishing industry.

Although our industry still supports a huge number of jobs in our coastal communities, those opportunities risk becoming unsustainable as long as small vessels have disproportionately restricted access to the UK's quota. Many Members have raised that issue in the debate, including my north-east neighbours, my right hon. Friend the Member for Tynemouth (Mr Campbell)

and my hon. Friend the Member for Hartlepool (Mr Wright). I look forward to hearing the Minister address Members' challenging and serious questions on that issue.

I know that Greenpeace is not the flavour of the month for some Members here, but it calculates that small-scale vessels represent more than three quarters of the total UK fleet but have access to just 4% of the UK quota. The remaining 96% is held by larger-scale interests. I am sure the Minister knows that the right decisions at the Council are required to support our coastal fishermen and the communities and jobs that they sustain, but I hope to hear also that he will use the power in his gift to give a fairer deal to smaller boats and open up wider access to the UK's fishing quota.

4.6 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): I thank all hon. Members for their contributions to this debate. In particular, I congratulate the members of the all-party parliamentary group on fisheries on securing this debate from the Backbench Business Committee. I note that the House has adjourned, as the right hon. Member for Orkney and Shetland (Mr Carmichael) pointed out. I hope that in future years, we can hold this debate where it belongs: on the Floor of the House.

I begin by recognising those who, sadly, paid the ultimate price and lost their lives while fishing this year. It is an incredibly dangerous occupation; this year, no fewer than 11 fishermen lost their lives in accidents at sea, a number slightly higher than in previous years. As many hon. Members have said, our thoughts are with the families of those killed. It is a dangerous occupation, and fishermen put their lives at risk to bring food to our table. In that regard, I acknowledge my hon. Friend the Member for South East Cornwall (Mrs Murray) who, as we all know, has personal experience of that, and so will feel particularly strongly for the families affected.

I will say a little bit about the reforms to the common fisheries policy. As I have said in similar debates, the reality is that no man-made system of administration will ever be perfect for the management of fisheries. The marine environment is incredibly complex—thousands of different species interact with one another in mixed fisheries—and no administrative legal regulation will ever be perfect, but the test that we should set ourselves is whether our changes and reforms are moving us significantly in the right direction. I contend that they are, and that the latest CFP reform—my predecessor, my hon. Friend the Member for Newbury (Richard Benyon), took a leading role in the negotiations—is a step in the right direction.

We have achieved a number of things in the latest reform, which is now being implemented. The first is regional decision making. Nation states sit around a table to agree multilaterally how they should deal with the issue of discards and implement multi-annual plans. The role of the Commission, rather than dictating from the centre, is effectively to sign off and agree those management plans put together by member states. To return to the point made by my hon. Friend the Member for South East Cornwall, that is because everybody has a stake in the fishery—those countries have a shared interest in responsible management—and it is the right thing to do.

Secondly, we have introduced the discipline of a discard ban, which is important. Discarding is a shameful practice that has continued over many decades—a couple of years ago I was reading a book written by George Orwell in 1942, which talked about the scandal of fish being discarded back into the sea—so the discipline of a discard ban is important.

We will only make a discard ban work in practice as well as in theory if we have as many flexibilities as are necessary to make it work. Despite the concerns that fishermen have expressed, which I hear, there are many flexibilities in this policy. For instance, there is the ability to bank and borrow quota, so if someone does not use all their quota in one year they can roll it over to the next. My hon. Friend the Member for South East Cornwall pointed out that we cannot allow that flexibility to exhaust the following year's quota, which is why there are limits of around 10%.

There is also the ability to have inter-species flexibility, so that if someone catches over their quota on one species but still has quota for another species, they could count one species against the other. We will probably need some sort of exchange system, so that we have the right values of fish; otherwise, there could be unintended consequences. Nevertheless, that is a second important flexibility. There is also a survivability exemption. With certain flatfish species that are caught by certain nets, if they are juvenile and undersize but would survive, it is not good to land them; it is good to put them back in the water and give them time to grow. If all else fails, there is a *de minimis* exemption. If someone has tried everything else in the book, and nothing can prevent some level of discarding, that *de minimis* exemption enables some discarding to continue, but in strictly limited circumstances.

With all these flexibilities, the discipline of fishing sustainably, and—as the shadow Minister pointed out—the aim and policy of getting to maximum sustainable yield this year where possible, and everywhere by 2020, we have started to make progress. For instance, as recently as 2009, only about five quota species were being fished sustainably. We are now up to 32 species being fished at maximum sustainable yield, which is up from 26 last year. Also, the stock trends in many areas are moving in the right direction, so there has been some good progress on MSY.

The advantage of fishing sustainably is that fishermen can then catch more fish. That is a very important point, which we must keep stressing. Pulling belts in and showing some restraint today, provided that we are not discarding those fish, means that tomorrow, next year and the year after we should have more fish. I think we are starting to see that come through in the advice from ICES.

Only a few hon. Members touched on the situation in the North sea, but I will highlight it, because it is very positive for most stocks. There is always a danger in these debates that we focus on things that are difficult and challenging, and fail to recognise success. However, with cod, for instance, there is a recommendation for a 15% increase in the total allowable catch. There are also recommendations for a 30% increase in the TAC for North sea haddock, a 16% increase for herring, a 15% increase for plaice and a 20% increase for monkfish in some areas. We are seeing some really positive results in the North sea, and that is partly a consequence of our fishing sustainably there in recent years.

Mrs Sheryll Murray: I acknowledge the success in the North sea, but the UK share of the North sea TAC is considerably more than it is in area VII. Only 8% or 10% of the cod and haddock are in area VII to begin with, so any cut would have a disproportionate effect on fishermen in the south-west.

George Eustice: My hon. Friend highlights an important point. In the Celtic sea, depending on which area we look at, the French and the Irish have the majority of stock, particularly of haddock. She is right about that; I think that the figure I saw was more than 80%. However, to make a slightly different point, a cut there has a disproportionate effect on the French and Irish, because they have a larger starting base, and if it is a stock that we never had much of in the first place, a cut does not matter as much. Nevertheless, I understand her point, and we should probably have a fairer share of that stock.

I also recognise that the news is not universally good. Yet again, for the third year running that I have been Minister—and it was the case for some years before that, too—there is some very challenging science for the Irish sea in particular, which I will return to later. As the hon. Member for Upper Bann (David Simpson) pointed out, dramatic cuts are being proposed for haddock; we will try to get the cuts to VIIa haddock reduced, and to get something that we regard as more proportionate. There is also very challenging advice on plaice.

In the Celtic sea, things are a little more mixed. Once again, we got challenging advice, as we expected, on cod and haddock, with cuts of 30% and 27% respectively being recommended. In previous years, we carried out what we call mixed fishery analysis on those stocks, to ensure that we were not disproportionately cutting something to the point that we end up having to discard it in a mixed fishery. Those figures are more closely aligned this year than last year, so the mixed fishery analysis is probably less likely to help us as an argument this time around. Nevertheless, we will make that analysis, and will work with the French and the Irish, who have a shared interest in that stock.

There are positives as well, not least VIId and VIIe plaice in the channel. The ICES recommendation, as my hon. Friend the Member for South East Cornwall pointed out, is for a 125% increase. Western channel sole is recommended for a 15% increase, due to the management plan, which I will come back to. Also, the scientific advice on skates and rays, despite the fact that they are regarded as a data-limited stock, and despite the complications that my hon. Friend the hon. Member for South Thanet (Craig Mackinlay) highlighted, points towards a 40% increase in the quota.

A number of hon. Members, including my hon. Friends the Members for Totnes (Dr Wollaston) and for Waveney (Peter Aldous), pointed out the importance of reliable science, and I absolutely agree with them. As I said at the start, no system will ever be perfect; the science will never be perfect. There will always be evidence gaps, and however much scientists try to model things to make the science as up-to-date as possible, there will always be instances in which the science is not quite right. Nevertheless, it is still right to take the science as our starting-point in negotiations.

We are improving the science that we have. Last year, we had enough science and enough evidence to carry out an MSY assessment on 46 stocks, and that number

is now up to 62. We are getting better each year at moving stocks away from the data-limited category, and at getting reliable science, so that we can set accurate MSY assessments. Those assessments will be absolutely crucial if we are to get to MSY on all quota species by 2020.

May I pay tribute to the fantastic work that the Centre for Environment, Fisheries and Aquaculture Science does in Lowestoft? I should add that Lowestoft is the right place for CEFAS to be located. We have given a vote of confidence in CEFAS and its future by making available money to upgrade its laboratories. I visited CEFAS last year and I was incredibly impressed by the work that it does on Endeavour, the vessel there. I also pay tribute to the great work that my hon. Friend the Member for Waveney has done to lobby in the interests of CEFAS when it comes to investment.

A number of hon. Members, including the hon. Member for Great Grimsby (Melanie Onn), asked about port capacity and how we will deal with discards that are landed. I can confirm that we have a group of people working with industry on this issue. There is a ports group that deals with officials in my Department. I had a meeting with, and an update from, one such official at the beginning of this week, and we believe that we are making good progress in addressing people's concerns.

I will make a few points about that. The first thing to note is that just as we are phasing in an approach to achieve MSY on stocks, so too we are phasing in the landing obligation on fish species. We are starting in quite a modest way with some of the larger species that define a fishery. This year, we are considering haddock in the North sea, and whiting, sole and nephrops in Ireland, but in the Celtic sea we are mainly looking at hake and Dover sole. In each area, we have typically picked only two or three species to which the discard ban applies this year, and our assessment so far is that the amount of additional fish that will be landed and that will not be sold into the human food chain is actually negligible. We do not believe that that is a challenge that will present itself this year, as some people do.

Longer term, a number of options are available. We will make available grants to those ports that want to have quayside facilities to manage undersized fish that is landed. We will make funding available to support fishermen in investing in even more selective fishing gear, so that they do not catch and land undersize fish in the first place. For those who do not want to invest in such quayside facilities, there are enterprising companies—one of them is based in Great Grimsby—that have surplus processing capacity. Already, they are running a network of lorries around the country, collecting offal from fish processing factories and turning it into fishmeal. We believe that in many instances—this is already being investigated—they will be able to expand their network to consider taking undersize fish to that processing capacity. Yes, there will be challenges, but I come back to what I said at the beginning: the policy will never be perfect and will always present challenges. The question is whether we are moving in the right direction.

My hon. Friend the Member for South East Cornwall raised the issue of the Commission's proposal for a 125% increase in channel plaice in areas VIId and VIIe. The Commission proposal is looking at something more around 63% as a recommendation. That is partly because,

on the basis of strong science, we secured an in-year increase in 2015, and the Commission is starting to take that into account. Nevertheless, things are positive for plaice in the channel.

My hon. Friend also mentioned Dover sole. She is right that the management plan limits that to a 15% increase, despite the science advising a 44% increase. We will be looking closely to see whether we can improve that. As a general rule, we are a bit sceptical of management plans. In a reformed CFP, we believe that clear criteria are needed around the discard plan and quotas, with all the flexibilities that I described.

Mr David Crausby (in the Chair): Order. I remind the Minister that I was hoping for time for Mrs Ritchie to wind up.

George Eustice: Thank you, Mr Crausby. I will make sure that there is.

The right hon. Member for Tynemouth (Mr Campbell) mentioned the Farne Deeps. I have a meeting with officials tomorrow to discuss the challenge there. He also mentioned salmon, and I attended the summit. I pay tribute to some of the work done by the fishermen with their nets, and the progress made, but the salmon stock is in a dire state. We need to protect all the salmon as they come into our waters, and that is why we are looking at catch-and-release schemes for anglers, improving fish passes and water quality, and removing net gear. We are also looking at options to buy out some licences to secure early closure.

The right hon. Member for Orkney and Shetland (Mr Carmichael) mentioned the EU-Norway deal, which is incredibly important to his constituents. We made good progress and managed to get the proposed TAC reduction there down to 15%; the original proposal had been much higher. It has been more challenging to get an agreement on blue whiting. Looking at zonal attachment, we believe that we have a strong case for a higher share of the quota, but it has been hard to get agreement. As the hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) said, we were not able to get Iceland and Russia at the table for an agreement on that. We had issues with Iceland seeking access to our waters as the quid pro quo for coming on board, and we were not able to agree to that. My hon. Friend the Member for South Thanet mentioned skates and rays.

Mr David Crausby (in the Chair): Order. Minister, we finish at 4.30, so you are not giving Ms Ritchie very much time.

George Eustice: Thank you very much, Mr Crausby. I am afraid I have not managed to get to the other points, but I make one final point before wrapping up, relating to the under-10 metre quota. We are rebalancing the quota. We have made it clear that 25% of the uplift will go to the under-10s. We are doing that by giving the first 100 tonnes to the under-10s, and 10% thereafter. That will mean that next year, for instance, much of the inshore fleet will have a substantial increase in the amount of mackerel they have. There will probably be a trebling of the amount of mackerel, which they will then be able to trade as currency.¹

Mrs Sheryll Murray: On a point of order, Mr Crausby. I was under the impression that Ms Ritchie was to be given adequate time to wind up the debate.

Mr David Crausby (in the Chair): Well, you are taking up time, Mrs Murray. I am not empowered to sit the Minister down. It is in his hands, so can we let him conclude?

George Eustice: In view of your guidance, Mr Crausby, I will conclude my speech earlier than would be the norm. Normally, those winding up the debate get a couple of minutes, but I conclude very briefly by saying that at the next EU negotiation—some have said that we should seek to repatriate this matter—there is a case for looking at the whole issue of relative stability. It is too early to decide what our negotiating position would be, but I am open to suggestions from Members.

4.24 pm

Ms Margaret Ritchie (South Down) (SDLP): I thank everyone who participated in the debate. Seventeen Members, including the Front Benchers, made contributions, representing the needs of their constituents. Front Benchers from the SNP, the Opposition and the Government responded to the debate. We all know that the fishing industry presents many risks and challenges to those directly employed in it, but there is no doubt that the offshore and inshore fishing industry contributes an enormous amount to all our local economies, whether in Britain or Northern Ireland.

In the next few weeks, the Minister will make direct representations as part of the negotiations in relation to total allowable catch. I hope that he will ensure that none of our industries in our fishing villages—I think of Ardglass and Kilkeel in my constituency—and none of the people involved in them will be imperilled by any downturn in any fish quota species, or by the discard ban, the landing obligation or any of those issues.

Other issues raised today by Members include crewing. We will discuss that directly with a Home Office Minister next week, but it is important that we obtain proper regulations to ensure that our fleets can operate, day to day. Many fleets would be tied up if we did not have the support of the Filipino fishermen. We in the west of Scotland and Northern Ireland have a unique position on that, because we have an impediment with the restricted inlets and fjords and the geography. That means that the 12-mile limit and all that has to be looked at. We have to adopt a common-sense approach.

The common fisheries policy has recently undergone several key reforms, including: a phased ban on discarding fish, effective for pelagic as of last year and demersal as of this coming January; a legally binding commitment to fishing at sustainable levels; and increasingly decentralised decision making. Political points were made about repatriating powers from the European Union in relation to that, but I do not agree with them. We would like the Minister to write back to us on the European Court of Justice decision this week on the cod plan. Those of us who represent fishing constituencies need that issue addressed. Running alongside that is the need, whether we represent constituencies in the devolved regions or in England and Wales, for the ongoing infrastructure investment to meet the requirements of the landing obligation and the discard ban. More investment will be required for that ongoing modernisation.

1. [Official Report, 14 December 2015, Vol. 603, c. 1-2MC.]

[*Ms Margaret Ritchie*]

We wish the Minister well in the negotiations in the next two weeks. We hope that he can achieve an upturn in the quota allocations for all the significant fish species. If I may be a little local, area VIIa needs an upturn in the quotas for haddock, nephrops and cod. My colleagues across the UK also need that, because fishing is central to the growth and productivity of all our local economies. The fishing industry, whether offshore or inshore, fuels both those interconnected factors. I think the Minister may have wanted to comment on cod.

George Eustice: I would like to deal with a couple of the points that the hon. Lady raised. I sadly did not get a chance to speak about nephrops in my speech, but the proposal is for an 18% reduction. In previous years, we have been successful in getting the proposal substantially down. Last year, we even got an increase in the TAC.

On the institutional impasse and the ECJ decision this week, the judges have predictably come down on the side of the Commission and the Council, but it is one of those matters where we won on the substance, if not the technical legal issue. That was recognised by the Court, which made it clear that nothing will be done until at least 2017. That gives us a year to accommodate the viewpoint of the European Parliament, and to ensure that in future it has the correct viewpoint.

Ms Ritchie: I thank the Minister for that information. Let us hope that we get a sensible outcome that brings benefit to all our fishing communities. Once again, I thank all who participated—

Mr David Crausby (in the Chair): Order.

4.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

Written Statements

Thursday 3 December 2015

CULTURE, MEDIA AND SPORT

Horserace Betting Levy

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): On 4 November 2015 the Chair of the Horserace Betting Levy Board (“the HBLB”) informed me that the HBLB had been unable to approve a recommendation from the Bookmakers’ Committee as to the terms of the 55th levy scheme. Under section 1(2) of the Horserace Betting Levy Act 1969 (“the Act”), it therefore now falls to me to determine those terms. The Act allows me to determine a new scheme for the said period or direct that the current scheme shall continue to have effect for that period.

I have decided to direct that the current levy scheme should continue to have effect for 2016-17. In making this determination I have had regard to the offer made by the Bookmakers’ Committee, which also proposed that the headline rate of 10.75% was maintained for another year. I also took into account the reason why the offer was rejected by the HBLB, which is that racing felt that it could not accept the overall proposed package, which included supplementary contributions outside of the statutory levy.

Any discussions or negotiations about voluntary levy contributions in respect of offshore remote betting operators are outside the scope of my statutory role in making this determination. I am aware that such negotiations took place and several bookmakers had undertaken to make wholly voluntary levy contributions, which would have secured additional funding for racing for the next three years, and I welcome this offer. With the statutory levy rate now set for next year, I hope that these discussions continue and that an agreement can be reached.

Having concluded the determination I would like express my disappointment that the HBLB and Bookmakers’ Committee were not able to agree the levy scheme and that it has been necessary to refer this matter to Government.

[HCWS353]

HEALTH

Employment, Social Policy, Health and consumer Affairs Council

The Parliamentary Under-Secretary of State for Health (Jane Ellison): The Employment, Social Policy, Health and Consumer Affairs Council will meet on 7 December in Brussels. The Health and Consumer Affairs part of the Council will take place in the afternoon.

The main agenda items will be the following:

Council conclusions—the Council will adopt conclusions on:

“An EU strategy on the reduction of alcohol-related harm”

Personalised medicines for patients

Supporting people living with dementia: improving care policies and practices

Lessons learned for public health from the Ebola outbreak in west Africa—health security in the European Union

Under any other business there will also be presentations on three other points:

Regulations on medical devices and in vitro diagnostic medical devices—the presidency will provide an update on the state of play, with negotiations currently at triologue stage.

The regulations seek to address weaknesses in the current regulatory system, ensure a more consistent level of implementation across the EU, and ensure that the EU will continue to be viewed by business as an innovation-friendly regulatory environment. The UK has broadly supported the Commission’s proposals in order to ensure high standards of patient safety.

Public health conferences—information from the presidency of conferences it organised in this field

Dutch presidency—the Dutch delegation will set out priorities for their forthcoming presidency, which will run from January until June 2016.

A copy of the latest agenda can be found online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-12-03/HCWS354/>

[HCWS354]

HOME DEPARTMENT

Online Child Sexual Exploitation

The Secretary of State for the Home Department (Mrs Theresa May): I am pleased to share with the House the Government’s progress in galvanising a co-ordinated global response against online child sexual exploitation.

On 16 and 17 November the UK and United Arab Emirates brought together Governments, companies and civil society organisations in Abu Dhabi for the second WePROTECT summit, to protect children from online sexual exploitation. This built on the first summit hosted by the Prime Minister in London last year.

While I could not attend due to the Paris attacks, Baroness Shields and His Highness Sheikh Saif bin Zayed Al Nahyan opened the summit. I am pleased Baroness Shields was able to attend in my place, and welcome that she has been appointed as joint Minister for Internet Safety and Security for the Department for Culture, Media and Sport and the Home Office. This appointment serves to further underpin the importance this Government place on tackling online child sexual exploitation. The event secured a wider global reach for WePROTECT, with new countries from the middle east and Latin America and, for the first time, China. This brought to 62 the total number of countries and international organisations signed up to the WePROTECT commitments.

The summit commitments included an agreement on taking co-ordinated national action against online child sexual exploitation, guided by the WePROTECT model national response. To drive national action, Governments will publish an analysis of their own response and use this to identify further capabilities needed.

I am pleased to say that the UK has already made significant progress in tackling this crime. All UK police forces and the National Crime Agency are now connected to the new child abuse image database (CAID) that was launched last year. A new operational victim identification strategy has been established around CAID by the National Crime Agency and is helping to identify even more victims of online child abuse. In the first six months of this year alone, UK authorities identified over 185 victims—already more than for the whole of any previous year.

In addition, the Internet Watch Foundation shared almost 19,000 digital fingerprints of child sexual abuse material—all of which originated from CAID—with five major global technology firms, to enable the removal and prevent the sharing of potentially thousands of images from their platforms and services. Companies have committed to build on this by co-ordinating the sharing of these digital fingerprints globally. The Prime Minister will hold international discussions next year to take this forward.

We are also fulfilling our commitment to support others to build their capabilities. At the London summit, the Prime Minister pledged £50 million over five years to tackle violence against children globally. The first £10 million of this funding is financing a global programme by UNICEF to tackle online child sexual exploitation in 17 countries.

To drive further progress, all WePROTECT signatories at the Abu Dhabi summit agreed to put the WePROTECT advisory board on a firm long-term footing, as a body responsible to all those signed up to this initiative and charged with supporting countries and other stakeholders to implement their commitments. The board will also take forward a joint proposal by the UK, US and EU Commission to merge WePROTECT with the global alliance against child sexual abuse online to bring together global efforts to combat online child sexual exploitation.

[HCWS356]

JUSTICE

Courts

The Lord Chancellor and Secretary of State for Justice (Michael Gove): The courts take money from offenders in a number of ways, including fines, the victim surcharge, compensation orders, prosecution costs and the criminal courts charge.

This array of penalties, fines and charges is complex and confusing. I have therefore asked my Department to review the entire structure, and purpose, of court-ordered financial impositions for offenders, in order to bring greater simplicity and clarity to the system.

This review will seek to achieve three goals: giving the judiciary greater discretion in setting financial impositions; making financial penalties a more effective tool in delivering improved noncustodial sentences; and ensuring that money raised through financial penalties plays an appropriate—and sustainable—role in supporting taxpayers to meet the costs of running the courts.

The review will consider how to ensure offenders make a fair contribution. The criminal courts charge was introduced in order to ensure that those who break the law make a financial contribution to the costs of seeing justice done.

The basic principle behind the policy—that those who have broken the law should bear some of the costs of running the criminal courts—is right. However, as the Justice Select Committee set out in its recent report, there have been concerns raised about how this has worked in practice.

I am today laying in Parliament an amending statutory instrument which will mean that, as of 24 December, the criminal courts charge will no longer be imposed. Our review will consider alternative ways of ensuring that criminals pay their fair share.

[HCWS355]

TRANSPORT

Rail Franchising: West Midlands

The Parliamentary Under-Secretary of State for Transport (Claire Perry): Today I have announced the successful conclusion of negotiations for a new directly awarded franchise agreement with London Midland. This deal will see London Midland continue to run passenger rail services on the West Midlands franchise until October 2017 covering services between London, the West Midlands and the North West of England. The direct award ensures continuity of passenger services and paves the way for the start of the formal franchise that will commence in autumn 2017. This franchise competition will be launched later this month.

During the course of this direct award, West Midlands passengers will benefit from a £13 million package of improvements; which builds on the massive £750 million refurbishment of Birmingham New Street station and the investment of a £60 million fleet of brand new trains, which has already been delivered.

First, the new direct award will put the passenger first and provide new and extended services across the route, resulting in around 6,600 additional seats from Euston to Crewe, into Birmingham on a Sunday and the Abbey line every week. These services include two extra evening services every weekday from London Euston to the Trent Valley providing 2,300 extra seats each week; earlier services to Birmingham on Sunday mornings from a number of towns including Rugby and Lichfield, with new Sunday services from Dorridge, Whitlocks End and Longbridge providing more than 900 extra seats, and an extra return evening service on the Abbey line between Watford Junction and St Albans Abbey which will provide an extra 3,400 seats every week.

Secondly, passengers will benefit from new ticket machines, an upgrade of existing ticket machines with “click and collect” capability and contactless payment options. Also, passengers on all long distance services between London Euston, Birmingham, Crewe and Liverpool will be able to enjoy free wi-fi. When the next full franchise starts in 2017, it is our commitment to roll-out free wi-fi on all London Midland services.

Thirdly, new passenger satisfaction, punctuality and cleanliness targets will be introduced on the franchise. These commitments will be supported through greater staff presence. In the contract, London Midland will recruit additional drivers, conductors, revenue protection staff and employ more apprentices in different departments across the business. London Midland will be contracted to achieve a 2% improvement in overall customer satisfaction before the end of the direct award franchise.

As well as the benefits delivered through the direct award franchise, the Government are also continuing to invest in rail infrastructure in the franchise area, improve rail services in the West Midlands including projects to electrify the line at Bromsgrove and between Walsall and Rugeley, as well building a new station at Kenilworth.

Reaching this agreement with London Midland builds on the success of my Department's ongoing rail franchising programme; working in partnership with the rail industry to deliver better services for passengers as well as value for money for the taxpayer.

[HCWS351]

WORK AND PENSIONS

Employment, Social Policy, Health and Consumer Affairs Council: Agenda

The Minister for Employment (Priti Patel): The Employment, Social Policy, Health and Consumer Affairs Council will take place on 7 December 2015 in Brussels. Baroness Neville-Rolfe, Under-Secretary of State at the Department for Business, Innovation and Skills, will represent the UK.

The Council will be invited to seek a general approach on the proposal for a directive of the European Parliament and of the Council on a better gender balance among the non-executive directors of listed companies and related measures.

The Council will receive a progress report on the proposal for a Council directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation.

The Council will be invited to adopt draft Council conclusions on: equality between women and men in the field of decision making, the promotion of social enterprise as a key driver of economic and social development in Europe and on social governance for an inclusive Europe.

The Council will be invited to seek political agreement on a proposal for a Council recommendation concerning the integration of the long-term unemployed into the labour market.

The European Commission will present the annual growth survey 2016, the draft joint employment report, the alert mechanism report and also seek the views of member states on a draft recommendation of the Council of the eurozone.

Under any other business, the presidency will provide an update on progress on EURES and undeclared work. The Commission will present information on the pact for youth employment launched at the summit "Enterprise 2020", the European Accessibility Act and measures to advance the equal treatment of LGBTI people. The current presidency will report on the conferences and initiatives it has organised and the Dutch delegation will present the work programme of their upcoming presidency.

[HCWS352]

Petition

Thursday 3 December 2015

PRESENTED PETITION

Petition presented to the House but not read on the Floor

School Funding Model

The petition of residents of Charnwood,

Declares that the petitioners believe the existing school funding model in England is arbitrary and unfair; further

declares that the ten best funded areas of England have on average received grants of £6,300 per pupil this year, compared to an average of £4,200 per pupil in the 10 most poorly funded areas of England; and further declares that the petitioners welcome the Government's commitment to introduce fairer school funding.

The petitioners therefore request that the House of Commons supports the earliest possible introduction of a new National Funding Formula for schools in England.

And the petitioners remain, etc.—[*Presented by Edward Argar.*]

[P001658]

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