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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Thursday 10 December 2015

House of Commons

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

WASS INQUIRY REPORT

Resolved,

That an humble Address be presented to Her Majesty, That she will be graciously pleased to give directions that there be laid before this House a Return of parts of a Paper, entitled The Wass Inquiry Report into Allegations Surrounding Child Safeguarding Issues on St Helena and Ascension Island, dated 10 December 2015. —(*Jackie Doyle-Price.*)

Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

HGV Drivers

1. **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What plans his Department has to increase the number of HGV drivers. [902628]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): We have taken measures to reduce waiting periods for large goods vehicle driving tests. So far this financial year, the Driver and Vehicle Standards Agency has recruited 78 new driving examiners, a further 65 are undertaking training, and another 41 have been offered posts. That will allow experienced examiners to move over to LGV testing. More than 55,000 tests were conducted in 2014-15, which is the highest total for six years.

Stuart C. McDonald: With 45,000 qualified professional drivers needed to fill the skills gap in the HGV industry, will the Minister confirm whether the HGV driver standard has been approved as part of the Trailblazer apprenticeship programme? Will companies be able to use that funding to pay for licence acquisition?

Andrew Jones: I confirm that the Trailblazer apprenticeship was approved in the last day or so, but that is a question for the Department for Business, Innovation and Skills. I have not yet been fully informed about all the details of that, but it is important to encourage people to take that test. We know there is a shortage of HGV drivers, and we recognise the vital role that the road haulage sector plays in driving growth and keeping our economy moving. The hon. Gentleman may be interested to know that there has been a 36% increase in drivers taking that test in the past year.

Michael Fabricant (Lichfield) (Con): While recognising that there is always a need for safety, will the Minister and his Department consider whether HGV licences are needed for certain types of vehicle? Given that there is now so much automation on some of the larger vehicles, does someone really need an HGV licence to drive them?

Andrew Jones: That is a very interesting question. I have driven one of the new high-tech HGVs; obviously, without a licence, so it was on a testing track, not the highway network. I was struck by how helpful the vehicle is—it includes large numbers of automated systems—but also by the amount of information that comes at the driver. I do not think we should compromise on safety, and I suspect that the current regime is just right.

Mr Speaker: One wonders whether there is any limit to the talents of the Minister.

Mr Jim Cunningham (Coventry South) (Lab): What is the Minister doing to encourage negotiations between the DVSA and staff in relation to their dispute? There was a high turnout in the vote for industrial action. Will the Minister either refer the matter to ACAS or push the powers that be into negotiations?

Andrew Jones: I am acutely aware of the limits of my talents, Mr Speaker.

In answer to the hon. Gentleman, the Government are keen to see a settlement to that dispute, and I know that my colleague in the other House, Lord Ahmad, is currently working on that.

Jim Shannon (Strangford) (DUP): Across the United Kingdom of Great Britain and Northern Ireland, there are 60,000 vacancies for HGV and LGV drivers, but many people are unable to take up those opportunities because of the price of training. I know that the Minister has considered that issue, but will he consider the possibility of a loan or grant for the £4,500 that it takes to train an HGV driver?

Andrew Jones: I know that the industry is keen to focus on that, and I am keen for more people to take that test. The average pass rate is only 52%, so considering what can be done to increase that will be my top priority. I will consider these matters, but I do not think it will be possible to start subsidising individual licence applications; otherwise, we would have to extend that measure across the piece.

High-speed Rail Network

3. **John Mc Nally** (Falkirk) (SNP): What recent discussions he has had with Ministers of the Scottish Government on development of the high-speed rail network. [902630]

The Secretary of State for Transport (Mr Patrick McLoughlin): I have had a number of discussions with the Scottish Government Cabinet Secretary for Infrastructure, Investment and Cities. The UK Government and the Scottish Government are working closely together to consider options to further reduce journey times, and we hope to make a statement on the next steps in the new year.

John Mc Nally: The Secretary of State will recognise that Scotland has a reputation for excellence in delivering major infrastructure projects. What consultation has he undertaken to ensure that businesses and their workforces in Scotland realise the full benefits that HS2 will bring, for example through design and construction?

Mr McLoughlin: HS2 has been very effective in doing a number of presentations to businesses, right across the country, on the opportunities that will arise from one of the biggest construction projects the country has seen. I hope all companies, be they in England, Scotland, Wales or Northern Ireland, have the opportunity to apply for some of those jobs and contracts. There is no doubt that the first stretch of HS2 phase 1 will bring reduced journey times to Scotland. The announcements I made last week will add to that.

Mr Nigel Evans (Ribble Valley) (Con): As the wonderful people of Scotland eagerly anticipate the announcement on the high-speed rail network, they will become ever more reliant on air travel. Clearly, there are slot restriction problems between Scottish airports and London. Does the Secretary of State anticipate making an announcement soon about airport capacity in the south-east?

Mr Speaker: An ingenious but unsuccessful attempt, I am afraid, if Members look at the terms of the question on the Order Paper.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): Labour supports the extension of high-speed rail services to Scotland. To get there, however, we will have to get to the north of England first. Why are we still waiting for Ministers to confirm the route and the stations for HS2 north of Birmingham, and does the Secretary of State understand that this lack of progress is placing their commitment to HS2 in the midlands and the north in doubt?

Mr McLoughlin: With the greatest charity, I do not think the hon. Gentleman can get away with that. We have been making progress on HS2. In 13 years, Labour only woke up to the HS2 project in year 13. The progress we have made far outstrips the progress the Labour party ever made.

M6

4. **Fiona Bruce (Congleton) (Con):** What progress has been made on plans to widen lanes on the M6 between junctions 16 and 19. [902632]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): The M6 junctions 16 to 19 smart motorway scheme commenced the start of works in October 2015. Work on the project is progressing well, with preparatory works such as site clearance currently being delivered. The main works for this project are due to commence in early 2016 with a 23-month construction phase, meaning the scheme is expected to complete in early 2018.

Fiona Bruce: Several of my constituents living near this stretch of the M6 consider the measures to mitigate the effects of noise and environmental pollution to be inadequate, both in terms of the current impact during

the works and the impact of the widened M6 for years to come. Will the Minister meet me to discuss my constituents' concerns?

Andrew Jones: That section of the M6 is very busy: it carries about 132,000 vehicles a day. There are measures that can be taken to help with noise, such as a low noise surface being laid on the road or installing noise barriers. I would be delighted to meet my hon. Friend.

Christian Matheson (City of Chester) (Lab): I thank you for your indulgence, Mr Speaker. I am rather out of breath, sir, and I am very grateful to have caught your eye.

The local enterprise partnership in Cheshire identified this stretch of the M6 as a problem that needs work, but it failed to identify the M56 in Cheshire where major delays and serious accidents are an almost weekly occurrence. Will the Minister, while he is looking at M6 junctions 16 to 19, consider yet again the problems on the M56 and whether he can bring road safety forward in that part of Cheshire too?

Andrew Jones: That is a very entrepreneurial extension of the question. I am always happy to look at issues of road safety wherever they are on our road network. We have already had a Westminster Hall debate on this issue, so the hon. Gentleman is fully aware of the Government's view.

John Pugh (Southport) (LD): This is absolutely currently the most appalling bit of the motorway network anywhere in England. Has the Minister factored into his plans further economic growth in the north and the need to shift freight to rail?

Andrew Jones: Most certainly at the heart of our road investment strategy is the impact on the freight sector. As regards rail, I work very closely with the Under-Secretary of State for Transport, my hon. Friend the Member for Devizes (Claire Perry).

Rail Electrification Programme

5. **Liz McInnes (Heywood and Middleton) (Lab):** What recent progress his Department has made on its rail electrification programme. [902633]

The Parliamentary Under-Secretary of State for Transport (Claire Perry): Since 2010, 50 miles of track have been electrified, including the full route between Liverpool and Manchester. Last month, Sir Peter Hendy, chairman of Network Rail, at my Department's request published his proposals for delivering the multibillion-pound rail enhancement programmes, reconfirming this Government's commitment to electrifying over 850 miles of track—the biggest modernisation of Britain's railways since Victorian times.

Liz McInnes: In my opinion, the Government's handling of their electrification programme has been nothing short of shambolic. The pausing, then the unpausing, of the TransPennine and midland main line electrification painted a picture of a Department in disarray. What is the added cost to the programme because of the Government's U-turn, of which there was no mention in the Hendy review?

Claire Perry: This Government are committed to electrification, unlike the previous Labour Government that electrified less than 10 miles of track in 13 years, when the economy was booming. I gently remind the hon. Lady that this is a Government of delivery. We want to make sure that the promises we set out can be delivered. That is why it was right to look at the programmes to make sure that they could be delivered, and they will be delivered. Yesterday I was very pleased to announce one of the biggest upgrades in the modernisation of rail travel for her constituents that this country has ever seen. We are scrapping the Pacers. We are introducing new trains. We are transforming the rail network in the north—something else that her Government completely neglected to do.

Iain Stewart (Milton Keynes South) (Con): Will my hon. Friend say a bit more about how the electrification project, plus the award of the new franchise for Northern Rail and TransPennine, will address the acute need to find additional rolling stock in that part of the country?

Claire Perry: My hon. Friend raises an important point. I can confirm that the midland main line will be electrified to Bedford and to Kettering and Corby by 2019, and to Sheffield by 2023. We will electrify to Cardiff by 2019. We will complete, we think, Liverpool to Newcastle by 2022. That means that there can then be a cascade of rolling stock right across the country. However, it is not enough for the people of the north to wait for cascaded trains—they deserve brand-new trains to replace the Pacers that have been chugging round that network for 40 years. *[Interruption.]* The hon. Member for Nottingham South (Lilian Greenwood) chirrups away. Her Government had a chance to replace the Pacers in 2003 and 2004, and they did not. The rail passengers of the north deserve better. We get it; Labour does not.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Sir Peter Hendy's report followed the breakdown and cancellation of previous promises. Will the Minister guarantee that these new proposals will be implemented on time and with the cost as set out, with the right rolling stock in the correct place at the correct time?

Claire Perry: I know that the hon. Lady shares the absolute aspiration that what is promised is delivered. It was right for Network Rail to take a long, hard look at itself, because it had been in the business of peddling promises that went out of control in terms of funding and over time in terms of delivery. *[Interruption.]* I might remind the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) that a few years ago his party wanted to make Network Rail the “guiding mind” of the whole railway. We do not hear much about that policy these days. It is absolutely right that we have changed the management structure at Network Rail. We have put in Sir Peter Hendy, who is an exceptionally experienced railwayman, and we have asked the organisation to think very hard about delivery. Crucially, only last week in the spending review, we were able to reconfirm the Government's funding commitment, which means that the money is there for this transformational project.

Ben Howlett (Bath) (Con): As my hon. Friend is aware, the largest investment in the railway since the Victorians on the Great Western main line will have a

huge impact on the Bath and west of England economy. What progress is she making on the four miles of track that will link the electrified Great Western main line with Heathrow?

Claire Perry: Again, this is part of the overall proposals. As my hon. Friend knows, the western rail link is absolutely vital. It has been set out, and work is going on to make sure exactly how it is delivered. We understand how important it is. My hon. Friend represents a fine city. He and I went through Box tunnel together on a little people mover—*[Interruption]* That sounds worse than it is—with others to see at first hand the transformational effect that electrification work is having on his city.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): The unpausing of the rail electrification programme is welcome, but the news that completion will be delayed and the costs much higher has understandably caused dismay. The cost of the electrification programme is now set to be at least £2.5 billion more than planned. As a result, Network Rail's borrowing limit has had to be increased by £700 million, with the rest of the money being found from the sale of its assets. What assurances can the Government give that these asset sales will be sufficient; and given that the costs have already risen by 70%, what happens if they rise further still?

Claire Perry: The hon. Gentleman raises the delivery risk inherent in all these things. This is the biggest transformation project for more than 100 years, and he is absolutely right that it has to be funded with both Government money and third party asset sales. A huge amount of due diligence has gone into that work, which is ongoing, but we now have a plan and are confident that £38 billion will be committed and that 850 miles of track will be electrified.

Amanda Milling (Cannock Chase) (Con): I welcome the news that the electrification of the Chase line is on track for completion in 2017, but, unfortunately, that is little comfort for commuters experiencing serious overcrowding at peak times. Will my hon. Friend join me in calling on all relevant organisations, including London Midland and Amazon, to work together to find a prompt solution to this overcrowding?

Claire Perry: I am happy to confirm my interest in reducing overcrowding nationally and in Cannock Chase, which my hon. Friend represents with such vigour.

Cycling and Walking Investment Strategy

6. **Ruth Cadbury** (Brentford and Isleworth) (Lab): What recent progress he has made on publishing a cycling and walking investment strategy. [902634]

The Parliamentary Under-Secretary of State for Transport (Claire Perry): As a keen cyclist myself, I am delighted that the Government continue to encourage more cycling and walking across England. We did good work under the last Conservative Government: spending per head rose from £2 in 2010 to £6 now and more than £10 in the cycling ambition cities. On the long-term vision, we have made it clear that we want to make the UK a cycling nation. One step will be to publish a cycling and

walking investment strategy next summer. The recent spending review committed more than £300 million to support cycling.

Ruth Cadbury: The comprehensive spending review contained little new money: just £1.49 per head over the Parliament. My predecessors in the all-party cycling group recommended £10 per head per year, which the Prime Minister agreed with. How can we deliver an effective cycling and walking strategy with only £1.49 per head?

Claire Perry: I commend the hon. Lady and my hon. Friend the Member for Cheltenham (Alex Chalk) for their co-chairmanship of the all-party group. She is right to focus on the need to invest, but in our view, and hers I think, the investment should be targeted, which is why the cycling ambition cities get more than £10 per head. Her analysis does not include our commitment that every mile of new road built by Highways England must be cycle-proof or the additional money for local growth funds so that cities and towns that want to encourage cycling have the freedom to do so.

Daniel Zeichner (Cambridge) (Lab): It is now clear that cycling took a big hit in the spending review and that there will be little left for the cycling and walking investment strategy when it finally appears. The Minister has had the air let out of her tyres. Will she confirm that the figure of £1.49 is the real figure for cycling outside London and that spending on cycling has effectively been halved?

Claire Perry: The hon. Gentleman represents a cycling city that I am proud to visit, but I have yet to see him on his bike pedalling past our front door when I am up there—but I am sure I will soon. I completely refute his assertion, however: we have made incredible progress on cycling. He need only drive in to see the chaos created by the Mayor's east-west cycle highway being delivered in the city with the highest level of cycle spending historically. That is the cycling ambition target now being reached in eight other cities. I want to reconfirm that we have ensured that every mile of new road built will be cycle-proof, which is something Labour neglected to do.

UK Spaceport

7. **Stewart Malcolm McDonald** (Glasgow South) (SNP): What progress his Department has made on identifying a location for a UK spaceport. [902635]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): As the Prime Minister told the House a few weeks ago, it is the Government's ambition for the UK to become the European hub for commercial spaceflight, and we hope to launch the competition to select the location for the base in the second half of 2016.

Stewart Malcolm McDonald: It has long been believed that Prestwick airport was the only place in the UK visited by none other than Elvis. It is an area in desperate need of attention and economic investment. Will the Minister follow in the king's footsteps and pay a flying visit to see how the Government can help regenerate that vital airport in the west of Scotland?

Andrew Jones: I am aware that the visit by Elvis is one of Prestwick's claims to fame, but there are several other contenders in that competition. I would, of course, be delighted to visit.

Mr Speaker: We do not need Elvis when we have the hon. Gentleman.

Transport Infrastructure

8. **Daniel Kawczynski** (Shrewsbury and Atcham) (Con): How much the Government plan to spend on transport infrastructure between 2015 and 2020; and how much was spent on such infrastructure between 2010 and 2015. [902636]

The Secretary of State for Transport (Mr Patrick McLoughlin): The coalition Government spent £41 billion on transport infrastructure between 2010 and 2015. On an equivalent basis, this Government plan to spend £61 billion on transport infrastructure between 2015 and 2020—an increase of 50%. This includes £15 billion for the biggest road improvement programme seen in Britain since the 1970s, and the electrification of 850 miles of railway—the biggest rail modernisation since Victorian times.

Daniel Kawczynski: My right hon. Friend will know the importance I attach to the north-west relief road—the final bit of the road around Shrewsbury, which has a cost-benefit ratio of 5:4. He says that the project is going to be the responsibility of the local enterprise partnership. How will his Government work with LEPs to ensure that they have adequate funding and logistical support to carry out and implement these vital schemes?

Mr McLoughlin: My hon. Friend is right, and he has been to see me to make representations, with a number of people from the council and from Shrewsbury itself. It is right that this is taken forward by the LEP. Funding for the major LEP schemes has been set aside and was agreed as part of the spending review. Details on how to bid to the fund will be announced shortly.

Diana Johnson (Kingston upon Hull North) (Lab): With no news on the privately financed electrification of the line between Selby and Hull, and with yesterday's announcement on the TransPennine franchise failing to give additional services to Hull for city of culture 2017 and providing only refurbished, not new, trains, can the Secretary of State understand why people in Hull were rather taken aback by the comments of the Under-Secretary of State for Transport, the hon. Member for Harrogate and Knaresborough (Andrew Jones) on "Look North" when he said that investment in northern transport is about to overtake that of the south? Do not those words show that the Under-Secretary is away with the Christmas fairies?

Mr McLoughlin: I do not know whether I would want to go into Christmas fairies so far as the current Labour party is concerned, as Labour Members might be seeing fairies in many places. I believe that the Department for Transport has been helpful to Hull in its preparations for the city of culture, not least with the improvements at Hull station and the proposals I have worked on with the hon. Member for Kingston upon

Hull East (Karl Turner) to ensure that the footbridge project is brought forward much more quickly to provide access to the Hull dockside. I am sorry that the hon. Lady cannot welcome that.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): Will the Secretary of State consider reviewing his spending priorities? Is it not true that billions of pounds would be available to spend on transport infrastructure across the whole country between 2015 and 2020 if the current plans for HS2 were replaced with a conventional high-speed line running at 155 mph? Money would be available to pay decent compensation, provide improved environmental protection and faster investment in HS3 and HS2 phase 2, which should be a much greater priority than cutting 10 minutes off the journey between Birmingham and London?

Mr McLoughlin: I have to say that I do not think I will ever convince my right hon. Friend on this particular subject—so I am not sure I am going to try. Let me simply say that the investment in HS2 is not just about speed—a point that I cannot get over enough—but about capacity and the huge increase in people travelling on our railways. *[Interruption.]* My right hon. Friend says that we could just build another conventional line, but that would cost 90% of what HS2 is costing in any case, so there would be no significant savings. I make no apology for being part of a Government who are investing for the future of the nation.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): The future infrastructure project on which the Government have to make a decision that is of most interest to most people is that of airport expansion. People of all positions on the issue are interested to know when a decision will be made. On 1 July 2015, the Prime Minister said in response to a question:

“What I can say to her is that we will all read this report and a decision will be made by the end of the year.”—*[Official Report, 1 July 2015; Vol. 597, c. 1474.]*

On 5 October this year, the Secretary of State said at the Conservative conference:

“The Davies commission has produced a powerful report, and we will respond by the end of the year.”—

and he repeated that in an interview on 30 October. Will the Secretary of State therefore confirm that a decision will be made on airport expansion by the end of the year, or will party politics and the London mayoral elections come before a decision for the nations of the UK?

Mr McLoughlin: I have read much speculation about what decisions we may be about to make. Some of that speculation may be true, but until we make a decision, I shall not be able to inform the House of it.

Drew Hendry: Given that answer and the potential for delay, and given that the Davies commission had accepted that links with regional airports are vital for the future—especially for airports such as Inverness and Dundee—will the Secretary of State undertake, as a matter of urgency, to present proposals on public service obligations for such routes, and to amend the regional air development fund to keep regional air routes sustainable?

Mr McLoughlin: I know how important it is to retain links through the London airports. I should be more than happy to discuss the issue in detail with the hon. Gentleman, and with the Scottish Government.

Tom Brake (Carshalton and Wallington) (LD): Would the Secretary of State or the rail Minister be willing to discuss with me the issue of transport infrastructure investment in south London? Proposals from Transport for London and the Department for Transport, on which local authorities have not been consulted, would lead to a reduction in the number of fast services to Victoria, and I should like to discuss that with Ministers.

Mr McLoughlin: I am sure that my hon. Friend the rail Minister would be more than happy to meet the right hon. Gentleman. The simple fact is that, in London and, indeed, throughout the country, we are seeing an ever greater demand for transport, and we are doing all that we can to meet those requirements. As a result of huge investment, the Victoria line now offers some 37 trains an hour, and there have also been upgrades on the Northern line. However, the pressure for further upgrades is an important issue.

Road Congestion

9. **Sir Greg Knight** (East Yorkshire) (Con): What further plans he has to reduce road congestion. [902637]

The Secretary of State for Transport (Mr Patrick McLoughlin): The Government are providing £15.2 billion between 2015 and 2021 to invest in our strategic road network. This is the biggest upgrade to our motorways and A roads for a generation, and it is adding capacity and tackling congestion.

Sir Greg Knight: I welcome what my right hon. Friend says, but is he aware that there are many ways of reducing congestion that are not anti-motorist? Has he read “Green Light”, a report by Councillor Richard Tracey, which concludes that most traffic lights could be turned off between midnight and 6 am, and that that would reduce both congestion and pollution? Why should a motorist have to sit at a red traffic light when there are no pedestrians in the vicinity, and no vehicles are seeking to use the junction? Will my right hon. Friend persuade local authorities to review their policy on traffic lights, and get them to turn some of them off?

Mr McLoughlin: I rather thought that at this time of year people were turning lights on rather than off! I know that my right hon. Friend feels strongly about traffic lights, and I should be more than happy to look at Richard Tracey’s report, but, in the main, this is a matter for local highway authorities. Perhaps my right hon. Friend could exert some influence on those in his constituency.

Mr Ben Bradshaw (Exeter) (Lab): One of the principal causes of congestion in urban areas is, of course, illegal parking. What is the Secretary of State doing to make the enforcement system simpler and more effective?

Mr McLoughlin: That, too, is a matter for local highway authorities, which can employ the necessary measures and regulations.

22. [902652] **Michelle Donelan** (Chippenham) (Con): Having visited my constituency a number of times, the Secretary of State will know that the specific and complicated problem of traffic congestion in Bradford on Avon is having a significant impact on business and residents. Can he suggest a way of dealing with it?

Mr McLoughlin: I visited Bradford on Avon with my hon. Friend earlier this year, and I know that she is right about the traffic congestion in the town. I should be more than happy to meet her, along with my hon. Friend the roads Minister, to discuss in detail what we could do to help, but this is, in the main, a matter for Wiltshire council.

Andrew Gwynne (Denton and Reddish) (Lab): The pinch-point scheme at junction 24 of the M60 in Denton has been a great success in tackling congestion. Unfortunately, however, one of its unintended consequences has been the increased motorway noise experienced by nearby residents of Thompson Close. Highways England has promised to introduce noise reduction measures, including new road surfaces, in the next financial year; will the Secretary of State please ensure that that happens early in the next financial year?

Mr McLoughlin: I do not know that junction particularly well, but following the hon. Gentleman representations I will certainly look into it and we will write to him about when Highways England will do that work.

19. [902649] **Chris Skidmore** (Kingswood) (Con): One of the key campaigns in my constituency to reduce road congestion is for an M4 link to the Avon ring road, which would involve an extra junction, 18A, on the M4. Next year the joint transport study commissioned by the local enterprise partnership and the surrounding councils will look at how to reduce road congestion in the area, and I hope the M4 link will be an integral part of that. Will the Transport Secretary meet the LEP, the local council and me to discuss this?

Mr McLoughlin: I am more than happy to meet my hon. Friend to discuss this. As I have said, a huge amount of investment is being made available to Highways England. I visited the site with my hon. Friend earlier this year, and it would open up a large area of potential development, which is very important for his constituency.

Richard Burden (Birmingham, Northfield) (Lab): Over the summer, roads to the channel ports ground to a halt, lorry drivers who were stuck in their cabs needed emergency water to drink, and local businesses were hit as Kent villages near the motorway network were cut off. The Chancellor's announcement of a new lorry park may be a step in the right direction, but it will not keep the traffic moving of itself and it falls well short of highways management road improvement works that local partners tell me are needed if Kent is going to be protected from similar snarl-ups in future. Does the Secretary of State consider his lorry park "job done"? If not, what else is he going to do before, rather than after, the people of the south-east go through the same thing again?

Mr McLoughlin: I do not regard it as "job done" but I regard it as a great step in the right direction to find that level of resources available to solve what was an unacceptable situation for people in Kent last summer. It is definitely a step in the right direction, but I will obviously keep every other option under review.

Transport Minibus Fund

10. **David Morris** (Morecambe and Lunesdale) (Con): What progress his Department has made on implementing the community transport minibus fund. [902638]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): The community transport minibus fund will provide over 300 organisations with a new minibus so that they can continue to provide the vital services that they offer. Approximately 70 organisations whose vehicle requirements are very specific will be grant-funded to purchase their vehicle and we have started delivering vehicles to these organisations already. The competition to supply the remaining vehicles commences next Monday.

David Morris: I thank my hon. Friend for that answer, but will he ensure that Lancashire County Council is aware that this scheme can be utilised? It is currently proposing to cut the subsidy to rural buses and others even though it has almost half a billion pounds in reserves.

Andrew Jones: Like my hon. Friend, we fully understand the vital role buses play in our community. The community transport fund is to help not-for-profit organisations continue to meet the needs of passengers who may otherwise have no access to public transport, but may I draw my hon. Friend's attention to the £250 million a year bus service operators grant, which the Government provide and the purpose of which is to help run bus services that may otherwise not be viable? I cannot instruct Lancashire County Council, but I hope it is considering how to apply this funding in a way that can reach rural areas that need a good bus connection to help improve their economic growth and social inclusion.

Maggie Throup (Erewash) (Con): Derbyshire County Council is to cut the funding for community transport from April next year, which will see Erewash Community Transport in my constituency lose nearly £150,000—a similar story to that of my hon. Friend the Member for Morecambe and Lunesdale (David Morris). This is yet another attack on the elderly and vulnerable by Derbyshire County Council, which is playing politics with vital community services. Ahead of my Westminster Hall debate next Wednesday, will the Minister agree with me that we should be supporting these services, not cutting them?

Andrew Jones: My hon. Friend is, as ever, a significant champion for her constituency, and we agree fully on the merits of supporting buses.

Mr Dennis Skinner (Bolsover) (Lab): Following on from that question, is the Minister aware that the real culprit in this business is the Tory Government? They have cut Derbyshire County Council's grant by—are you listening?—£157 million. Give Derbyshire the money back and we can sort everything out in the whole county.

Andrew Jones: I do enjoy the hon. Gentleman's interventions. I am sure he was very formidable—when he was in his prime. It is up to Derbyshire County Council to organise its own priorities, and we should be focusing on issues that make a difference.

Smart Ticketing

11. **Chris Green** (Bolton West) (Con): What progress his Department has made on collecting and interpreting data gathered by smart ticketing schemes. [902640]

13. **Rehman Chishti** (Gillingham and Rainham) (Con): What progress his Department has made on implementing smart ticketing schemes. [902643]

The Parliamentary Under-Secretary of State for Transport (Claire Perry): We are making good progress on implementing smart ticketing across transport modes and across England. On railways, some train operators are already using smartcard and barcode technology; all our major cities have smart ticketing schemes; and we have committed £150 million to support the vision of “Oyster for the north”.

Chris Green: I thank the Minister for that answer. Devolution to Greater Manchester includes plans to introduce a multimodal smart ticketing scheme. Will she assure me that from the outset travel data will be collected and interpreted so that further improvements can be made to Greater Manchester’s public transport system?

Claire Perry: My hon. Friend is right to point out the importance of gathering data and how great it is that this devolution agenda is working for passengers in Manchester. I agree with him about the importance of data and I will certainly make my views known to Transport for Greater Manchester, which is responsible for introducing these schemes.

Rehman Chishti: The Minister will know that I have raised the issue of automatic refunds before and campaigned for their introduction in Kent, so that my constituents can benefit from refunds when their trains are delayed by a few minutes instead of the current 30 minutes. When will this scheme be introduced nationally?

Claire Perry: First, I commend my hon. Friend for consistently promoting the interests of his travelling constituents. He may be aware that from next February, c2c, which runs trains throughout his neighbouring county in south Essex, is introducing an automatic compensation system, which will provide compensation after two minutes of delay for those customers who are registered and signed up to its system. That is exactly the sort of scheme I want to see nationally, so we will closely monitor the roll-out of this programme to see whether it can be rolled out across other franchises.

Peter Kyle (Hove) (Lab): Flexible ticketing was announced in 2013 and was wildly popular in the south-east when it was trialled in 2014, but there are rumours that it is being kicked into the long grass. Will the Minister scotch those rumours for long-suffering commuters in the south-east by announcing the date for its roll-out?

Claire Perry: The hon. Gentleman is right to point out that the south-east flexible ticketing scheme, to which the Government have committed £80 million, is being implemented. We are currently looking at the best way to roll that out across the train operating companies. It has already gone live on Southern, Govia Thameslink

Railway and indeed on c2c, and we are talking to Southeastern about the right date to introduce it. I would be happy to meet him to work on this together.

Emergency Towing Vessels: Northern Isles

12. **Mr Alistair Carmichael** (Orkney and Shetland) (LD): What recent representations he has received on the future of emergency towing vessels in the northern isles; and if he will make a statement. [902641]

The Secretary of State for Transport (Mr Patrick McLoughlin): I have received a number of representations from those in Scotland with an interest in the future provision of the emergency towing vessel operating from the northern isles. The Government fully recognise the importance of ensuring shipping activities off the coast of Scotland remain safe. To that end, the Maritime and Coastguard Agency will consult interested parties shortly on the need for and scope of putting alternative towing arrangements in place beyond April 2016.

Mr Carmichael: The Secretary of State will remember the interesting and lively discussions we had leading up to the decision to retain that emergency towing vessel in 2011. He will recall that the people in the MCA and in his Department who wanted to remove it then argued that cover could be provided by the offshore oil and gas industry working in the region. He will also be aware that the price of oil has fallen sharply since then and that there is now much less activity in the north North sea. May I gently say to him that the case that led to the right decision in 2011 is even stronger today than it was then?

Mr McLoughlin: Just to put the record right, the conversations in 2011 that the right hon. Gentleman refers to were not held in the Department for Transport—they were held elsewhere. I very well remember both the case he made and visiting the vessel in the summer of 2013.

Rail Services: South-East

14. **Maria Caulfield** (Lewes) (Con): What his policy is on improvement of rail services in the south-east. [902644]

The Parliamentary Under-Secretary of State for Transport (Claire Perry): The Government are investing heavily in service improvements in this region through the multibillion pound Thameslink programme, in which new trains, service and station improvements will finally start to be delivered next year. However, I am the first to recognise that the current performance, especially on the Brighton main line, has been well below expectations. That is why I continue to chair the Southeastern quadrant taskforce, which focuses on driving up performance on these vital routes. I wish to invite my hon. Friend and all other interested hon. Members to a new year taskforce meeting in which we will discuss performance improvements specifically for those routes.

Maria Caulfield: I thank the Minister for her reply and her hard work in dealing with this issue. Given that Southern rail is about to roll out a new timetable on the Brighton main line and that its performance has been

so poor, will she provide all Sussex MPs with a monthly performance report so that we can personally put pressure on Southern rail to deliver?

Claire Perry: My hon. Friend raises an excellent point. I am told that all that information is on the Govia Thameslink Railway website, but I confess that I find it quite difficult to find and quite hard to interpret. I will ensure that the information, which is already provided by the operator to my Department and published, is made available to members of the public and their MPs in the most obvious and transparent form, so that we can all see the performance improvement that we want.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) *rose*—

Mr Speaker: Huddersfield is a long way from the south-east, but the hon. Gentleman will ask a question that I know will be exclusively focused, like a laser, on the south-east.

Mr Sheerman: A bit like many Members of Parliament, when I am here in London and the south-east, I use Southern rail, and I will be very pleased if it is to be improved. None of us begrudges that investment, but we do put it into perspective, which is that we are not getting enough infrastructure investment in the north, linking the big towns and cities. It must be north first and south second.

Claire Perry: The hon. Gentleman is a good friend, and I would hate to suggest that he was snoozing yesterday rather than watching the news, because we announced a transformational package for railways in the north. Let me tell him what is happening in Huddersfield: new TransPennine trains; new services between major cities; three new stations; 500 new carriages across the network; an end to those hated Pacers forever; and on-board improvements for passengers. He might shake his head, but it will happen. He can say bye-bye to the Pacers from 2019. This Government are absolutely determined that the northern powerhouse comes to life based on transport investment, and I am so proud that we are the Government who are delivering.

Mr Speaker: I am still seeking that laser-like precision. I turn now to the hon. Member for Cleethorpes (Martin Vickers).

20. [902650] **Martin Vickers** (Cleethorpes) (Con): My constituents find it extremely difficult to get to the south-east because we do not have a direct rail service to London. Will the Minister use her good offices to ensure that the rail regulator, which has had an application with it for two years, makes a quick decision?

Claire Perry: It is impressive stuff, Mr Speaker. My hon. Friend will know that the open access competition to which he refers is a matter for the regulator, but it has been quite clear that his constant campaigning is paying off. He is getting £88 million of funding for the dualling of the A160 near Immingham and resignalling for the north-east Lincolnshire region, plus the massive franchise benefits that we announced yesterday, including improvements at Cleethorpes station.

Mr Speaker: Last but not least, the man with the dazzling tie to beat all dazzling ties. I call Mr Andrew Bingham.

Transport Infrastructure

15. **Andrew Bingham** (High Peak) (Con): What steps his Department are taking to ensure that British firms benefit from the Government's transport infrastructure investment. [902645]

The Secretary of State for Transport (Mr Patrick McLoughlin): The Department engages extensively with the market to raise awareness of forthcoming business—equipping British firms with the information and skills they need to respond to opportunities. Through the Rail Supply Group, we are working to strengthen the capability of the UK rail supply chain so that UK-based suppliers are better able to win work here and abroad.

Andrew Bingham: I can promise you, Mr Speaker, that my tie was not based on the original design for Spaghetti junction.

Much of the infrastructure that will be built as part of the plan will also benefit my constituents, because most of the lime that will be used will come from the High Peak quarries, hugely benefiting the supply chain and the wider economy. Does my right hon. Friend agree that, when we look at the Glossop spur, which we are promised as part of the infrastructure plan, the biggest gain will be to my local companies as they can get business in and out of the area? Furthermore, if that work was extended around Tintwistle, as I would like, it would further help and encourage my local businesses and local economy.

Mr McLoughlin: I am grateful to my hon. Friend for pointing out the opportunities for firms in his constituency, which I know incredibly well. Indeed, I have visited Tintwistle with him on numerous occasions and he has pointed out the improvements that he wishes to see. The road investment programme will, in part, help us to move towards those improvements, but the work that Colin Matthews is doing on the wider issue of a tunnel will also be important for his area.

Topical Questions

T1. [902618] **James Berry** (Kingston and Surbiton) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Transport (Mr Patrick McLoughlin): Since I last addressed the House at Question Time, Cumbria, Lancashire and the north-west have experienced record-breaking rainfall, which has led to the worst flooding since 2005. It closed the west coast main line, but Network Rail's orange army has worked tirelessly to restore the service and I am pleased to say that at 14.00 on Tuesday 8 December trains were once again running from London to Glasgow via Preston. Since then, rail services have restarted on all the affected routes. This Christmas, Network Rail will undertake a significant programme of work, delivering the Government's record £38 billion investment in the railways.

James Berry: Given the imminence of the announcement, I shall resist the urge to ask about Heathrow and will ask instead what steps the Secretary of State's Department will take on irresponsible pavement parking in view of the cross-party support gained for the private Member's Bill that we debated in this House last Friday.

Mr McLoughlin: A very useful debate took place last Friday and commitments were given to have further discussions on this important issue. I will ensure that those discussions take place and that we try to address some of the issues. Local authorities already have a lot of powers, however, if they wish to use them.

Lilian Greenwood (Nottingham South) (Lab): The closure of roads and rail lines in recent days is a timely reminder of the strain extreme weather events place on transport networks. We all remember the flooding at airports in 2010 and 2013, the loss of the Dawlish seawall and, as the Secretary of State said, the heroic response of Network Rail's orange army. So will the Secretary of State explain why the Dawlish resilience options report, due last month, has not been published? What assurance can he give that the lessons of previous periods of disruption have been learned?

Mr McLoughlin: We always look to learn from experience and that is the case with the Dawlish repairs and the work that has been done by Network Rail to ensure that the line is secure for future use. Excessive weather conditions such as those that we saw last weekend put extra pressure on the network. One of the most important things, however, is ensuring that the network continues to operate safely.

Lilian Greenwood: I hope that we do learn from experience. The hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) had a little go at this, and I am going to give the Secretary of State another chance. On airport expansion, the Prime Minister told this House in July:

"The guarantee that I can give...is that a decision will be made by the end of the year."—[*Official Report*, 1 July 2015; Vol. 597, c. 1473.]

Employers have been clear that the Government should bring forward the decision they promised, but fear a further politically motivated delay. Was the Prime Minister making a clear pledge—no ifs, no buts—or are residents who live near Heathrow and Gatwick about to be subjected to yet more blight and uncertainty?

Mr McLoughlin: I will not take any lectures from the Labour party on planning infrastructure. Labour was woeful at it and did very little of it. The simple fact is that we now have a Government who are more committed to infrastructure than the Labour Government were for 13 years. The simple fact is that when an announcement is to be made, I will make it in the House.

T2. [902619] **Craig Williams** (Cardiff North) (Con): I thank my right hon. Friend for visiting Cardiff last week and discussing electrification, among many other issues. I welcome the fact that this Government are making Great Western railway electrification a top priority. More broadly, what will the bimodal trains mean for Cardiff, Swansea and the south Wales economy?

Mr McLoughlin: I was very pleased to visit my hon. Friend's constituency with him last Thursday, as well as other areas in Wales. I believe that the upgrades—the new inter-city express programme trains—will be very important because of their bimodal nature. They are undergoing testing at Melton Mowbray and they are very impressive indeed. They will lead to a much improved service for his constituents and those people who live toward Swansea, as well.

T3. [902620] **Ian Lavery** (Wansbeck) (Lab): Disabled people—particularly wheelchair users and those with sight loss—are finding it increasingly difficult to access public transport, particularly buses. Will the Secretary of State consider encouraging bus companies to give their staff more disability awareness training, and will he also consider the statutory introduction of audio-visual announcement systems in the upcoming buses Bill?

Mr McLoughlin: I will certainly give encouragement—not that they should need it—to the bus companies to make sure that facilities for disabled people are available and that their staff know the right way of making those facilities available to them. That is incumbent on all bus companies. As for a future bus Bill, the hon. Gentleman will have to wait until it is published.

T5. [902623] **Mr Stewart Jackson** (Peterborough) (Con): My constituents leaving for their holidays from Stansted airport would like to be kind to the environment and give the A14 and the M11 a miss, and use CrossCountry trains, but they often cannot do so because the trains run too late for their flights from Stansted airport. Will the rail Minister have a word with the rail regulator to restate the importance of rail and airport connectivity?

The Parliamentary Under-Secretary of State for Transport (Claire Perry): My hon. Friend is right. Stansted airport, along with local MPs, lobbied hard to get that early morning service from Liverpool Street, which stopped people having to sleep at the airport to catch early flights. I will happily discuss this with him and we can have a conversation with CrossCountry.

Mr Speaker: I call Catherine West. Not here.

Paul Flynn (Newport West) (Lab): The committee on the medical effects of air pollution estimates that 60,000 deaths a year occur in Britain because of the effects of air pollution. That is 20 times the number killed in all road traffic accidents. The Government state that they will not achieve their legal limit on nitrogen oxide pollutants until 2030. Is this not a disgraceful situation? What will the Government do to take on Volkswagen, which has been accused of causing 12,000 avoidable deaths in Britain alone by gross deception in relation to its vehicles? What is the Minister doing to accelerate the clean-up of NOx air pollution in this country?

Mr McLoughlin: I am sure the hon. Gentleman has not forgotten that the biggest increase in the use of diesel vehicles took place between 2001 and 2010. As I have said in the past, the behaviour of Volkswagen is a disgrace. It must put right what it got wrong. I am having further meetings later today to discuss that with Volkswagen.

T6. [902624] **Rebecca Pow** (Taunton Deane) (Con): Will my hon. Friend provide an update on the availability of funding from the new stations fund? The town of Wellington in my constituency would make an excellent candidate for a new station. There is a great deal of interest in it from business and locals. I am having a meeting tomorrow with those people and it would be great to give them a little more information.

Claire Perry: I am happy to confirm that the Government had £20 million of further money available for the new station fund in the summer Budget. It is up to local authorities and local businesses to bring forward proposals for new stations. We want them to be rooted in the benefits that they deliver to the local community. I would be delighted to review with my hon. Friend a proposal for Wellington station and look forward to working with her. We would like to get new stations built.

Tim Farron (Westmorland and Lonsdale) (LD): One of the consequences of the catastrophic floods in Cumbria has been the near-disappearance of the A591 between Grasmere and Keswick, which in effect cuts the Lake district in two. Will the Government consider applying for EU solidarity funding to make sure that we reopen or replace that road imminently so that the Lake district, which continues to be the most marvellous place to spend Christmas and new year, can be reconnected?

Mr McLoughlin: I well understand the hon. Gentleman's concern and the way his constituents have been affected. I am sure the feelings of the whole House are with them and those in neighbouring areas who are facing chaos in their homes and who, in some cases, will not be able to get back into them before Christmas. We discussed EU funding on Monday and said that we would look at it. I will be looking for more immediate help for his area, and my hon. Friend the Minister of State will be in Cumbria tomorrow.

T7. [902625] **Sir Alan Haselhurst** (Saffron Walden) (Con): I was so encouraged by yesterday's announcement that two Northern Rail franchises were to receive a massive £1.2 billion boost to rail services, with 500 brand-new carriages, that I would like to ask my right hon. Friend whether that was intended as a signal to the three bidders for the Greater Anglia franchise as to what is expected of them if we are to help the Anglian region to—in the words of the announcement—

“realise its full economic potential, ensuring it has a modern 21st century transport system”?

Mr McLoughlin: In the interests of crispness and brevity, the answer to my right hon. Friend's question is yes.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Secretary of State will be aware that under the current proposals for HS2, although the overall journey time to Scotland will be reduced, the journey time north of Crewe to Scotland will actually increase, owing to changes in the stock used. Will he therefore commit to bringing forward a definitive timetable for the proposed further upgrade works discussed with the Scottish Government for north of Crewe?

Mr McLoughlin: Some of the issues to which the hon. Gentleman refers will obviously be taken into account at the next planning round for Network Rail, but we are making upgrades on the line now. In fact, over the Christmas period I hope to see some of the improvements being made at Stafford, which will help to increase capacity further up the line.

T8. [902626] **James Morris** (Halesowen and Rowley Regis) (Con): The creation of the west midlands combined authority provides an opportunity to take a strategic view of the region's transport needs. Does the Secretary of State agree that it also provides an opportunity for his Department to work with local operators, such as London Midland, to relieve congestion on the Rowley Regis to Birmingham line, which is becoming a big problem?

Claire Perry: In the interests of Christmas and brevity, yes.

Christian Matheson (City of Chester) (Lab): Among the franchises announced yesterday was one owned by the German state rail company, DB, so can the Secretary of State tell the House what proportion of the ticket fare paid by UK commuters will be used to subsidise the fares of German commuters in Germany?

Mr McLoughlin: If a foreign company was to set up in the hon. Gentleman's constituency, would he be complaining about the jobs it brought? I am very pleased that British companies are winning rail contracts to provide services in Germany. I believe that the marketplace works. The announcements we made yesterday represent a seismic change in the service for both the Northern and TransPennine franchises, which I would have thought he would welcome, as nearly every local government leader in the area has, most of them being Labour.

Mr David Nuttall (Bury North) (Con): Will the Minister join me in welcoming the fact that Farnworth tunnel near Bolton, which has been closed for enlargement as part of the electrification programme, will reopen next Monday, allowing for more and longer trains?

Claire Perry: Absolutely. As my hon. Friend and others will know, it is very difficult to do that upgrade work without disruption, and I thank people for their patience, but if anyone doubts that this Government are serious about transport investment in the north and the electrification programme, they just need to go and see what happens on Monday morning when those trains start running through the tunnel again.

Alison Thewliss (Glasgow Central) (SNP): As the Secretary of State will be aware, on 29 November 2013 a police helicopter plunged through the roof of the Clutha bar in my constituency. The air accidents investigation branch published its report on 23 October this year and made a number of recommendations, including installing black box recorders in helicopters. When will the Government respond to the report?

Mr McLoughlin: The air accidents investigation branch was able to answer these specific questions—indeed, Keith Conradi was in Scotland on the day the report came out—and show that there is nothing to prevent

police authorities and local authorities from already including that equipment in helicopters. I am working with the Civil Aviation Authority to determine the next steps in relation to the report, which has to be taken very seriously.

Mr Speaker: Ah! The hon. Member for Stafford (Jeremy Lefroy) is looking as happy as ever, doubtless celebrating Arsenal's quite outstanding victory last night.

Jeremy Lefroy (Stafford) (Con): As no doubt you are, Mr Speaker.

The Secretary of State has already mentioned visiting Stafford, no doubt to see the work at Norton Bridge, excellently undertaken by Network Rail. With the advance of the first stage of phase 2 of HS2, there is the question of the impact on infrastructure, particularly on roads in the area around Stafford and mid-Staffordshire. Will he kindly meet me to discuss that?

Mr McLoughlin: I am more than happy to meet my hon. Friend. As I said, we are investing a huge amount in infrastructure. Having been in Stafford only a few weeks ago, I know about the problems he refers to.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the rail Minister repeat the figures she gave to the Parliamentary Advisory Council for Transport Safety annual conference this week about the appalling number

of suicides on our rail system and the disruption and dreadful impact that has on the victims and on the travelling public?

Claire Perry: What I told the conference organised by the hon. Gentleman, whom I commend for his decades of work in this area, was that every 30 hours somebody takes their life on the rail network. That is a tragedy both for the families of the victims and for the drivers and staff, for whom it is a deeply distressing experience, and it also affects those whose travel is disrupted. I commend the work the hon. Gentleman's group is doing and the work that Network Rail is doing with the Samaritans. We want to see those numbers coming down.

Peter Aldous (Waveney) (Con): The creation of the local majors fund in the autumn statement is very much to be welcomed. The much needed third crossing in Lowestoft will look to bid into that fund early in the new year. Can my right hon. Friend the Secretary of State confirm that the fund will be up and running as quickly as possible after Christmas?

Mr McLoughlin: I most certainly can confirm that the fund will be up and running after Christmas. I remember visiting the site with my hon. Friend on a couple of occasions earlier this year. I think the scheme he mentions is a very strong candidate.

Southern Health NHS Foundation Trust

10.35 am

Heidi Alexander (Lewisham East) (Lab) (*Urgent Question*): To ask the Secretary of State for Health if he will make a statement on the report of the investigation into deaths at Southern Health NHS Foundation Trust.

The Secretary of State for Health (Mr Jeremy Hunt): The whole House will be profoundly shocked by this morning's allegations of a failure by Southern Health NHS Foundation Trust to investigate over 1,000 unexpected deaths. Following the tragic death of 18-year-old Connor Sparrowhawk at Southern's short-term assessment and treatment unit in Oxfordshire in July 2013, NHS England commissioned a report from audit providers Mazars on unexpected deaths between April 2011 and March 2015.

The draft report, submitted to NHS England in September, found a lack of leadership, focus and sufficient time spent in the trust on carefully reporting and investigating unexpected deaths of mental health and learning disability service users. Of 1,454 deaths reported, only 272 were investigated as critical incidents, and only 195 of those were reported as serious incidents requiring investigation. The report found that there had been no effective, systematic management and oversight of the reporting of deaths and the investigations that follow.

Prior to publication, or indeed showing the report to me, NHS England rightly asked the trust for its comments. It accepted failures in its reporting and investigations into unexpected deaths, but challenged the methodology, in particular pointing out that a number of the deaths were of out-patients for whom it was not the primary care provider. However, NHS England has assured me this morning that the report will be published before Christmas, and it is our intention to accept the vast majority, if not all, of the recommendations it makes.

Our hearts go out to the families of those affected. More than anything, they want to know that the NHS learns from tragedies such as what happened to Connor Sparrowhawk, and that is something we patently fail to do on too many occasions at the moment. Nor should we pretend that this is a result of the wrong culture at just one NHS trust. There is an urgent need to improve the investigation of, and learning from, the estimated 200 avoidable deaths we have every week across the system.

I will give the House more details about the report and recommendations when I have had a chance to read the final version and understand its recommendations, but I can tell the House about three important steps that will help to create the change in culture that we need. First, it is totally and utterly unacceptable that, according to the leaked report, only 1% of the unexpected deaths of patients with learning disabilities were investigated, so from next June, we will publish independently assured, Ofsted-style ratings of the quality of care offered to people with learning disabilities for all 209 clinical commissioning group areas. That will ensure that we shine a spotlight on the variations in care, allowing rapid action to be taken when standards fall short.

Secondly, NHS England has commissioned the University of Bristol to do an independent study of the mortality rates of people with learning disabilities in

NHS care. This is a very important moment at which to step back and consider the way in which we look after that particular highly vulnerable group.

Thirdly, I have previously given the House a commitment to publishing the number of avoidable deaths, broken down by NHS trust, next year. Professor Sir Bruce Keogh has worked hard to develop a methodology to do this. He will write to medical directors at all trusts in the next week explaining how it works, and asking them to supply estimated figures that can be published in the spring. Central to that will be establishing a no-blame reporting culture across the NHS, with people being rewarded, not penalised, for speaking openly and transparently about mistakes.

Finally, I pay tribute to Connor's mother, Sara Ryan, who has campaigned tirelessly to get to the bottom of these issues. Her determination to make sure the right lessons are learned from Connor's unexpected and wholly preventable, tragic death is an inspiration to us all. Today, I would like to offer her and all other families affected by similar tragedies a heartfelt apology on behalf of the Government and the NHS.

Heidi Alexander: These are truly shocking revelations that, if proven, reveal deep failures at Southern Health NHS Foundation Trust. The BBC has reported that the investigation found that more than 10,000 people died between April 2011 and March 2015. Of those 10,000 deaths, 1,454 were not expected. Only 195 of those unexpected deaths—just 13%—were treated by the trust as a serious incident requiring investigation. Perhaps most worryingly, it appears that the likelihood of an unexpected death being investigated depended hugely on the patient: for those with a learning disability, just 1% of unexpected deaths were investigated, and for older people with a mental health problem, just 0.3%.

We obviously await a full response from the Government when the report of the investigation is published, but a number of immediate questions need answers today. First, does the Health Secretary judge services at the trust to be safe? A recent Care Quality Commission report found that

"inadequate staffing levels in community health services was impacting on the delivery of safe care."

What advice can he give patients, and the families of patients, currently in the care of Southern Health?

Secondly, the Health Secretary confirmed in his reply that NHS England received the report in September, but can he explain why it still has not been published, and can he provide a specific date on which the final report will be made publicly available?

Thirdly, when was the Health Secretary first made aware of concerns about Southern Health, and what action did he take at that time? What does he have to say to the relatives and friends of people who have unexpectedly died in the care of the trust and who, today, will be reliving their grief with a new anxiety?

The issue raises broader questions about the care of people with learning disabilities or mental health problems. Just because some individuals have less ability to communicate concerns about their care, that must never mean that any less attention is paid to their treatment or their death. That would be the ultimate abrogation of responsibility, and one which should shame us all.

The priority now must be to understand how this was allowed to happen, and to ensure this is put right so it can never happen again.

Mr Hunt: I agree with what the shadow Health Secretary says. She is absolutely right in both the tone of what she says, and in the seriousness with which she points to what has happened. It is important to say that this is only a draft report. To put the hon. Lady's mind at rest, I am completely satisfied that NHS England took this extremely seriously from the moment we understood that there was an issue about the tragic death of Connor Sparrowhawk. David Nicholson, the then chief executive of NHS England, and Jane Cummings, the chief nurse, met the family and ordered the independent investigation. It is a very thorough investigation.

As the hon. Lady will understand, when there is an investigation about something as serious as avoidable mortality, we have to give the trust the chance to correct any factual inaccuracies and challenge the methodologies. It has taken from September until now to get to the point in the process where the report is ready to be published. I have been assured by Jane Cummings this morning that it will be published before Christmas. We will not allow any further arguments about methodologies to stand in the way of the report being published before Christmas, as was always planned.

On the hon. Lady's very important question about whether services are safe at Southern Health, we have the expert view on that, because we set up a new chief inspector of hospitals and a new inspection regime. There was an inspection of Southern Health, and it got a "requires improvement". The inspectors were not saying that its services were as safe as they should be, but that its services, along with those of many other trusts in the NHS, needed to become safer. She was right to draw attention to some of the failings alluded to in the report.

The hon. Lady can draw comfort from the fact that this matter has been taken seriously. NHS England commissioned a report, which is, by all accounts, hard-hitting. I have been following the situation since we first understood the issues around Connor Sparrowhawk's tragic death, and so has NHS England. That is why we have a report that I think will lead to important changes.

The fundamental question on which we all need to reflect is why we do not have the right reporting culture in the NHS when it comes to unexpected deaths. We have to step back, be honest and say that there are reasons, good and bad, for that. People are extremely busy, and there is a huge amount of pressure on the frontline. People have an understandable desire to spend clinical time dealing with the patients who are standing in front of them, rather than going over medical notes and trying to understand something that went wrong. Sometimes, there will be prejudice and discrimination. The whole House will unite in saying that we must stamp that out. Sometimes, people do not speak out because they are worried that they will be fired or penalised. We have to move away from a blame culture in the NHS to a culture in which doctors and nurses are supported if they speak out, which too often is not the case.

The whole House will want to unite in supporting the leaders of the NHS who want to change that culture. It is unfinished business from Mid Staffordshire NHS Foundation Trust; it is important to get it right, and I know that the NHS is determined to do just that.

Dr Sarah Wollaston (Totnes) (Con): The allegations in the draft report about Southern Health are deeply disturbing, and I welcome the steps that the Secretary of State has announced. In particular, I am pleased that he will not treat this as an isolated incident. The key findings of the draft report show that in nearly two thirds of the investigations, there was no family involvement. Will he immediately send the message out to all trusts that it is vital to involve family members, particularly when we are talking about those who cannot speak for themselves?

Mr Hunt: I will do that, and I am very grateful to my hon. Friend for giving me the opportunity to do so. We see this situation all too often. There was a story in the Sunday newspapers about a family being shut out of a very important decision about the unexpected death of a baby. It is incredibly important to involve families, even more so in the case of people with mental health problems or learning disabilities. The family may be the best possible advocates for someone's needs.

We need to change the assumption that things will become more difficult if we involve families. More often than not, something like litigation will melt away if the family is involved properly from the outset of a problem. It is when families feel that the door is being slammed in their face that they think they have to resort to the courts, which is in no one's interests.

Dr Philippa Whitford (Central Ayrshire) (SNP): I echo what the Secretary of State said about family involvement, which should be routine in investigating an adverse event. It definitely takes the heat out of the situation.

There are two issues here. One is the shocking difference between 30% of adult deaths being investigated, and just 1% of deaths of people with learning disabilities, and Connor represents the human face of that, which is frightening. The second issue is about individual trusts being left to decide what and how much they investigate, and what they produce, because a much more systematic consideration of the data is required. NHS England publishes annual mortality figures. Strikingly, 16 trusts that were identified with higher than expected mortality levels also had higher than expected mortality the year before, yet it appears that no action was taken. The benchmark appears to be "average", but if we have poor performance, that average is lower. We should set our aspirations higher than that.

Mr Hunt: The hon. Lady is absolutely right. The 30% figure was for people with mental health conditions, not for all adults, but I question why we are investigating only 30%—the highest figure at Southern Health NHS Trust—of unexpected deaths. These were not just deaths; they were unexpected deaths, and it is the duty of medical directors in every trust to satisfy themselves that they have thought about every unexpected death. We must reflect on these serious matters.

The hon. Lady is right about the need to systematise processes when there is an unexpected death, so that we do not have a big variation between trusts. The exercise that Sir Bruce Keogh is doing, going around all the trusts, is about trying to establish a standardised way of understanding when a death is or is not preventable. The hon. Lady has been a practising clinician, so I am

[*Mr Jeremy Hunt*]

sure she will understand that at the heart of this issue is the need to get the culture right. Clinicians should not feel that a trust will take the easy route and blame it all on them, rather than trying to understand the system-wide problems that may have caused a clinician to make a mistake in an individual instance, and that is what we must think about.

Jeremy Lefroy (Stafford) (Con): Behind each statistic is a person and a family, and the Secretary of State is right to say that finger-pointing should not be directed at clinicians alone; it is more important to consider the whole system and the culture in a trust. Will he encourage all trusts, and all medical and nursing schools, to make the Francis report on Mid Staffordshire compulsory reading? There is so much in there that could prevent such occurrences in future.

Mr Hunt: No one knows more about the Francis report than my hon. Friend, because of the direct impact that it had on his local hospital, and he is right to talk about that culture change. There is an interesting comparison with the airline industry: when it investigates accidents, the vast majority of times, those investigations point to systemic failure. When the NHS investigates clinical accidents, the vast majority of times we point to individual failure. It is therefore not surprising that clinicians feel somewhat intimidated about speaking out. People become a doctor or nurse because they want to do the right thing for patients, and we must support them in making that possible.

Norman Lamb (North Norfolk) (LD): The coalition Government rightly established a public inquiry to look into the appalling care at Stafford hospital, and the Secretary of State has pointed to the challenge to the culture that the Francis report engendered following that scandal. Is this the moment to consider something similar for people with learning disabilities, or those with severe and enduring mental ill health, who too often continue to be treated as second-class citizens in our NHS? Sara Ryan, Connor Sparrowhawk's mother, has called for a public inquiry. Will the Secretary of State consider that? It seems that it is time to shine a light on what is going on.

Mr Hunt: I am happy to consider that. The right hon. Gentleman and I are completely on the same page on these issues. My only hesitation is that a public inquiry will take two, three or four years, and I want to ensure that we take action now. I hope I can reassure him and the House that by, for example, publishing Ofsted-style ratings for the quality of care for people with learning disabilities across every clinical commissioning group, we will shine a spotlight on poor care in the way that the Francis report tells us that we must. I do not see the treatment of people with learning difficulties as distinct from the broader lessons in the Francis report, but if we fail to make progress, I know that the right hon. Gentleman will come back to me, and rightly so.

Caroline Nokes (Romsey and Southampton North) (Con): Many of my constituents are service users of Southern Health, or the family members of service users. They are looking for reassurance from the Secretary of State that there will not simply be an immediate

intense spotlight but an ongoing one, so that they can have confidence that the scrutiny and oversight, particularly for young people with learning difficulties, will be ongoing.

Mr Hunt: I can absolutely give that assurance to my hon. Friend's constituents. I hope they will consider the tone of my earlier remarks and realise that we are not looking at this simply as an issue for Southern Health. Clearly, important changes must happen there and must happen quickly, and we will do everything we can to make sure that they happen. I also think, however, that there is a systemic issue in relation to the low reporting of avoidable and preventable deaths and harm, and the failure to develop a true learning culture in the NHS, which in the end is what doctors, nurses and patients all want and need.

Mr Ben Bradshaw (Exeter) (Lab): I thank the Secretary of State for his statement and congratulate NHS England on what sounds like a very thorough report. I remind him that challenging the methodology was exactly the same first line of defence used by the now disgraced management at Mid Staffs hospital. Will he answer the specific question my hon. Friend the Member for Lewisham East (Heidi Alexander) asked as to when Ministers first knew about problems in the trust, which we hear go back to 2011, and what action they took as a result?

Mr Hunt: I thank the right hon. Gentleman for his comments. I hope I did address that by saying that the first time was when we realised there were issues around the tragic death of Connor Sparrowhawk. That is what started the process and led to the independent investigation. Because NHS England wanted it to be very thorough, that investigation went right back to 2011 and up to 2015. It looked at all unexpected deaths in that period, and at the reporting culture and lessons that had or had not been learned as a result. A lot of action has been taken. I can also reassure the right hon. Gentleman that during that period we have been implementing the recommendations of the Francis report, which has meant that throughout the NHS there is a much greater focus on, and transparency in, patient safety.

It is important to give the NHS credit. During the past three years, we have actually seen a 25% increase in the number of reported incidents. I think people are treating this much more seriously than in the past, but there is much more to do.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I, too, welcome my right hon. Friend's statement and the news that he plans to accept the recommendations of this very sobering report. Will he reassure the House that anyone found to have been deliberately contributing to patient neglect or failing to investigate avoidable deaths will be held to account both by the professional regulators and the full weight of the law?

Mr Hunt: I can of course give my right hon. Friend that assurance, but there is a note of hesitation in my response. That is partly because professional standards, as my right hon. Friend knows, are not a matter for politicians—they have to be set independently by the General Medical Council and the Nursing and Midwifery Council—and partly because if we are going to improve the reporting culture, which in the end is what the report is about, we have to change the fear that many

doctors and nurses have that if they are open and transparent about mistakes they have made or seen, they will get dumped on. That is a real worry for many people. Part of this is about creating a supportive culture, so that when people take the brave decision to be open about something that has gone wrong they get the support that they deserve.

Mark Durkan (Foyle) (SDLP): As well as asking the Secretary of State how the learning on this very important issue will be shared with the devolved Administrations, may I ask whether all other trusts are being advised that they will now probably receive approaches from families—no doubt Members may be contacted in this regard, too—who have questions about their own experiences? Will he ensure that they will be sensitive to such approaches about possible historical cases?

Mr Hunt: I can give the hon. Gentleman that reassurance. Trusts understand that that is already happening and has been happening. All trusts will have families that have been in touch with them with concerns about potentially avoidable or preventable deaths. I hope that this will be a reminder to all trusts that they need to take those concerns very seriously indeed.

Dr Andrew Murrison (South West Wiltshire) (Con): The disparity in excess deaths between vulnerable groups at Southern Health is truly shocking, but of course responsibility for looking after the people in question spans health and social care. Is my right hon. Friend content that we have in place the informatics that will allow outliers to be identified, and therefore rectification to be under way? One assumes that that could easily be done by NHS England, but at the moment the informatics seem to be problematic in this respect.

Mr Hunt: My hon. Friend is absolutely right. That is why Professor Sir Bruce Keogh is developing a methodology to help us understand the number of avoidable deaths and the reporting culture at a trust level. We have a good methodology for understanding the number of avoidable deaths on a national level. The Hogan and Black analysis says that about 3.6% of deaths have a 50% or more chance of being avoidable. However, we will not get real local action until we localise it, and that is the next step.

Diana Johnson (Kingston upon Hull North) (Lab): Is the Secretary of State satisfied that families seeking truth and justice for their loved ones are having to rely on pro bono lawyers for advice and representation, and on crowdsourcing to get legal advice?

Mr Hunt: I am afraid that that probably does happen. We all, in all parts of the House, passionately believe in and support the NHS. It should never come down to lawyers. When there is a problem, we need a culture where the NHS is totally open and as keen as the families are themselves to understand what happened, whether it could be avoided, and what lessons can be learned. If nothing else, that is the big lesson that we need to make sure we act on as a result of today's leaked report.

Bob Blackman (Harrow East) (Con): It is clear from my right hon. Friend's statement that there is a cultural problem in Southern Health and across the NHS. Does he agree that far too often NHS management and

clinicians are far too defensive and end up arguing about the data rather than addressing the underlying causes, which would fix the problem in the first place?

Mr Hunt: My hon. Friend is right. It is quite heartbreaking that when these things happen we seem to end up having an argument about methodology and statistics, and whether it is this many thousand or that many thousand, rather than looking at the underlying causes. We have to ask ourselves why people feel that they need to be defensive in these situations. We have to recognise that everyone is human, but, uniquely, doctors are in a profession where when they make mistakes, as we all do in our own worlds, people sometimes die. The result of that should not automatically be to say that the doctor was clinically negligent. Ninety-nine times out of 100, we should deduce from the mistake what can be learned to avoid it happening in future. Of course, where there is gross negligence, due process should take its course, but that is only on a minority of occasions. That is where things have gone wrong.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Not many people are as grateful to the NHS as I am, having just returned to full health thanks to the intervention of the wonderful team at Guy's hospital, so any criticism I make of the NHS is in the generality. Many of us have known for a long time that there is a problem with access to full NHS treatment for people with learning difficulties. In particular, speaking as a member of the newly formed Autism Commission I can say that many people on the autism spectrum have poor communication skills and finish up with inadequate access to the health service. I do not particularly want a public inquiry; I want fast action to change the culture now. The Secretary of State is absolutely right about that.

Mr Hunt: I am delighted that the hon. Gentleman was looked after by Guy's and St Thomas's, where my mother was a nurse and where I was born, so I have connections to that trust as well. He is right about making sure that we get the culture right. It is about creating a more supportive environment for people who do a very, very tough job every day of the week. When we have a conversation along those lines with patients and with our constituents, they understand that as well. More than anything else, they want to know that lessons are going to be learned and acted on.

Mr Andrew Turner (Isle of Wight) (Con): Was it necessary to delay the report's publication for two or three months—a week or two I could understand—and will it now be published not in a fortnight's time, before Christmas, but next week, when we will be here?

Mr Hunt: I hope the report will be published next week. The commitment I have from NHS England is that it will be published before Christmas. I am confident that, whenever it is published, it will generate huge media interest, rightly so and partly thanks to the shadow Health Secretary's urgent question. When the draft report was sent to the trust, it came back with 300 individual items of concern, and it was right for NHS England, in the interests of accuracy and justice, to consider fully all those concerns. It has given me an assurance, however, that, whether or not it can reach an agreement with the trust about its contents, the report will be published before Christmas.

Mr Jim Cunningham (Coventry South) (Lab): What will the Secretary of State do about whistleblowers? As most Members know, we have had problems over the years with whistleblowing and people being victimised by the NHS after raising concerns.

Mr Hunt: Sir Robert Francis's report "Freedom To Speak Up", which I received and presented to Parliament just before the election, looked specifically at this issue and the difficult problems people face when they speak out about a problem in their trust. Sadly, on occasions, not only are they hounded out of that trust but they find it difficult to find a job anywhere else in the NHS, because word gets round on the old boys' network. I think, however, that if we need whistleblowing at all, we have failed. We need a culture where, when people raise concerns, they are confident they will be listened to. That is a big statement to make, but other industries have managed it, including the airline, nuclear and oil industries. I do not think any health care service in any other country has managed to get this right. Individual hospitals—Salford Royal in this country, Virginia Mason in Seattle—have fantastic learning cultures, but I want the NHS to be the first whole health economy to get that culture right.

Rehman Chishti (Gillingham and Rainham) (Con): I welcome the Secretary of State's answer to the urgent question. I speak as a Member with a hospital in special measures that had the seventh-highest mortality rate in the country in 2005-06. Does he agree that to address this problem we need tough CQC inspections, good local leadership—Medway hospital now has an excellent chief executive—and the right support from the Government?

Mr Hunt: My hon. Friend is absolutely right. It seems wrong to draw any crumbs of comfort from the awful things in the draft report, but we can draw some comfort from the fact that the NHS itself is commissioning hard-hitting reports that do not pull any punches—the new CQC inspection regime does exactly that. I commend all the staff at Medway hospital who have worked so hard to raise the standard of care over the last few years. I know it has not been easy for them.

Liz McInnes (Heywood and Middleton) (Lab): The Secretary of State has not yet mentioned the role of the medical examiner. Does this latest tragedy not illustrate that the introduction of a national system of medical examiners, as recommended by the Shipman, Mid Staffs and Morecambe Bay public inquiries and supported by the Royal College of Pathologists, is now long overdue?

Mr Hunt: I agree with the hon. Lady. It was also a recommendation of the Francis report that the coalition Government committed to implementing. We will tell the House shortly what our plans are on this front.

Mr David Nuttall (Bury North) (Con): People will be both saddened and dismayed that after Mid Staffs and the new CQC inspection regime such problems can still arise. Does the Secretary of State agree that, although there is no simple solution, the solution certainly does not lie in trusts adopting and relying on a tick-box approach to safety?

Mr Hunt: My hon. Friend is absolutely right. It is worth saying that the tragedy that sparked this report happened before the new CQC inspection regime had got under way. The old CQC regime was rather a tick-box approach, partly because the people doing the inspections were often not doctors who could make peer-review judgments about the quality of services. If someone is not a doctor, there is a tendency to want to tick yes or no in reply to a question rather than to deal with the underlying issues. Having judgment in our inspections will be a very important step forward.

Ruth Cadbury (Brentford and Isleworth) (Lab): This investigation would not have happened if it had not been for the tenacity and work of Sara Ryan, Connor Sparrowhawk's mother. Is it right that the family's legal representation was funded by crowdsourcing?

Mr Hunt: I think it is tragic when anyone has to resort to the courts to get justice. Sara Ryan is one of many who have had to go to huge out-of-pocket expenses to get justice and the truth with respect to their loved ones. Last week, I went to the launch of James Titcombe's book. He campaigned for years and years to get justice and the truth about the death of his son, Joshua. That is exactly what we have to change.

Mrs Flick Drummond (Portsmouth South) (Con): Will the Secretary of State confirm that the draft report also covers the Southern Health Foundation community-based mental health services for adults? That received a "good" in the CQC report published in February 2015. Is my right hon. Friend satisfied that the CQC report was rigorous enough?

Mr Hunt: I believe it does cover the mental health services for adults, but I will check and write to my hon. Friend. When the CQC does its inspections, it is important for it to inspect individual elements of what a trust does, and it gives different ratings to different parts. We need to recognise that even within one trust it is possible to have big variations in the quality of care. As I say, I will look further into this and write to my hon. Friend.

Peter Kyle (Hove) (Lab): The Secretary of State rightly mentions the fact that the culture needs to change so that people can be more uninhibited about talking about the problems they face within trusts and hospitals. May I remind him that the culture is set from the top? I therefore invite him to come to the Dispatch Box again and inform the families and the House when Ministers first knew that there were problems in this trust.

Mr Hunt: I think this is now the third time I have said it, but the answer is that Connor Sparrowhawk's tragic death happened in July 2013. Sara Ryan then campaigned bravely. As always on these occasions, it started with a local process where concerns were raised with the trust. The matter was escalated to NHS England in early 2014 when David Nicholson, the chief executive, and Jane Cummings, the chief nurse, got involved. Ministers were kept informed throughout, and that was the point at which Mazars—[*Interruption.*] I have just said that Ministers were kept informed of what NHS England was doing throughout, but that was the point at which the report by Mazars was commissioned. It is a very thorough report, and we will see it when it is published before Christmas.

Business of the House

11.13 am

Chris Bryant (Rhondda) (Lab): Will the Leader of the House give us the business for next week, please?

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

MONDAY 14 DECEMBER—Consideration in Committee and remaining stages of the European Union (Approvals) Bill [*Lords*], followed by debate on a European document relating to the relocation of migrants in need of international protection, followed by debate on European documents relating to the European agenda on migration.

TUESDAY 15 DECEMBER—Opposition day (13th allotted day). There will be a debate on climate change and flooding, followed by a debate on the Government's housing record. If necessary, consideration of Lords amendments.

WEDNESDAY 16 DECEMBER—Consideration in Committee of the Armed Forces Bill, followed by debate on a motion relating to the welfare cap, followed by motion to approve a money resolution relating to the Riot Compensation Bill, followed by, if necessary, consideration of Lords amendments.

THURSDAY 17 DECEMBER—Debate on a motion on protecting 16 and 17-year-olds from child sexual exploitation, followed by a debate on a motion on conception to age two, the first 1001 days. The subjects for these debates were determined by the Backbench Business Committee.

After that, we will break for the Christmas recess. The provisional business for the week commencing 4 January 2016 will include:

MONDAY 4 JANUARY—The House will not be sitting.

TUESDAY 5 JANUARY—Remaining stages of the Housing and Planning Bill (Day 1 of a two-day Report and Third Reading). It will be helpful if I remind colleagues that the House will sit at 2.30 pm that day, while Westminster Hall business will be scheduled between 9.30 am and 2.30 pm. Further details will appear on the Order Paper.

I should also like to inform the House that the business in Westminster Hall for 17 December will be:

THURSDAY 17 DECEMBER—Debate on a new tobacco control strategy.

Next week there will be a statement on the outcome of the climate talks in Paris, a statement on local government finance, and—as I promised during business questions a couple of weeks ago—a statement updating the House on the situation in Syria.

Chris Bryant (Rhondda) (Lab): Happy Hanukkah, Mr Speaker.

Tuesday of this week saw the 50th anniversary of the entry into force of the Race Relations Act 1965. It was by no means perfect, but that was the first time a Government—and it was, of course, a Labour Government—had attempted to tackle racism in this country. The Bill was passed by a majority of only 261 votes to 249, because all the Conservatives voted against it.

I remember very clearly that, when I was a curate in High Wycombe, one of our churchwardens, the wonderful Ellie Hector, used to talk to me about how shocked she

and her family had been by the racism they experienced when they arrived in this country from St Vincent in the 1950s—and it was not just the “No blacks, no Irish, no dogs” signs. She said, “We had been taught at Sunday school in St Vincent, by English Sunday school teachers, that we were all created equal, but in England, even in church, people used to move to another pew just because they had found themselves sitting next to someone who was black.” Well, thank God, Labour legislation helped to change things in this country.

Talking of which, I am delighted that the House is to debate international human rights day this afternoon. It commemorates another Labour Government achievement, the European convention on human rights, to which this country was a signatory in the 1940s, and which we followed up with the Human Rights Act 1998. We will fight to defend that, because we are proud of our Labour legacy.

The Tories, however, seem intent on abolishing every vestige of the Grayling legacy. I predicted that the new Justice Secretary would get rid of the ludicrous courts charges, and lo, it hath come to pass. The prisoners' book ban, the Saudi execution centres, the “secure college”—all scrapped. So terribly sad! Now the Information Commissioner has described the view of the Leader of the House on freedom of information as a return to “the dark ages”. I know that I am in danger of becoming the love child of Russell Grant and Mystic Meg, but I hereby predict yet another U-turn. Would it not be better if the Leader of the House did his own U-turn this time, rather than allowing the Justice Secretary to do it for him?

The petition requesting the banning of Donald Trump from entry to the United Kingdom now has more than 400,000 signatures, which means that we will end up having a debate about it in the House. Indeed, there are so many signatures that the website has actually crashed. I am sure that every single one of us in the House would want to say to that man, “You are a nasty, mendacious bigot, and your racist views are dangerous.” The obvious answer in the United States is simply “Vote Hillary”—I should inform the *Hansard* reporters that that is spelt with two Ls—but just in case Mr Trump gets on to a plane bound for the United Kingdom, I have a solution. I think that the Home Secretary should steam down to Heathrow, or whichever airport it may be. I think that she should position herself on the tarmac, dressed in one of her Gloria Gaynor outfits, and tell him “Just turn around now, 'cause you're not welcome any more.”

The Leader of the House announced that the Committee stage of the Armed Forces Bill would be debated on Wednesday. May I urge the Government to consider new clause 6, which would require the Government to institute a review of compensation for former members of the armed forces who suffer from mesothelioma? It is surely a scandal that members of our armed forces are given only a small proportion of the support that is available to civilians with exactly the same condition. Mesothelioma is a hideous disease, and most sufferers die within a few months of contracting it. Surely we, as a country, can do better than this.

We would think that in Advent the Government would want to do everything to ensure that everybody has a stable home—not a home in a stable—but on the very last day of the Committee stage of the Housing and Planning Bill the Government have tabled a niggardly

[Chris Bryant]

little amendment that is aimed at forcing people out of their council home after just two or five years. Is that really the Tory Christmas message? Do they not understand that home is where the heart is? So can the Leader guarantee that at the final stages of the Bill we will have two days for Report, legislative consent and Third Reading?

May we also have a debate on the sanctions regime affecting benefit claimants? If a claimant arrives even a minute late for an appointment or an interview, he or she will be sanctioned, often as much as three months' benefits. But this week the Work and Pensions Secretary turned up fully 15 minutes late for an interview himself, and the latest figures suggest that his great universal credit scheme, which was meant to have been rolled out to 7 million people by now, has reached only 141,000. At this rate he will not be a few minutes late; he will be six generations late, as it is going to take 150 years to get there. Surely he should practise what he preaches: should he not be sanctioned and have three months' salary docked from his ministerial pay?

We know the Government are determined to sneak as many changes in through the back door using secondary legislation as possible. That is why we want an oral statement before Christmas on Lord Strathclyde's report on the powers of the House of Lords, but the latest piece of skulduggery is the Education (Student Support) (Amendment) Regulations 2015, which will scrap maintenance grants for the poorest students. The Institute for Fiscal Studies warns that this means that students from the poorest backgrounds will leave university with substantially higher debts than their better-off peers. Surely that is wrong. Because of the way the Government are doing this, there is no guarantee we would even have a debate on this drastic measure, so will the Leader agree to early-day motion 829 and grant us a debate as soon as possible?

[That an humble Address be presented to Her Majesty, praying that the Education (Student Support) (Amendment) Regulations 2015 (S.I., 2015, No. 1951), dated 29 November 2015, a copy of which was laid before this House on 2 December 2015, be annulled.]

We also want an oral statement on airport capacity. To be honest, we would prefer a decision, as would the whole of British business, but as the Government are still in a holding pattern some 30,000 feet above Richmond Park, we will make do with a statement. Will the Leader of the House guarantee, however, that there is not going to be some press conference in which the non-decision is announced, and that the announcement will be made in this House first?

I was ordained a deacon 29 years ago on Monday, so I hope you, Mr Speaker, will allow me to revert to type for a brief moment. I hereby publish the banns of marriage between Luke James Sullivan, of this parish, the Opposition Chief Whip's political adviser, and Gemma Louise Stocks of the parish of Ashington, at St Maurice's church in Ellingham in Northumberland this Saturday. If any of you know any reason in law why they may not marry each other, you are to declare it. Speak now or forever hold your peace. We wish them well.

Chris Grayling: At least we know that if unfortunate circumstances arise in the Rhondda the hon. Gentleman can return to his old career in the Church.

May I start by congratulating the hon. Gentleman on his award by ITV Wales as MP of the year? I give him my warm congratulations—and I am sure the award will be very well received on his own party's Benches. May I also say to Members on both sides that I hope everyone is aware of the call for evidence from the restoration and renewal Committee? It has been circulated to all Members, and a number of informal discussions and drop-in sessions will of course be held while the Joint Committee does its work. I know that the shadow Leader is doing that work with Members on the Opposition Benches, and I am doing so with Members on the Government Benches. The call for evidence is designed to invite responses from any Member who has an interest in these matters, and I encourage everyone to take part.

On the comments made by Donald Trump, let me make two things clear. First, I believe the Muslim community in this country is a valuable part of our community and that it is made up of decent, hard-working, law-abiding citizens who have nothing to do with a tiny extremist sect within the Islamic world that is threatening deeply unpleasant things not only to the people of this country but to Muslims in the middle east as well. I utterly reject any suggestion that our Muslim community is to blame for the terrorist threat the world faces. But I also say in relation to Donald Trump that I believe it is better to deal with this in a democratic debate, and for us to reject those views absolutely and to make it clear to everyone that such views have no place in a modern society.

On mesothelioma, I will take a look at the issue the hon. Gentleman raises; I have every sympathy with the view that it is a dreadful disease and I will take a look at that point.

On the Housing and Planning Bill, I am not sure that he was listening to my statement, because I announced the first of two days of debate for its Report stage and Third Reading. He will therefore have plenty of time to debate these matters.

The hon. Gentleman talked about being late for Department for Work and Pensions matters, but I noted last week that the Leader of the Opposition was late for the wind-ups in the Syria debate—perhaps the most important debate of this autumn session. After the shadow Foreign Secretary had started his speech it was a good five minutes before the Leader of the Opposition shuffled in, so I do not think I would talk about lateness if I was on the hon. Gentleman's side of the House.

On student finance regulations, the hon. Gentleman is well aware that if he wants a debate on a regulation in this House, all he has to do is pray against it. I am not aware of any recent precedent where a prayer made by the Leader of the Opposition and his shadow Cabinet colleagues has not led to a debate in this House. The hon. Gentleman will be well aware that that is a simple process.

On airports, I am sure that when a decision has been taken—it has not been at this moment in time—I will discuss with my colleagues how we can bring the right information to this House.

I have a couple of other points to make. I echo the words to the happy couple; we wish them well for this weekend.

Let me finish by talking about the justice system. I am very proud of what this Government have done on the rehabilitation of offenders. My right hon. and learned

Friend the Member for Rushcliffe (Mr Clarke) started the work and I continued it, as the Lord Chancellor is doing. Today, if someone goes to jail for less than 12 months, they receive 12 months' support after they have left. Under the Labour party, people were released with £46 in their pocket and left to walk the streets without necessarily having anywhere to go, and with no support and no guidance—no nothing. I will therefore take no lessons from the shadow Leader of the House about legacies in the justice system—I am very proud of mine. He talks about the ludicrous criminal courts charge, but I just remind him that he voted for it.

Mr Speaker: I am delighted to join in the congratulations to Luke and Jemma. We hope they have a wonderful day at the weekend and a great life thereafter.

Bob Blackman (Harrow East) (Con): Happy Hanukkah, Mr Speaker. The Chairman of the Backbench Business Committee has been called away on urgent constituency business and he asked me to explain what has happened with the business for next Thursday. The Committee advertised the normal pre-recess Adjournment debate, but by the close of business on Monday only five Members had requested to speak in it, so on Tuesday the Committee took the decision of allocating the debating time to two items that have more than 30 Members wishing to speak on them. I trust that Members will understand the rationale for the decision making.

I now come to the issue I want to raise. This week, Harrow council has announced that it is going to slash public health funding by 60% over the next three years. That short-sighted decision will mean that programmes on smoking cessation, tackling obesity, diabetes, sexually transmitted diseases and other aspects of public health will go awry. Clearly, other councils may be deciding to take a similar approach. When this money was allocated to councils I warned of a risk if it was not properly ring-fenced. May we therefore have a debate in Government time on the important issues of public health, because in the long term addressing this will cost the NHS millions?

Chris Grayling: First, I thank my hon. Friend for explaining the reasons for the debate structure next Thursday. I was slightly disappointed that we are not having a standard Adjournment debate, as I know one or two other Members are. We should take this opportunity to send a message across the House to say that to ensure that this debate does happen in its usual form before future recesses, Members need to put in a request to make sure that there is demand; otherwise we end up with the kind of debate that he described.

My hon. Friend makes an important point about public health. It is often a false economy to economise on public health, but as a senior member of the Backbench Business Committee he is very well placed to secure such a debate on a topic that he rightly says is very important.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing next week's business.

More than 400,000 people have now signed a petition to ban Donald Trump from entering the UK, following his appalling and outrageous comments about banning people of the Muslim faith from entering the United

States. In Scotland, we have already stopped him being one of our GlobalScots and stripped him of his honorary degree from Robert Gordon University in Aberdeen. I hope that the Leader of the House will find some leadership and convey the strong sense and feeling that exists in the whole country. Why not bring this e-Petition to the Floor of the House in Government time so that all the issues can be properly debated? Such is the sense of outrage throughout this country that the public expect us to do that.

I note from the business statement that we have two days for the Housing and Planning Bill. We could not have two days for a debate on Syria, yet we have two days for what is considered to be English-only business in the House. I do not know how the two issues can be conflated. Surely we should have two days to discuss Syria. I am glad that the Leader of the House has announced that there will be a statement on Syria before the House rises for Christmas. I hope that the Prime Minister will make it, because we must hear from him about the efficacy of United Kingdom action thus far. A number of us have great concerns about what is happening in Syria. I am talking about not just the difference that our four or six planes make on the ground, but the targets that are being selected. I have questions about how 12 countries, which have been bombing Syria and having difficulty in identifying targets, could neglect a big oilfield in the desert until the UK got involved. We need to hear from the Prime Minister about action thus far.

The Leader of the House likes his anniversaries, so I am pretty surprised that he did not mention the fact that the Prime Minister has led the Conservative party for 10 years—and what a legacy thus far. The “Scandal of Hunger” report from the all-party group on hunger speaks of “armies” of people going hungry in the UK, with the Chair of the Work and Pensions Committee talking about children going for days without a meal. Is there not something wrong in the reign of Dave when we can spend obscene amounts of money on weapons of mass destruction, and find money at the drop of a hat for ill-conceived military action, yet leave children to go hungry in every constituency in the United Kingdom?

We are also surprised that there was no mention of the Strathclyde report on the House of Lords, because that was supposed to be here before Christmas. I am sure that the whole House is interested to hear how this Government intend to deal with these recalcitrant be-ermined tribunes of the People, though I think it is a bit of a foregone conclusion that they fully intend to cook the ermine goose. Given that the Lords like to dress up like some ill designed Santa Claus, is this not the time of the year that we think of the peer?

Chris Grayling: The hon. Gentleman never loses his abilities as a natural performer. I gently remind him that Lord Strathclyde said that he hoped to complete his work before Christmas. I hope that that continues to be the case. It is my intention to update the House as soon as I can.

The hon. Gentleman talked about the remarks of Donald Trump. I can reiterate only that I wholeheartedly disapprove of what he said—frankly, it was nonsense—and I am aware of the petition that is growing in size. Of course it is not for me to decide how to handle a petition; we now have a Petitions Committee. It is right

[Chris Grayling]

and proper that it is the House that decides what matters should be brought for debate through the mechanism of the Petitions Committee. Doubtless, he will make his representations to the members of that Committee.

I have a slight sense that the hon. Gentleman is trying to reopen the debate on Syria. Let me remind him that the House debated the matter for eleven and a half hours, as part of 20 hours of debate and questions over a nine-day period. The debate showed the House at its best. We heard some really fantastic, thoughtful and well-articulated speeches that set out both sides of the argument. We heard some insightful comments from the Scottish National party. We had a magnificent speech from the shadow Foreign Secretary and some really thoughtful speeches from those on the Conservative Benches. The House voted and decided overwhelmingly to extend the action from Iraq to Syria, and we will update the House when it is appropriate.

The hon. Gentleman will also recognise the need to update the House on two other important areas: the humanitarian work and the peace process, which will hopefully deliver a lasting political solution to Syria. We will keep the House updated on all those factors, and we will have a full update before the Christmas recess begins.

The hon. Gentleman talked about food banks and hunger. I simply remind him that, under this Government, unemployment has fallen sharply. Crucially, the number of children growing up in workless households has fallen by hundreds of thousands. That will make a transformational difference to many of the most deprived communities in this country.

The hon. Gentleman said that I should perhaps have drawn attention to the Prime Minister's 10th anniversary as leader of the Conservative party, but he was in the Chamber during questions last week and he must remember that I did it then.

Sir David Amess (Southend West) (Con): In the light of the foolish and mean-spirited decision to end the tradition of the Christmas Adjournment debate, which allows between 15 and 20 Members to raise matters of a general nature, will the Leader of the House consider in future setting Government time aside for the debate and view it as a Christmas present to the House?

Chris Grayling: One of the disappointments about the Backbench Business Committee's decision is that the House will not have the opportunity to hear my hon. Friend's customary magnificent, insightful and thoughtful speech in the Adjournment debate before the start of the recess—a tradition that neither I nor the House would wish to lose. It is very much my hope that the Backbench Business Committee, swamped with requests for a debate ahead of the next recess, will be able to continue this important tradition of the House in future.

Anna Turley (Redcar) (Lab/Co-op): On 17 October, the Government held a steel summit in Rotherham. The outcome was that the Government committed to having three working groups that would report before Christmas. Obviously, we have one more week to go. I would be delighted to have a commitment from the Leader of the

House or the Minister for Small Business, Industry and Enterprise that they will report back to the House either verbally or in written form on the outcome of those three working groups.

Chris Grayling: It is coincidental that the Minister concerned is sitting next to me at this moment and from a sedentary position she says, "We will". I can give the hon. Lady that assurance.

Oliver Colville (Plymouth, Sutton and Devonport) (Con): As my right hon. Friend knows, for some while now I have been campaigning for the decriminalisation of prescription errors made by community pharmacies. Before the election, the all-party group on pharmacy was told that the Government would publish proposed legislation by the end of the year, but I now understand that that is unlikely before the spring. May we have a statement from the Department of Health on this very frustrating delay?

Chris Grayling: I know how assiduously my hon. Friend has pursued this matter, as he has a number of other important issues. I am aware that the Department of Health is moving ahead as rapidly as possible and intends to introduce changes at an early date. The Health Secretary will be back in this House on the day that we return in January and I advise my hon. Friend to take advantage of that opportunity to ensure that that momentum continues apace.

Mary Glendon (North Tyneside) (Lab): In my constituency, the award-winning company SMD risks losing an order for Russia worth £80 million because it cannot get an export licence under Government trade sanctions. Without that order, there will be large job losses. This week, the company's redundancy consultation group delivered a letter to Downing Street seeking intervention from the Prime Minister as there is a distinct possibility that the problem could be overcome with Government support. Will the Leader of the House urge the Prime Minister to give the letter serious and urgent attention?

Chris Grayling: Of course this is an important issue. We always want to ensure that we take advantage of international business opportunities where possible. I will ensure that the Prime Minister is aware of the hon. Lady's concern and, of course, the Minister who is coincidentally sitting alongside me is aware of the situation and is up for having a discussion with the hon. Lady about it.

Andrew Percy (Brigg and Goole) (Con): Loneliness remains the biggest killer of elderly people and Christmas is a reminder of that. May we have a debate at some point about a strategy to tackle loneliness among older people? Will the Leader of the House also take this opportunity to pay tribute to Community Christmas, the excellent charity doing everything it can this Christmas at events such as that at the Forge in Scunthorpe to ensure that older people will not be on their own this Christmas?

Chris Grayling: My hon. Friend makes an important point. I commend Community Christmas for the work he describes, and charities around the country will be doing such work this Christmas. I would send a message to everyone in this country with a lone neighbour who

might spend part of this Christmas alone: it is not a big hassle to invite them round for a drink sometime over the Christmas period. I hope that everybody will think of doing that.

Derek Twigg (Halton) (Lab): In view of the appalling news today that NHS discharge delays have hit record levels and that the NHS has missed various targets, including its key cancer target, may we have an urgent debate or an urgent statement from the Secretary of State for Health on the Government's failure to manage the NHS properly and their totally inadequate response in the comprehensive spending review?

Chris Grayling: I reject what the hon. Gentleman says. The NHS is doing a very good job in challenging circumstances, facing rising demand and increased treatment opportunities. We continue to increase the money available to the national health service to deliver those treatments to patients. It is interesting that although we have made that commitment, we have heard no such commitment from Labour, and in Wales, where Labour is in control of the national health service, we see things going backwards.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): It is about time we had a debate on the unsuitability of the opaque and arcane hybrid Bill process in this House, of which HS2 is currently the subject. I have been contacted by many of my constituents who, in good faith and for the first time, are petitioning against the new proposals put forward by the Government in additional provision 4. Instead of those petitions being heard, 75% of those petitioning on the Chilterns have had their locus standi challenged by HS2 and must defend their right to give evidence to the HS2 Committee or lose their right to petition. They will just not be heard. This shows that the hybrid Bill process is complicated, inequitable and frustrating, not only for Parliament and the Members who have been sitting on the Committee for 18 months, but for the very people whose lives are impacted by this horrible project. Can we not, in 2015, find a less cruel and more easily understandable process?

Chris Grayling: I know that my right hon. Friend has been an assiduous representative of her constituency over what I know has been a difficult issue for her and her constituents locally, and I commend her for the work she has done and is doing. She makes an important point about the complexity of the hybrid Bill process. The Procedure Committee or the Public Administration and Constitutional Affairs Committee—I see my hon. Friend the Member for Harwich and North Essex (Mr Jenkin), who chairs the latter, returning to the Chamber—might look at this. It is an interesting point about the use of hybrid Bills and how they work, and my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) may like to talk to our hon. Friend the Member for Harwich and North Essex about examining that in his Committee.

Mr Speaker: It is very useful that when a celebrated denizen of the House is referred to, he is just about still in the Chamber.

Jo Stevens (Cardiff Central) (Lab): Many Members will have seen a report in *The Guardian* today about the exploitative work practices in Sports Direct, which include

paying less than the national minimum wage and daily body searches of employees, down to the outside of their underwear. May we have a debate, please, in Government time on exploitative work practices and on the failure of national minimum wage enforcement?

Chris Grayling: First, it is illegal to pay less than the minimum wage, so where there is prima facie evidence of that it should be brought to the attention of the relevant authorities. The Secretary of State for Business, Innovation and Skills will be here on Tuesday for questions and the hon. Lady might like to raise the matter with him.

Henry Smith (Crawley) (Con): I congratulate my right hon. Friend the Prime Minister on raising, during his visit to Iceland at the end of October, the unacceptability of that country carrying out commercial whaling. May we have a debate to put further pressure on those fortunately few countries that still carry on that outdated and cruel practice?

Chris Grayling: My hon. Friend makes an important point. Those of us who believe in conservation deplore whaling where it takes place. Whales are magnificent creatures. It would be a tragedy if any species of whale were to become extinct. I do not support the hunting of whales and the Prime Minister was right to raise the issue in Iceland. This area of conservation, like many others, should be brought before the House regularly. I hope my hon. Friend will use the various avenues available—perhaps through the Backbench Business Committee—to make sure that this and other conservation issues are continually on the agenda of this House.

Chris Stephens (Glasgow South West) (SNP): The Leader of the House will recall that on 29 October I raised the issue of the abolition of the Commonwealth War Graves Commission pension scheme and the concerns that many hon. Members have. Despite his assurances, we have heard nothing since from the Government. Will the Government make a statement and inform Members what discussions and decisions have been made on the matter?

Chris Grayling: I always seek to follow up issues raised with Departments. If we have not had a response, I will make sure I chase up again today and get a proper response for the hon. Gentleman.

Tim Loughton (East Worthing and Shoreham) (Con): Last week the hon. Member for Worsley and Eccles South (Barbara Keeley) led a very well-supported debate in Westminster Hall on the disproportionate effect of changes to the pension age on women born in the 1950s. My podcast on the subject has now been viewed more than 130,000 times, so it appears that this affects a great many more constituents than was envisaged—I urge them to write to their own MP, rather than to me. Given that yesterday the former Pensions Minister, Steve Webb, said that the Government had not been properly briefed and got the decision wrong, will my right hon. Friend urge our right hon. Friend the Secretary of State for Work and Pensions to come to the House to explain the processes behind this and explore what transitional measures might now be taken?

Chris Grayling: This issue has been raised in recent months by Members on both sides of the House, including at business questions. I commend my hon. Friend for the popularity of his podcast; he clearly has a wide influence in these matters. I will ensure that his concerns are drawn to the attention of the Secretary of State, who I am sure will wish to address them when he is next in the Chamber. These are difficult decisions, of course. As life expectancy in this country rises, which is a good thing, that brings particular pressures on the public purse and challenges that we and previous Governments have had to face.

Several hon. Members *rose*—

Mr Speaker: Order. We are short of time, so we need short questions and short answers, please.

Tom Brake (Carshalton and Wallington) (LD): Will the Leader of the House ensure that it is made clear in this afternoon's debate on the transatlantic trade and investment partnership that: first, TTIP does not present a threat to public services and, if it does, the Government will block it; and secondly, the Government will push for an investor-state dispute settlement to guarantee that Governments will not be sued as a result of policy changes and, if it does not include that, the Government will block it?

Chris Grayling: The right hon. Gentleman has put his concerns on the record, and they will have been heard by the Minister sitting next to me, my right hon. Friend the Member for Broxtowe (Anna Soubry). He is of course welcome to stay for the debate. He is right that there has been a huge amount of inappropriate scaremongering about TTIP; it is being used by left-wing pressure groups as a vehicle to make an anti-Government campaign more widespread. It is about time those groups acted more responsibly and stopped telling people things that are simply not true.

Mark Pawsey (Rugby) (Con): My constituents in Brownsover saw their GP surgery close on 17 April this year, so many must now make a bus journey to see the doctor. NHS England is in the process of arranging for a new surgery to be developed, but the project has been beset by delays and there is no clear indication of when it might be delivered. Many residents in that part of the constituency have acute health needs. May we have a debate on what can be done to get my constituents the service they deserve?

Chris Grayling: No area can afford to do without GP services for any length of time, particularly in winter. My hon. Friend has made an important point that I suspect will be noticed by those in the health service—they tend to be when they are raised in the House—but the Secretary of State for Health will be here on the first day after the Christmas recess, so I suggest that my hon. Friend raises the matter then if things have not moved forward.

Mr David Winnick (Walsall North) (Lab): If there was to be a debate on that deeply bigoted man Trump, would it not be useful to make two points: first, in this country we have legislation against inciting racial hatred, which is a very effective law that I certainly hope will remain; and secondly, and most importantly in many respects, we have effective gun control, which I do not think would do any harm in the United States?

Chris Grayling: It is unusual for me to find myself in complete agreement with the hon. Gentleman, but I am absolutely with him on that. My only concern is that I do not think we should give those remarks the oxygen of publicity, because that helps rather than hinders. The remarks were unacceptable and, in my view, unrelated to the real world. We have a Muslim community in this country who deplore what is happening internationally and play a really important role in our society and economy, and we should value them for what they do.

Mr Nigel Evans (Ribble Valley) (Con): Christmas is coming, and so is a statement on airport expansion in London, apparently. I heard the Secretary of State for Transport say today that he has not yet made a decision, but Radio 4 has been spreading a wicked rumour that he is about to fudge that decision. Will the Leader of the House please remind the Secretary of State, before he makes the decision, that too much fudge is bad for you?

Chris Grayling: I am sure that the Secretary of State has noted my hon. Friend's comments. What I can tell him is that no decision has yet been taken—there is plenty of speculation about it in the media—on how to respond to the Airports Commission's report. Of course, if such a decision is taken, it will be right and proper to have a statement to this House.

Kevin Barron (Rother Valley) (Lab): I had the opportunity to meet members of the Heathrow workforce in Committee Room 11 yesterday afternoon. They told us that implementing the Davies commission's recommendation would benefit not just them but the British economy. I read this morning that the Prime Minister is going to announce today that the decision is going to be delayed for six months. Are the Government more concerned about the outcome of the mayoral election than the benefit to the British economy?

Chris Grayling: I can only say to the right hon. Gentleman that he is just going to have to wait for a decision to be taken. Despite what has been said in the media, I say to the House again that no decision has been taken on how to respond to that report. When it is, we will respond to the House appropriately.

Mr David Nuttall (Bury North) (Con): It is now one year since the report by the nuisance calls and texts taskforce, led by Which?, was issued. May we please have a statement on what progress has been made in implementing its recommendations and what remains to be done?

Chris Grayling: My hon. Friend makes an important point. I will make sure that his concerns are passed on to the relevant Minister and I will seek to get a letter to him, to update him on what is happening.

Albert Owen (Ynys Môn) (Lab): Last week during the Syria debate I asked both the Prime Minister and the Foreign Secretary an important question regarding collision warning systems and whether the RAF planes flying over Iraq and Syria were equipped with the latest technology. I got no answer. Therefore, may we have a statement or, indeed, a debate on that very important issue, because our air people deserve the best kit possible so that they can fight in our interest?

Chris Grayling: To reiterate, I committed two weeks ago to having an updated statement on Syria before Christmas. There will be such a statement next week and the hon. Gentleman will have the opportunity to raise that specific question again.

Rehman Chishti (Gillingham and Rainham) (Con): Councillor Gloria Opara on Medway Council, who was born in Nigeria, has raised with me the threat that Boko Haram poses to people in Nigeria. May we have an urgent statement on what the Government, along with the international community, are doing to address the terrorist threat in Nigeria and what we are doing to assist the 10.5 million children not in education who are susceptible to radicalisation in that country?

Chris Grayling: My hon. Friend makes an important point. Of course, we have been actively engaged in discussions with the Nigerian Government about how we can help them in the struggle against Boko Haram, a deeply unpleasant group that has committed some serious atrocities. In particular, it has committed some appalling atrocities against the Christian community in Nigeria. We should do everything we can to help the Nigerian Government resist what is a very unpleasant movement.

Simon Danczuk (Rochdale) (Lab): South Street nursery in my constituency, which has been rated outstanding by Ofsted for the past nine years, could face closure by Rochdale Council because of massive cuts to its budget by this Conservative Government. Should we not have a debate on how this Government are adversely impacting on childcare provision?

Chris Grayling: The best councils around the country have adapted well to a more challenging financial environment and are continuing to deliver and support high-quality services. I cannot comment on the effectiveness of Rochdale Council; suffice it to say that many other councils have managed to do things differently without that kind of cut. There will be a statement on local government finance between now and the Christmas recess, and the hon. Gentleman will have a chance to raise those concerns with the Secretary of State.

Jeremy Lefroy (Stafford) (Con): The spouse of a constituent of mine lives, together with their child, in a part of the world that I will not name but that is very affected by extreme terrorism at the moment, yet she has been denied a visitor's visa to come and visit her husband with her child in this country. May we have an urgent debate on the denial of visas to family members in such situations?

Chris Grayling: It is always difficult to comment on an individual situation, because I do not know enough about the circumstances. My hon. Friend makes an important point on behalf of his constituent. I am sure the Home Office will look as carefully as it can at the application, but it has to take difficult decisions sometimes. Without knowledge of the circumstances, it is very difficult for me to say whether this is a matter that has been got right or wrong.

Diana Johnson (Kingston upon Hull North) (Lab): Twenty MPs from six parties in this House wrote to the Chancellor before the comprehensive spending review, seeking further resources for those affected by contaminated blood. We have not had a response to that letter. In the

meeting that we had with the public health Minister, the hon. Member for Battersea (Jane Ellison), she promised that a statement about the consultation on the resources available would be made to this House before the recess. Can the Leader of the House assure me that there will be an oral statement to this House before we finish next Thursday?

Chris Grayling: Several Departments have made commitments to update the House on a variety of matters before the Christmas recess. I simply give an assurance that every Department is working hard to ensure that it fulfils such commitments.

Liz McInnes (Heywood and Middleton) (Lab): I reiterate the question asked by my hon. Friend the Member for Cardiff Central (Jo Stevens). Sports Direct has 450 stores nationwide and should be an exemplar as an employer. May we have an urgent debate on how the closure of Her Majesty's Revenue and Customs offices will help us to enforce the national minimum wage?

Chris Grayling: The changes in the HMRC structure are simply because, as more and more of its work is done online and more and more of us deal with our tax affairs electronically, maintaining a network of 170 offices does not make sense. We have decided to rationalise the structure to one with more specialist centres, which will enhance, rather than detract from, what HMRC does.

Callum McCaig (Aberdeen South) (SNP): The decision to remove £1 billion from the carbon capture and storage competition is the latest kick in the teeth for the green and low carbon technology sectors. I have asked the Secretary of State for Energy and Climate Change several questions to which she claims she does not yet know the answers. May we have a debate or a statement from the Secretary of State so that we can tease out why this disastrous decision was made?

Chris Grayling: I know that the hon. Gentleman has already raised this issue. I am not embarrassed by our record on renewables. During the last quarter—over the summer—more than 25% of our energy generation came from renewables, which is a step change from where we were previously. This Government and their predecessor, the coalition Government, have moved to develop renewable energy in this country, but we do not have unlimited funds and we must use those funds carefully. The Secretary of State has taken the decision not to move away from carbon capture for the long term, but to have a mix of energy generation. The mix that she set out in her statement in this House two weeks ago is the right one. She will be back in the House on 7 January, when the hon. Gentleman will again have a chance to ask her about his concerns.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Fewer than 10% of people in this country any longer make anything, but the vibrancy and health of manufacturing are crucial to the future of our country. Tonight, there will be a celebration of manufacturing on the terrace, hosted by the Engineering Employers Federation. I know that we will be able to talk a bit about this in the TTIP debate, but may we have a debate soon about the importance of manufacturing and how we can support that sector in our country?

Chris Grayling: I absolutely agree with the hon. Gentleman about the importance of manufacturing. I wish him well with his event this evening. He could certainly bring to the attention of the Backbench Business Committee the need for a general debate on the importance of manufacturing. However, I gently remind him as a Labour Member of Parliament—this is more directed at his Front Benchers than at him—of the popular myth in this country that manufacturing fell sharply as a proportion of our national income under Conservative Governments in the 1980s. In fact, that proportion barely changed at all in the 1980s, but under Tony Blair and Gordon Brown it almost halved.

Peter Grant (Glenrothes) (SNP): Last Tuesday, when the Leader of the House announced the arrangements for the Syria debate, he told us that he was not aware of any “specific reason” why the Prime Minister could not be in the Chamber on Thursday to allow us to have a second day of debate. Is the Leader of the House now in a position to tell us where the Prime Minister was last Thursday, and is it standard practice for him to be kept in the dark about his Cabinet colleagues’ commitments?

Chris Grayling: Surprisingly enough, I do not watch every inch of the Prime Minister’s diary. What I told the House then, and I say again today, is that if a matter is sufficiently important for the Prime Minister to be in the House, he will be in the House. It was important for him to be in the House, and he was here last Wednesday to lead the debate, which lasted for 11 and a half hours. I think that showed this House at its best: it was the right way to do things.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): My constituents Mr and Mrs Peacock are registered with the Telephone Preference Service. However, a company called Real Time Claims continuously harasses them over the phone, and has even cited the Data Protection Act 1998 as a defence for constantly harassing them. To echo the comments made by the hon. Member for Bury North (Mr Nuttall), may I ask for a statement in the House about last year’s report on nuisance calls and texts?

Chris Grayling: This is clearly a matter of concern to Members on both sides of the House. I would say to both my hon. Friend the Member for Bury North (Mr Nuttall) and the hon. Gentleman that I will talk to the relevant Department and get them a response, before the Christmas recess, about what is happening on that front. He has performed an important service by raising the matter in the House today. I encourage him to talk to the data protection regulators about any individual business that is misbehaving. There are mechanisms to deal with that, and they should be used.

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is worth reflecting on the comments of the previous Pensions Minister yesterday, who said:

“we made a bad decision”

on the increases in the state pension age. I think that Mr Webb is right and that hundreds of thousands of potential pensioners in this country will be discriminated against. Will the Leader of the House call an urgent debate on this matter, and will the Government reflect on the mistakes that they have made on pension provision in this country?

Chris Grayling: There are plenty of avenues that would allow the hon. Gentleman to call such a debate, such as the Backbench Business Committee or the Adjournment debate system. We have had to take difficult decisions about the pension age, against the background of an ever-ageing population. The previous Government took similar decisions. It is a reality that people will retire later than they would have done in the past. We will continue to have discussions with Members about the detail, but we cannot escape the reality that we face.

Mr David Hanson (Delyn) (Lab): Will the Leader of the House tell me when the next meeting of the Welsh Grand Committee is likely to be? It has not met since the election and it met only once in the year before the election, yet prior to that it met eight times a year on average. I knew that he was keen on Welsh MPs not speaking in English debates, but I had not realised that he had extended that to Welsh debates.

Chris Grayling: The right hon. Gentleman does talk a lot of nonsense sometimes. As he knows, I have never sought to exclude Welsh MPs from speaking in English debates. The essence of the reform is that we do not to exclude Welsh or Scottish MPs from speaking in debates on English matters. Of course, the same does not apply the other way around. The Welsh Grand Committee will have a lesser role in the future because we are in the process of devolving substantial additional powers to Cardiff, but I will look at what is happening with the Committee and write to him.

Owen Thompson (Midlothian) (SNP): Yesterday, during the debate on women and the economy, the Economic Secretary to the Treasury responded to a number of queries asking her to validate the figures she was quoting on domestic violence refuges by informing the House that they came from “the online system”. Will the Leader of the House make a statement on the roll-out of that new font of all knowledge that the Government seem to be using?

Chris Grayling: I do not think we need an additional statement, because the hon. Gentleman has made his point.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): May we have a debate about Disclosure and Barring Service checks, and about how individuals can be better supported while they wait for those checks to be completed? A number of my constituents have lost out on employment as a result of DBS checks not being carried out on time. I believe that this area would benefit from the attention of Ministers.

Chris Grayling: I have had a similar experience in my constituency. On more than one occasion, I have, as a constituency Member, given the Disclosure and Barring Service a good push to try to get a response for a constituent who was waiting on a job offer. The hon. Gentleman makes an important point and I will make sure it is relayed to my colleagues. There is no excuse for putting people in a position where they might lose a job offer because of this process.

Alan Brown (Kilmarnock and Loudoun) (SNP): This week, I received three letters from No. 10 Downing Street, all hand delivered. Each letter told me that a written question that I had submitted was being transferred to the Foreign and Commonwealth Office. By the time I

received the letters, I had the answers from the Foreign Office, which demonstrates what an archaic waste of time such letters are. If the Government are serious about cutting the cost of politics, can we have a Government debate on the archaic systems and institutions of this place, and on how we can seriously save money?

Chris Grayling: Many Departments are now responding to questions electronically. It is a bit harsh of the hon. Gentleman to criticise both the team at No. 10 and the Foreign Office for being extremely quick in responding to his questions. We aim to please.

Andrew Gwynne (Denton and Reddish) (Lab): By capping the number of occupants at five and renting properties rather than buying them, as has happened at Porlock Avenue in Audenshaw in my constituency, Serco, which is contracted by the Home Office, avoids planning and licensing requirements relating to houses in multiple occupation. May we have a debate on asylum dispersal addresses, as this sharp practice risks undermining public confidence and community relations, which none of us wants to see?

Chris Grayling: We will shortly have Communities and Local Government questions. I would never support inappropriate practices, but it might be the case that not putting large numbers of asylum seekers in the same place and instead allowing them to blend into the community is the right thing to do.

Point of Order

12.4 pm

Lilian Greenwood (Nottingham South) (Lab): On a point of order, Mr Speaker. This morning at Transport Questions, in response to my question about airport expansion, the Secretary of State stated that “when an announcement is to be made, I will make it in the House.” However, it has also been reported that there will be a press conference setting out the Government’s new position later this evening. Is it in order for the Transport Secretary to commit to making a statement in this House first, only to proceed to announce the policy in the press when the House is not sitting? At the very least, would it not be a great discourtesy to the House to do that?

Mr Speaker: The short answer to the hon. Lady is that if the Government have an announcement to make—whether of a final decision, as they see it, on this matter or appertaining to that final decision and describing the process to be undertaken and the specified period in which it will be undertaken—it should be disclosed to the House first so that hon. and right hon. Members can have an opportunity to question the Secretary of State. He is an extremely experienced Minister and a very experienced Member of Parliament, and he is well able, as he regularly demonstrates, to fend for himself at the Dispatch Box. These matters should be treated of in this Chamber and not somewhere else. It is blindingly obvious that that is the wish of the House today, and I feel sure that the Leader of the House will communicate that as necessary.

Backbench Business

Transatlantic Trade and Investment Partnership

12.6 pm

Geraint Davies (Swansea West) (Lab/Co-op): I beg to move,

That this House believes that the Transatlantic Trade and Investment Partnership, the Comprehensive European Trade Agreement, the Trade in Services Agreement and any associated investor-state dispute settlement provisions should be subject to full parliamentary scrutiny in the UK and European parliaments.

I am amazed that the Leader of the House, who is just leaving the Chamber, has described opposition to the Transatlantic Trade and Investment Partnership—TTIP—as a political campaign by left-wing pressure groups. I do not think that the Chair of the European Scrutiny Committee, the hon. Member for Stone (Sir William Cash), or the Chair of the Environmental Audit Committee, my hon. Friend the Member for Ogmere (Huw Irranca-Davies), fall into that category. They, along with members of the Business, Innovation and Skills Committee and many other Committees, are interested in this matter for a variety of reasons. I am pleased that Members from all parties across the House have taken an active interest in this vital issue. I note that the Leader of the House has now left in ignorance, but that is as we would expect.

When I spoke on this subject a year ago, I talked about arbitration problems and big companies focusing on suing democratically elected Governments over laws that might undermine their future profits. Today, in the context of the COP 21 talks in Paris, I want to make the key point to the Minister for Small Business, Industry and Enterprise that unless the environmental imperatives coming out of Paris are integrated, in a binding and legally enforceable way, into the EU free trade agreements with Canada and the United States, we will be in danger of sleepwalking into environmental oblivion, irrespective of what comes out of the talks.

Mr Jim Cunningham (Coventry South) (Lab): It is right that this motion should come before the House today. Going back to my hon. Friend's comment about the Leader of the House, how can we trust the Government with industrial relations when we have their anti-trade union Bill going through the House? This should be scrutinised on the Floor of the House, as should the effects on public services, given the presence of American predators who could take advantage of the new arrangements.

Geraint Davies: Yes, that is a key point. I have here a copy of the draft trade and sustainable development chapter of TTIP, and I hope that the Minister has read it. I know that a number of her fellow Ministers have not. It contains references to rights under labour laws, but they would not be legally enforceable. I would like them to be enforceable, because workers' rights are at risk of erosion as a result of these deals.

I want to make it clear that I am in favour of trade, of growing trade and of the European Union. I do not want any confusion about that. The trade between the EU and the United States is already worth in excess of

\$700 billion, as the Minister will know. The forecasts of the amount by which the economies will grow vary from nothing to about 4%. Let us remember that the forecast for the expansion of economic activity as a result of the single market varied between 4% and 6.5%, but it ended up being 2%. Companies such as Moody's are saying that it will amount to the equivalent of a cup of coffee per person per day. If you like coffee, perhaps that is worth having, but we need to think about the benefits of trade versus the costs and risks involved.

Christina Rees (Neath) (Lab): Does my hon. Friend agree that Labour MEPs have sought a common position in the EU Parliament on TTIP, and are calling for a full carve-out of all public services, the inclusion of all binding and enforceable workers' rights, and strong safeguards on food, health and safety measures? That specifically excludes the investor-state dispute settlement mechanism, which is not democratic, not open to scrutiny, and not independent or fair to states that are being sued by corporations whose members sit on the board.

Geraint Davies: My hon. Friend makes her point well, and I will come on to some of those issues, especially the ISDS.

Guto Bebb (Aberconwy) (Con): Will the hon. Gentleman give way?

Geraint Davies: I do not want to give way too many times, but I will do so briefly and then make progress.

Guto Bebb: I am grateful to the hon. Gentleman for giving way, and I apologise if my voice is not very strong today. On employee rights, I met representatives of the American trade union movement, which sees TTIP as a great opportunity to ensure that the rights we have in Europe are replicated in the US. As an internationalist, I would expect the hon. Gentleman to support such a change.

Geraint Davies: I share that aspiration, but the issue is whether those rights are legally bound and enforceable within TTIP, and they are not. My point is not that we should burn, shoot and get rid of TTIP; we should pull the ISDS teeth out of the wolf, and genetically edit TTIP so that it includes environmental imperatives, enforceable rights at work, and human rights. It should be a blueprint for future global trade, rather than a blueprint for the destruction of environmental and human rights.

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

Mr John Spellar (Warley) (Lab) *rose*—

Geraint Davies: I will give way first to my hon. Friend the Member for Wirral West (Margaret Greenwood), and then to my right hon. Friend the Member for Warley (Mr Spellar), who I know is pro-TTIP, so I will be glad to hear from him.

Margaret Greenwood: I congratulate my hon. Friend on securing this important debate. Does he agree that the Government and European Commission should heed the call from the British Medical Association to

exclude the NHS from TTIP, just as the audio-visual sector and healthcare services are excluded from the EU services directive?

Geraint Davies: At a minimum, we should have a copper-bottomed arrangement such as Finland's, which protects all health—public and private—as well as social care, from any intervention. At the moment those guarantees are not provided, and things are done on a case law basis. If there is private provision somewhere, that would allow an avenue for American contractors to move in.

Mr Spellar: My hon. Friend lays great weight on the ISDS. Can he say how many agreements Britain currently has that have ISDS provisions, how many cases have been brought against the UK, and how many have been successful?

Geraint Davies: My right hon. Friend knows that a large number of ISDS bilaterals are in play, and that no cases have been taken against us. He also knows that exposure to ISDS will increase by about 300%. If his pet dog goes around biting the neighbours, that does not guarantee that it will not bite him. Just because other people die from cigarettes and he has not, that does not mean he will not. We should protect ourselves against the provisions in ISDS, rather than hear those spurious arguments that are normally regurgitated by Government Members.

Helen Goodman (Bishop Auckland) (Lab): On the specific point raised by our hon. Friend the Member for Warley (Mr Spellar)—

Mr Spellar: Right honourable.

Helen Goodman: By our right honourable Friend, this is not about the number of court cases taken; it is about ministerial action being inhibited for fear of those court cases. I had that experience as a Minister, and our right hon. Friend is barking up the wrong tree.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. We need short interventions because there is a lot of interest in this debate. The hon. Member for Swansea West (Geraint Davies) is 10 to 15 minutes into his opening speech, and I would not like him to give it all away through interventions.

Geraint Davies: I will resist responding to the comment about barking.

On the ISDS, we know that big companies use the powers available to them to sue democratically elected Governments. For example, the Lone Pine fracking company is suing the Canadian Government for hundreds of millions of dollars because Quebec brought out a moratorium on fracking. In a well-known case, Philip Morris is suing Uruguay and Australia over tobacco packaging. The Dutch insurance company, Achmea, is suing the Slovaks for trying to reverse health privatisation. If those powers are available, corporations will use them to maximise profit. Why should they not? That is what they are there to do. I am not saying that they are immoral, because that is what they do and that is what we expect. Our job is to regulate to ensure that the public interest is put first.

There is also an issue of sovereignty. The comprehensive economic and trade agreement will last for 20 years; some people are worried about the EU, but future Governments would be bound by these rules for 20 years. I think that is wrong, and a lot of Conservative Members have raised that point with me.

Albert Owen (Ynys Môn) (Lab): Will my hon. Friend give way?

Geraint Davies: No, I will not.

Albert Owen: Will he give way on that point?

Geraint Davies: Go on then.

Albert Owen: I am grateful to my hon. Friend. I realise that he is getting a little frustrated with the amount of interventions, but mine is brief and specific to the motion. He talks about the scrutiny of this House. Will he explain what method of scrutiny would be used? Would scrutiny be done by a Committee, or would a Minister come to the Dispatch Box, so that the whole House could provide scrutiny?

Geraint Davies: The issue is already being scrutinised by the European Scrutiny Committee, and the Environmental Audit Committee, on which I sit. The Business, Innovation and Skills Committee is also interested in it, and the provision will clearly have a widespread impact, so it should be brought before the House. I would like recommendations to be made by this House in an advisory way to the European Parliament, so that it can table amendments. At the moment, everything is being decided by negotiators behind closed doors. That is completely unacceptable, and it will just be a yes/no decision with ratification. CETA was agreed in September 2014, and it sounds as if it is having some sort of legal washing. It will be brought before Members of the European Parliament next spring.

I want to mention regulatory chill because of the pressure and threat of that sort of action. Already, the EU has withdrawn its demands for transparency and clinical data in trials. That means that if a big drugs company does 10 trials and three go wrong—thalidomide, for example—and seven go right, it only has to publish details of the seven that go right. That is worrying, as are the bits and pieces about trade secrets, which clearly undermine and inhibit democracy. There are issues of rights at work, and the problem of CETA being agreed, because that is a Trojan horse that allows all the powers created in the investor-state dispute settlement to come in through the back door and bite our democracy, public services and public finances.

Andrew Percy (Brigg and Goole) (Con): Will the hon. Gentleman give way?

Geraint Davies: No, I will not. I want to dwell on the fact that as we sit here, 20 million people in Beijing are crying because of the environmental damage of trade and the unregulated economic activity that supports it. Meanwhile, in Cumbria, people are flooded because of the impact of climate change, and no one seems to be asking why. We should ensure that future trade agreements for the EU, Canada and the US have enforceable environmental imperatives that constrain corporations from making the situation worse, and that that spreads to China and elsewhere. However, nobody seems to be speaking about elsewhere.

[*Geraint Davies*]

We need trade laws to be trumped by what comes out of Paris in a legally binding and enforceable way, but that is not happening at the moment. I spoke with the Secretary General of the OECD, who was making a speech in Paris when I was there at the conference. He said that a £200 billion subsidy is currently given to fossil fuels and that he was not happy about that. I said, “What about getting the environmental imperatives from Paris as minimum standards into TTIP?” He scratched his head and said, “We haven’t thought about that, but it might be a good idea.” That is where we are, but the EU is asking for an oil and gas pipeline from the US to get shale gas and all sorts of oil over here. What will that do for our carbon footprint?

This is a case of trade on the one hand and the environment on the other, and we need an integrated approach to global sustainable development. I think that the ISDS should be stripped out of TTIP. People say, “What about the investors? They should be protected,” but investors have judicial review and breach of contract, and they already use those rights in public courts. The only difference is that in public courts the public interest is weighed against the commercial interest; on an arbitration panel, it is all about private interest, and public interest and public health issues are not really weighted.

Let me give an example. Tecmed is a waste disposal plant in Mexico that breached new regulations. The Mexican Government decided not to renew the contract because of that breach. Tecmed went to an arbitration panel and Mexico lost the case and had to pay £5 million, plus £8 million court costs. My point is that if the UK requires stronger emissions standards to live up to our promises regarding a 1.5° or 2° increase in temperature, the ISDS could come along and sue us for obliging companies to move forward with those requirements from Paris. Tribunals, as opposed to public law, are more heavily in favour of investor protection than public protection. That is the wrong way around.

Lord Maude said to me, in response to questioning by the European Scrutiny Committee, that companies deserve a bit of compensation if Governments intervene, and that there was nothing wrong with that. The point I am trying to make, however, is not that there should not be compensation. The Minister will be aware of the case in which the Costa Rican Government took back land with natural value—endangered species and habitats—and provided compensation of \$1.9 million. The owners of the land took them to an arbitration tribunal, which did not factor in public interest or public value—that had nothing to do with it. It was all about commercial issues and it was decided to fine the Government \$16 million. The ISDS favours the private sector, not public interest or natural habitat, so we need to strip it out of TTIP.

Another issue with ISDS is that it can trump national law and previous national law. In the case of *Deutsche Bank v. Sri Lanka*, the Supreme Court in Sri Lanka brought forward existing laws to stop payment to Deutsche Bank. Deutsche Bank went off to an arbitration panel, an international court, and, even though its arrangements had been made after the national law had been passed, it won the case. This implies for Britain that, if TTIP goes through in its current state, the Climate Change Act 2008 will be trumped by ISDS. That is unbelievable in terms of sovereignty and democracy.

A lot of Conservative Back Benchers are up to speed, but there are a lot of turkeys voting for Christmas on the Government Front Bench. We will not have protection for our famous products, such as pasties, Welsh lamb, Cumbrian sausages and so on. The headline in *The Sun* was lyrical: “Pasties get a pasting.” We could have Welsh lamb produced in Nebraska.

The TTIP environmental chapter makes reference to Rio and Copenhagen, but it contains nothing that would not allow investors to trump enforcement. There is no binding enforceability. None of the pledges in the environment chapter are carved in stone, and they could be overturned by arbitration panels. Those pledges need to be legally binding, with an enforcement mechanism that goes through national courts.

In a nutshell, I am suggesting that ISDS be removed from TTIP. Article 1 of CETA should say that the provisions in TTIP will be, without reservation, subject to the 2015 Paris conference and subsequent treaty agreements, that TTIP should be consistent and contribute to the targets agreed in Paris and subsequent COP meetings, and that we do not go down the route of harmonising by means of the proposed regulatory co-operative body. Harmonisation of standards is a good thing in principle, but it would all be decided behind closed doors by civil servants subject to lobbying from industry. That is not something we want.

Finally, there are a lot of things wrong with TTIP that we need to change, but the motion relates simply to scrutiny. I am not for abandoning TTIP. We need a blueprint for future global trade. We need to integrate environmental imperatives. We need to make sure legal rights and human rights are enforceable, and show leadership on global trade that provides a sustainable, fair and equitable world.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. There will be an eight-minute limit on speeches.

12.24 pm

Mr Peter Lilley (Hitchin and Harpenden) (Con): I congratulate the hon. Member for Swansea West (Geraint Davies) on securing the debate and on raising some very important points that this House should consider seriously.

As the last Member in this House, I think, who was involved in negotiating a successful international trade round—the Uruguay round, when I was Secretary of State for Trade and Industry—I am extremely in favour of free trade. I believe there is a strong case for unilateral free trade, although that is not easy to sell to the electorate. A priori, therefore, I approach the TTIP agreement from a position of strong support. I am very suspicious of critics of TTIP who are often simply against trade, simply against markets, simply against choice, simply against business and simply against America.

Kelvin Hopkins (Luton North) (Lab): Will the right hon. Gentleman give way?

Mr Lilley: I will not, because the hon. Gentleman may find in a minute that I have answered his question.

I am especially hostile to all those people who press the button on 38 Degrees campaigns that relate to anything against trade and business. I was rather surprised, therefore, to find myself sympathising with four people

who appeared in my surgery and announced, to a groan from me, that they were members of 38 Degrees and had concerns about TTIP. They actually raised some very important points that resonated with me from my experience of past negotiations.

I am, of course, totally in favour of removing tariffs, but that is a relatively minor aspect of what TTIP is about. Over the years, we have been hugely successful in removing tariffs and straightforward barriers to trade. They averaged 40% back when the general agreement on tariffs and trade was set up. They were still around 15% when I was negotiating. The tariffs now between the United States and Europe average less than 2%. Half of all goods traded between the two continents are entirely tariff-free. That means, of course, that those that are subject to tariffs can be higher. On clothing, the tariffs are up to 30% and on cars the US levies a tariff of 2.5%. The EU, under the influence no doubt of German car manufacturers, levies a tariff of 10% on imports of cars from America.

Abolition of the remaining tariffs is worth having and would be the final success of GATT. TTIP goes far beyond that, however, and into harmonisation of regulation, rules on investment and rules on procurement. It is true that those sorts of rules can, either by intent or by accident, be used to inhibit trade. We should avoid using them in that way and we should seek, if we can, agreements to anti-discrimination rules so that neither in the business of investment nor procurement would either the United States or the EU be allowed to discriminate against firms from the other side.

My concern, and the concern of my constituents who declare themselves to be members of 38 Degrees, is that we may be creating a bureaucratic and legal process that may escape proper democratic control and may be subject to improper corporate influence. It is also symptomatic, although this is the least important point, of bureaucracies that perpetuate their existence even when the task they were established to do is largely complete. Literate Members of this House—we are all literate—will remember Dickens describing the circumlocution office, whose chief, Lord Tite Barnacle “had died at his post with his drawn salary in his hand”

defending the existence of an organisation that no longer had any need to exist. Actually, because we have succeeded on tariff negotiations, we should be scaling down, not up, the international bureaucracy and not giving it far more undemocratic powers.

Even during the Uruguay round, I had my concerns. First, I was concerned about accountability to this House. The negotiations were so complex that it was difficult for the House to hold Ministers to account, and it was easy for Ministers to present a *fait accompli* to this House and say they had achieved the best compromise.

Jeremy Lefroy (Stafford) (Con): Does my right hon. Friend agree that one of the bodies scrutinising TTIP very assiduously will be the US Congress? It would not let things go that it felt put their own people at a disadvantage.

Mr Lilley: I would like to hear my hon. Friend say that this House is going to exercise democratic control rather than relying on the American Congress.

Partly because Ministers were so little accountable to this House on this issue—I cannot remember having to respond to any debates on it—officials were very reluctant to be accountable to Ministers. In almost every other area where I was in Government, I thought that British officials were wonderful and that the caricature of them in “Yes Minister” was false, but where an international bureaucracy was involved and there was limited democratic control, they were extremely reluctant to respond to Ministers’ requests about what they were up to or to explain the compromises they were making. I had to argue very hard and strongly to reassert my control over officials. Ultimately, of course, it is up to Ministers to do that.

Bob Stewart (Beckenham) (Con): Does my right hon. Friend think that TTIP will be in any way accountable to this House? It does not look as though it will be.

Mr Lilley: There are aspects where I think we are in danger of unnecessarily handing over unaccountable powers, and we should be very careful about doing so.

Negotiations, then and now, are aggravated by the fact that we are negotiating at second hand through the EU and at arm’s length. I campaigned for continued membership of the EU in 1975, and I have accepted that we have to make some sacrifices to have a common market, but we should be aware that we have only second-hand control. My hon. Friend the Member for Stafford (Jeremy Lefroy) thinks that we should probably rely more on the American Congress.

Jeremy Lefroy: Will my right hon. Friend give way?

Mr Lilley: No, I am sorry. I know that I am sadly misrepresenting my hon. Friend.

All these problems are comparatively easy when we are just dealing with the abolition of tariffs. When we are handing to international bureaucracies and legal tribunals wide areas of regulation, investment rules and procurement, the problems may be greater.

My other concern about bureaucracies is that they may be unduly influenced by corporate lobbying. The less responsive they are to elected Members of this House, the more likely they are to be responsive to corporate lobbying. I am not one of those who believes in the dogmatic Marxist view that the world is run by a conspiracy of corporations and big business, nor that big business always wants to deregulate. In truth, the people in bureaucracies and big business have a common world view and believe that they should run things collectively with as little interference from democratically elected politicians as possible.

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): Will the right hon. Gentleman take an intervention?

Mr Lilley: I will not, I am afraid.

Moreover, big business has a natural interest in regulation being used as a barrier against small businesses trying to enter the market or new businesses trying to innovate.

We should be very careful about creating international bureaucracies outside the control of democrats that may prove less responsive to elected Governments but more vulnerable to corporate regulation. The hon. Member for Swansea West raised the specific issues of fracking

[Mr Lilley]

and genetically modified foods. I am very strongly in favour of fracking, and very strongly in favour of allowing GM to be used; I happen to have the main research institute on that front in my constituency. Ultimately, these decisions should be made democratically. To me, it is far more important that democracy should prevail than that some international bureaucracy should support my prejudices on fracking and GM, as it probably would. It is up me and people like me in this House to persuade the majority of Members and the majority of the public that something is right, and not to say, "Let's support an international bureaucracy because it is going to take the decision out of our hands and reach what we think is the right view."

I am unequivocally in favour of removing tariffs. I would welcome agreement under TTIP to anti-discrimination rules whereby Europe and America agree that they will not discriminate against foreign companies in procurement and investment. However, I would be very careful about creating a self-perpetuating international bureaucracy and handing to it powers that are largely out of the control of elected representatives and too much under the influence of corporate lobbying. At the end of the day, democracy is more important even than free trade.

12.34 pm

Mr John Spellar (Warley) (Lab): I declare an interest as the chairman of the all-party European Union-United States trade and investment group and as an unashamed supporter of trade. Over the centuries, trade has been of huge benefit to this country, particularly to the west midlands, which grew on the back of trade. Indeed, the west midlands is the only region of the UK that has a positive trade balance with China. Equally significantly, trade has been the engine by which hundreds of millions of people around the world have been lifted out of poverty. We need only look at the growth of China. I will come back to some aspects of that, as they were mentioned by my hon. Friend the Member for Swansea West (Geraint Davies). Hundreds of millions of people in China have seen their lives changed dramatically as a result of trade.

In debating these trade deals, there have historically been those in this House and in British politics who are opposed to trade. This is not a recent argument.

Kelvin Hopkins: My right hon. Friend will know that all the nations that have achieved dramatic improvements in their economies have done so with a degree of protection. The Chinese have used a massive devaluation of their currency against the western currencies behind which they have seen their economy develop rapidly. Protectionism works.

Mr Spellar: I am pleased that my hon. Friend wants us to move towards a more rules-based system that will enable us to develop more effectively. Trade has worked in that regard, and I am glad that he concedes that.

A great mythology is being developed around this. When I asked my hon. Friend the Member for Swansea West how many agreements the UK has had that involved ISDS, he was reluctant to reveal that the answer is 94. How many cases have been taken against the UK on

that basis? My understanding is two. How many of those cases have been successful? My understanding is none. Mention is made once again of the very long-running Philip Morris so-called case. It is absolutely true that Philip Morris said it was lodging a case. Has it gone anywhere? Has it stopped the Australian Government taking action? Of course it has not. One of the more regularly cited cases is that of Slovakia's health insurance system. We are often told that a Dutch insurance company managed to secure substantial damages from the Slovakian Government. That is true, because the case was about whether, under the existing contract, it could repatriate its profits to Holland. In a second case, which everybody seems to forget, the Slovakian Government won, and also got costs, because the tribunal held that the company was not empowered to intervene in the democratic processes of a sovereign state.

I particularly take issue with the Government over the fact that while the Leader of the House might talk about left-wing groups campaigning with scare stories, Ministers will not take on the myths so that we can get back to arguing about the issues that my hon. Friend rightly raised. The Government just hide away engaging in the negotiations and will not take these issues on.

Dr Andrew Murrison (South West Wiltshire) (Con): If ISDS has been used so little, and given the concerns that have been expressed by all sorts of groups, particularly in relation to the NHS, why does the right hon. Gentleman think it is so important to have it as part of TTIP, which is an arrangement that, like my right hon. Friend the Member for Hitchin and Harpenden (Mr Lilley), I would in general strongly support? ISDS appears to be the sticking point for a very large number of people.

Mr Spellar: I would strongly hold to that. I am just saying that ISDS is not the great problem that people are claiming. The hon. Gentleman mentions the NHS. The European Commissioner wrote to the former Trade and Investment Minister about the impact of TTIP on the NHS, saying:

"Member States do not have to open public services to competition from private providers, nor do they have to outsource to private providers."

It is a decision for this Government, and nothing to do with any trade deal. She continued:

"Member States are free to change their policies and bring back outsourced services back into the public sector whenever they choose to do so, in a manner respecting property rights (which in any event are protected under UK law)".

Geraint Davies: Does my right hon. Friend agree, though, that the essential difference is that ISDS tribunals are held in private, the primary focus being the investor and commercial and trading law, whereas a public court involves the public interest and transparency, which is intrinsically better? There are lots of cases where these big companies have claimed enormous damages, but I will not go into that. This is about the intrinsic shape of the system.

Mr Spellar: My hon. Friend and I will have to discuss this matter later. The problem is that such a process would require the creation of a supranational court, unless there was an agreement on reciprocity between the Supreme Court and the European Court, which might cause problems with Conservative colleagues.

There was very little controversy over CETA and the discussions with the Canadians, or those with the Koreans and all the other countries with which the EU has conducted trade talks, until we began discussions with the United States, which touched many people's nerve endings and neurons.

Andrew Percy: The right hon. Gentleman is absolutely right that if we scratch beneath much of the opposition, we find blatant anti-Americanism. Does he agree that it is deeply offensive to the Canadian Government to describe CETA as a Trojan horse for TTIP, as if "little Canada" were doing America's dirty work? That is the implication, and it is deeply offensive to Canada, a country with standards of protection that go beyond our own in many areas.

Mr Spellar: I thank the hon. Gentleman for a point well made.

My hon. Friend the Member for Swansea West then talked about China and, interestingly, about the environmental situation there. If the EU and the US do not do a trade deal to enshrine the current free trade and democratic liberal order, the Chinese will be the ones setting the parameters of world trade, and he has rightly identified that they might be much less concerned about issues such as workers' rights and the environment.

With regard to the Canadian deal, my hon. Friend raised concerns about food and the implications for geographic indicators—Welsh lamb and so on. In fact, one of the great attractions not only for farmers in the UK but for framers across Europe, particularly southern Europe, is the provision for geographic indicators; and, to be frank, one of the attractions for Canada and the United States is the ability to sell GM, so a trade of GM for GI might well come out of these talks and be of advantage.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): Will my right hon. Friend give way?

Mr Spellar: Unfortunately, the clock is running.

As I indicated earlier, the Leader of the House talked about scaremongering by the far left, and we have received emails again from 38 Degrees, which will no doubt be castigating me again on Facebook. Interestingly, its standard email this time had a link to a pamphlet by John Hilary of War on Want published by the Rosa Luxemburg Foundation. I excuse the ignorance of Conservative Members, but a number of Opposition colleagues might be aware of the dissident communist Rosa Luxemburg, if not necessarily of the Rosa Luxemburg Foundation and its deep links with Die Linke in Germany, the far left party that grew out of the old East German Communist party. There is a lot to be said against the old East German Communist party, but it was pretty good at propaganda and agitation. There are valid arguments to be made, but hon. Members must be clear about the driving force behind the campaign.

Unfortunately, the right hon. Member for Hitchin and Harpenden (Mr Lilley) touched on an area alluded to by my hon. Friend the Member for Swansea West: the European Scrutiny Committee. It was the neuralgic reaction of some Conservatives to anything involving the EU. Let us be frank: one of the key enablers of our conducting trade negotiations around the world is our membership of the EU. It enables us to negotiate through

the combined strength of the EU, contrary to the views of Mr Farage, who believes we could somehow negotiate trade deals on our own. When we campaign next year to remain members of the EU, we will find that many of the arguments being made against TTIP reflect the arguments against the EU. In the modern world, there will be some trade of sovereignty for effectiveness and relevance, and that is why we should support the agreement.

12.45 pm

Guto Bebb (Aberconwy) (Con): It is a pleasure to follow the passionate speech of the right hon. Member for Warley (Mr Spellar). I apologise to the House for my voice; I hope it lasts for eight minutes, but if not I might sit down early.

I declare an interest: I am the secretary of the all-party parliamentary group on European Union-United States Trade and Investment. I am proud to stand here in support of TTIP. This is another example of how elements in British society are trying to close down debate. In August, my daughter, who is 14, left our house to do her paper round. She came back in and said there were 20 people picketing outside my house because I was the secretary of the all-party group. They were basically accusing me of wanting to kill people by selling off the NHS. If we are to have a debate about this, we should at least make it an honest debate and avoid intimidation. We have a duty to debate it openly and transparently, and intimidation has no part in that.

This is the fourth time we have debated TTIP in the Chamber. The hon. Member for Swansea West (Geraint Davies) has secured two debates, and the all-party group has secured another two.

Alex Chalk (Cheltenham) (Con): Is not a danger that this debate is premature? The proposed agreement has not been reached, and before it could be ratified its text would have to be distributed to the 28 member states and this House, where proper scrutiny could be applied?

Guto Bebb: My hon. Friend makes an important point, but I do not think the content of the agreement is the issue; the issue is an anti-free trade agenda hiding behind TTIP. It is not a protest against a proposed trade deal; it is an attack on free trade.

We have heard about the so-called secrecy of the negotiations. It is true that the final text has not been released, but all the proposals are available online. If any Member or their researcher were to google "TTIP", they would find the text of the negotiations. This is probably the most open trade negotiation we have ever entered into as part of the EU. When I hear these accusations of secrecy, therefore, I wonder whether people know they can google the issues being debated. The all-party group has held open meetings in the House, attended by 100 to 150 people, on the effect of the proposed treaty on the automotive sector, public services, textiles, and food and drink producers. To claim there has been a lack of discussion in the House is to make a false argument and to play into the hands of protesters who are against not the treaty per se but the concept of free trade.

Jonathan Reynolds: I am finding this debate quite interesting. I agree with the pro-trade sentiments of the all-party group on TTIP, but, to echo the comments of

[Jonathan Reynolds]

the right hon. Member for Hitchin and Harpenden (Mr Lilley), should not a decision about whether we accept hormone-treated beef in the UK lie outside the remit of a trade organisation and be a decision for the House?

Guto Bebb: As somebody who represents a Welsh constituency with a significant number of lamb producers, I want to see Welsh lamb offered for sale in north America, which is not currently the case. If the way to get that product into the north American market is through a European trade agreement with north America, I am willing to look at the detail of that agreement. I stress again that the remit for the negotiations was agreed by 28 member states of the EU. There have been two motions in the European Parliament. The EU trade negotiator has been to the House twice to explain the EU's remit and how it is developing the agreement. So there has been an opportunity to engage, and the final agreement will be scrutinised as well. If there is concern about some of the concessions made, perhaps on a quid pro quo basis, those issues could be identified at a later stage.

It is important to address head on the so-called threat to the national health service—and I have to say that it is a so-called threat. I hope that every Member who speaks in this debate has read the detailed, three-page letter from the European trade negotiator to the Health Committee on 11 December 2014, which makes it very clear that there is no possibility of an impact on our health service, or on public services more widely for that matter, as a result of the TTIP agreement. It categorically states that

“all publicly funded public health services are protected in the EU trade agreements, and this approach will not change for TTIP.”

That brings us back to the crux of the issue and the point raised by the chairman of the all-party group—that the debate seems to be about the fact that we will be making an agreement with the United States of America. Let me state clearly as the secretary of the all-party group that I have had literally thousands of emails from all parts of the United Kingdom accusing me of all sorts of skulduggery in relation to this proposed trade deal. I was quite impressed by the fact that the people emailing me believed that I had far more power than I have ever had as a Back-Bench MP.

Mr Andrew Smith (Oxford East) (Lab) *rose*—

Geraint Davies *rose*—

Guto Bebb: I will not take interventions.

The important point is that not a single email was ever sent to me about the deal with Canada, unfortunately described, in my view, as a Trojan horse for TTIP.

Mr Andrew Smith *rose*—

Guto Bebb: No, I will not take an intervention.

Not a single email was sent about that agreement, so it difficult not to conclude that this is not about trade and not about the health service, but about a latent anti-western, anti-US agenda, which I find disreputable.

Mr Smith *rose*—

Guto Bebb: No, I will not take an intervention on that issue. The point needs to be made and it has been made.

We are clearly having a dishonest debate on this issue. Claims have been made that have not been substantiated and we have had accusations of secrecy that do not stand up to scrutiny. It is clear, too, that issues are being raised about ISDS, but I argue that that case was demolished by the right hon. Member for Warley. The hon. Member for Swansea West has offered no explanation of why not one of the 94 agreements has been the subject of any complaint to my inbox; we seem to have these concerns only because TTIP is a deal with the US.

I have now dealt with some of the concerns expressed by the hon. Member for Swansea West, but I think we should also look at some of the opportunities that will come from TTIP. My right hon. Friend the Member for Hitchin and Harpenden (Mr Lilley) was right that tariff barriers are comparatively low. It is clear from talking to regulators on both sides of the Atlantic—the European Union and the US—that the regulations are often not specifically there for the safety of the public in the US or the EU; they are there as a means to offer a protectionist stance for some industries.

It makes very little sense, for example, for our booming and hugely successful exporting car industry to undertake a crash test that is completely different in the US from that in the EU. The crash test is different because the regulations are different, and the effect is to add over £600 to the cost of Mini Cooper. The dashboard has to be changed to accommodate the mechanism for the airbags necessary to comply with US test regulations. Nobody believes that a crash in the US is any different from one in the EU, but the test is different—at huge cost to the car industry. If the TTIP agreement were to be secured and some of the regulatory burdens removed, there would be potential for a 7% growth in exports.

Similarly, when we talk about the need for a manufacturing-led recovery, it is difficult to believe the concerns of Labour Members when the opportunity arises to get rid of some of the counterproductive and anti-competitive regulatory burdens but they are not willing to work with manufacturing sectors to reduce them.

More importantly, the regulatory burdens are extremely unfair on small and medium-sized enterprises. Larger companies have the capacity to deal with the regulatory burdens in the US and subsequently to deal with the regulatory burdens in the European Union. The small businesses in my constituency have world-class products to offer, but are not in a position to sell them to the US because the regulatory burdens provide a barrier to their potential to trade. Small businesses that send packages online through the internet often find themselves in difficulty when dealing with the US because they do not know whether the rules and regulations applying to imports through the postal system into the US would be the same as they are in Europe. Again, larger businesses—the Amazons of this world—can cope quite easily with those challenges, but smaller businesses operating in my constituency cannot.

To talk about this agreement being one for large multinationals is to miss the point. The point of the agreement is to reduce the regulatory burden, which large companies are quite happy to impose because it closes the opportunity for small businesses to compete against them.

Rachael Maskell (York Central) (Lab/Co-op): Will the hon. Gentleman give way?

Guto Bebb: No. I have only a minute left.

The fact that I have a drinks producer in my constituency who is unable to put in a second production line in order to get the correct bottle size is a classic example of the way in which regulations work against small businesses and to the advantage of larger businesses.

Finally, when it comes to being an MP from Wales, let me say categorically that the denial of Welsh lamb from my constituency to the US consumer is utterly disgraceful. The agricultural sector is broadly clearly supportive of this treaty. Yes, we need to scrutinise it; yes, we need to ensure that the House has a say in the agreement; but we should try to grab the opportunity for growth in all parts of the United Kingdom, and not least in Wales.

12.56 pm

Christian Matheson (City of Chester) (Lab): Let me say to the hon. Member for Aberconwy (Guto Bebb) that, irrespective of his views on TTIP, hon. Members and their families should have the right to security in their own homes. If he has been lobbied in his own home by protesters, I entirely deplore it.

I am in favour of free trade, which should be a good thing. It should create wealth and provide innovation in relation to jobs and markets, and it should promote existing services and products in new markets. I do not believe, however, that the proposed TTIP deal is about free trade; it is about increasing the dominance of several large globalised corporations that have no loyalty to any one particular country. Their loyalty is only to the next quarterly figures on Wall Street or the City of London.

We have talked about public services, and I believe that they will continue to be under threat unless we get a categorical response that they have been taken out. It is all being dealt with in secret, of course, so we cannot secure such a categorical response.

Let me deal with the investor-state dispute settlement, about which my right hon. Friend the Member for Warley (Mr Spellar) provided some interesting figures. There is a fundamental principle about ISDS that undermines its entire existence. We rightly preach the rule of law and democracy to the developing countries, but it would seem that it does not apply to large globalised corporations. However much I disagree with Conservative Members and however much I deplore some of their policies, the bottom line is that their party won the general election and I respect their democratic right to take its programme through Parliament. As I say, however, that democratic right does not apply to large globalised corporations.

If by some fluke on Friday night I win the Euro Lottery and buy myself a Ferrari or a Lamborghini—

Mr Kevan Jones (North Durham) (Lab): Why not buy British?

Christian Matheson: Indeed, I shall buy myself a nice, top-of-the-range Range Rover. If the Government reduce the speed limit on the motorways to 50 mph, am I allowed to sue them because they have taken away my

enjoyment in driving that car? It is exactly the same with TTIP. If the Government choose to change the law, it is their right to do so, and there should be no caveats for large corporations.

Andy Slaughter (Hammersmith) (Lab): I am glad that my hon. Friend is addressing the issue of ISDS, which is of great concern. It was introduced, we were told, to give security to investors against weak legal systems in developing countries. Whether or not that is true—my hon. Friend has just made a good point—I do not believe that we have a weak legal system in this country, despite what the Government have done. The idea that the private law rights of multinationals should be put above the system that applies here is disgraceful.

Christian Matheson: My hon. Friend makes a good point, but I now wish to give an example of the perils that ISDS may bring. It involves another regime, but it could easily be transcribed into TTIP. Veolia has sued the Egyptian Government for alleged breach of a contract for waste disposal in the city of Alexandria on the basis of a bilateral agreement between France and Egypt.

At a time when Egypt is in a vulnerable and uncertain position politically, we should be helping it to develop democratic structures. When the Egyptian Government introduce a minimum wage that will probably benefit most ordinary Egyptians, we should support their action, but apparently Veolia has sued the Egyptian Government for taking that action. How stupid and short-sighted is it to sue the Egyptian Government and lower the standards of living of ordinary Egyptian workers at a time when we are trying to persuade Egypt that Islamism and the Muslim Brotherhood are not the way forward? This is an example of a western corporation undermining the wellbeing of ordinary people. That is what ISDS does: it enshrines the rights and priorities of globalised corporations over and above those of ordinary people, and the results could be catastrophic.

Mr Spellar: As I made clear earlier when I mentioned the Philip Morris case, lodging a case and winning a case are not one and the same thing, but my hon. Friend may be right. Has anything happened to the Veolia case?

Christian Matheson: I believe that it is still going through the process, but it is the principle on which the case is based that concerns me: the principle that corporations should have their own private mechanism for resolving disputes, rather than adopting the accepted legal procedures of the country in question.

Jo Stevens (Cardiff Central) (Lab): Does not the ISDS system effectively constitute a private court staffed by private judges with private lawyers, based on private law for private profits?

Christian Matheson: What a shame that I am not as articulate as my hon. Friend. She has hit the nail on the head. ISDS is a mechanism that undermines the rule of law by giving a separate system to large globalised corporations and taking away from them any sense of responsibility to elected Parliaments such as ours, or to countries like Egypt where we may be hoping to foster and develop democracy.

Andrew Percy: May I just even things up? We are, I am sure, in the business of facts here. Far from ISDS being for the benefit of private corporations, it is a Government mechanism, agreed by Governments largely for the benefit of Governments.

Christian Matheson: I do not agree. I think that it is largely for the benefit of private corporations. The hon. Gentleman and I will have to differ.

I want an economic system that works for the people, not one in which the people work for the system. TTIP will enshrine the dominance of global corporations, which have driven down wages, moved jobs into areas where they think they can pay people less, increased personal and family insecurity, and—let us be clear about this—made tax-dodging into an art form.

Rachael Maskell: Will my hon. Friend give way?

Christian Matheson: I am about to end my speech, but I will always give way to my good friend the Member for York Central.

Rachael Maskell: I am grateful to my hon. Friend. Does he share the concern that the American Federation of Labour and Congress of Industrial Organisations has expressed about the North American Free Trade Agreement, which has brought about the loss of so many jobs and has had such a negative impact on the American economy?

Christian Matheson: My hon. Friend and I have known each other for a good few years, and we were both involved in the creation of one of the first global trade unions, along with American unions. The United States was mentioned earlier, and I am certainly not anti-United States, but my contacts in the American trade union movement are absolutely opposed to TTIP because they believe that their jobs and their terms and conditions—*[Interruption.]* The Minister says, from a sedentary position, that that is not true. I should like to know when she last spoke to any American trade unions, because I speak to them quite regularly.

I believe that the interests of the Conservative party are now enshrined in the large global corporations and the City of London. I believe that we could and should design a trade deal along the lines of TTIP that could benefit ordinary people, but TTIP is not that trade deal.

My right hon. Friend the Member for Warley (Mr Spellar) talked about the European Union. One thought has occurred to me, although perhaps I am wrong; no, surely not. TTIP could well be a Trojan horse for those who would have us leave the European Union. The EU, for all its faults, imposes social, economic and environmental constraints on corporations. TTIP would provide the free trade deal that is sought by so many of those who want us to leave the EU, without any of the social and environmental benefits.

Guto Bebb: Will the hon. Gentleman give way?

Christian Matheson: I am about to sit down.

I worry about the possibility of a ready-made deal that would enable us simply to leave the European Union, withdraw from the requirement for social, environmental and employment protections, and then sign up to something

that would involve no such protections. That is my fear, and I shall be watching the debate on the European Union carefully and with not a little suspicion.

1.6 pm

Robert Jenrick (Newark) (Con): I thank the hon. Member for Swansea West (Geraint Davies) for enabling us to debate this issue. I am very glad that we are having the debate, and that my right hon. Friend the Minister for Small Business, Industry and Enterprise will be responding to it.

I have a great deal of sympathy with the motion. While I think that we need accountability when it comes to one of the biggest trade deals in history—if not the biggest—and that the House should provide that accountability, I also think that few significant issues in politics today have been so poorly considered in the public realm. That may be due to a lack of knowledge for which, perhaps, we are all responsible. We, as parliamentarians, should play our part in trying to inform and educate the public as well as listening to them, so that everyone in the country understands the true nature of this deal. However, there has also been a huge amount of misinformation and distortion on the part of certain groups, and that has led to a general sense of concern. Like other Members, I have received hundreds of emails and letters about this issue over the last year or so. I believe that the concern is unnecessary, because there is far less to fear than those groups suggest, but a more important consideration is that it obscures, purposefully, the huge opportunity that this deal presents to all of us.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I think that the hon. Gentleman put his finger on it when he used the phrase “far less to fear”. He said that people did not understand the deal, but that is because it has not been properly explained to them. Some of them fear that there is a Trojan horse, but whether there is or not, we cannot move forward without consensus among the public, whether they are worried about jobs, about the environment, or about the precise contents of TTIP. If people do not understand something like this in a representative democracy such as ours, what can we do?

Robert Jenrick: The hon. Gentleman has made a good point. That is why I am pleased to see that the Minister is present, and why I was pleased when, on the occasion of our last debate on this subject—in 2014, I believe—my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) responded on behalf of the Government. I want more Ministers to convey the case for TTIP to the public, engaging in a genuine, informed debate, and trying to sell the deal in a rational way. At present, it is being led by groups who have come out with some pretty poor-quality public discourse.

Some of the emails that I received this week were fairly ill informed, to say the least. I suspect that they were generated by 38 Degrees. They were all the same, apart from the fact that the adjectives varied: the deal was variously described as dodgy, dangerous, evil and sinister. There could not be a more pathetic quality of debate. Let me say to those behind the emails, “For goodness sake, have the strength of your convictions: raise the quality of debate and argue rationally, rather being so immature.”

The Government must lead the debate. They must support a project which I believe has huge potential to build transatlantic links to bring Britain and Europe closer to America, and to create a huge and important new free trade area and myriad opportunities for jobs and growth. We are not necessarily talking about large corporations; as was rightly pointed out by my hon. Friend the Member for Aberconwy (Guto Bebb), this is about businesses both large and small. Only last week, I met representatives of some businesses that will benefit from this kind of deal. They were not large corporations, but small and medium-sized businesses that were trying to make a living and create jobs.

Mr Andrew Smith: What is the hon. Gentleman's answer, however, to the concerns raised by his right hon. Friend the Member for Hitchin and Harpenden (Mr Lilley) about the real dangers TTIP presents of disproportionate corporate power being used to manipulate a bureaucracy which is not democratically accountable?

Robert Jenrick: I will come on to that now, because there are a few specific points I want to make, some of which have already been raised by other Members. One is about healthcare. This has been a political football on both sides of the House for far too long. As my hon. Friend the Member for Aberconwy said, the Health Committee wrote to the negotiators and received an incredibly comprehensive reply, which I would recommend to any Member. I have sent it to every constituent who has written to me about TTIP. I am not a friend of the EU—I am a Eurosceptic—so it is unusual for me to say that this is one of the most straightforward, comprehensive, honest answers I have ever seen from a European bureaucrat. I say this to other Members: “Please, if you haven't read this, read it and send it to your constituents, because it does more to debunk the myths than anything else I have seen on this debate.” I will not rehash it, but I think it is incumbent on every Member of this House to read it and to appreciate how comprehensive it is and that it demolishes all those myths and scaremongering.

Overall, suppliers are already able to offer hospital services and health-related professional services through a commercial presence in the United Kingdom. The important thing for everyone who engages in the provision of health services and healthcare through companies in this country is that they have to comply with UK standards and regulations in the same way as British healthcare providers do. Those standards will remain under the sovereignty of this country and this Parliament, regardless of TTIP.

I appreciate that there is genuine concern about ISDS, but again I think it is fairly ill informed. I was a lawyer and the first case I worked on as a trainee solicitor many years ago was for a small British investor that had used a bilateral investment treaty very similar to this one to invest in eastern Europe. This perfectly legitimate UK company had seen its licence revoked illegitimately by that Government, and this small investor was able to use that treaty to get its money back and win justice. This is not about large corporations exploiting the system; it is about all investors around the world, including our own businesses being able to hold other Governments to account and ensure that they do not make arbitrary and poor decisions that negatively affect British companies.

As we have heard, ISDS is not a novelty. This is not some new threat that has recently emerged. These clauses have been put into most trade deals for years and years. I have heard the familiar examples of odd cases and inactions around the world, but these clauses have not had the effect that has been described in the media. As we have heard, 3,400 of these clauses have been inserted into trade deals globally. The EU and its members have 1,400 such clauses in various trade deals, and the UK has 94 in our existing bilateral treaties. We have twice been challenged and we have never lost a case under an ISDS.

What we have done, however—this is an important point that has not been made—is successfully bring claims against other countries. We have had slightly more success in that regard because the point of an ISDS is to underline the value of the total agreement and make sure no individual investor or business can be disadvantaged by another Government or union of Governments breaking the obligations they have entered into and negatively affecting our own businesses and investors, large and small.

It has been said that these treaties have primarily been used in developing countries, such as in the case I just mentioned, where potentially the legal system was not as good as ours or that of the United States, but of course although the US does have a very good legal system, it is a very expensive legal system where cases can take a long time. I actually think that this would be a very useful device for our small and medium-sized companies.

Similarly, there are states in the EU—some southern European countries, for instance—where American investors I have met and spoken to over the years would be very reluctant to sail into if they had to rely entirely on taking matters to the legal processes of those states to challenge the bona fide of local officials in respect of whether they were complying with the agreement. On both sides of the Atlantic, although there would be very few cases, I think they would generally be beneficial.

I was going to talk about transparency, but nobody could have put that point better than my hon. Friend the Member for Aberconwy, and of course a degree of secrecy and confidentiality is important, because the US has very good negotiators in trade talks, and we want our negotiators in the EU, which is in a difficult position being a union of 28 nation states and Governments, to be in the best possible position in these talks, and not simply give everything away. This is one of the more transparent trade deals we have seen, and certainly one of the most transparent the EU has done, and the commissioners are trying to be as forthcoming as possible.

This free trade deal is, as we have heard from at least some Members, a huge opportunity. The United States is not a threat to us; it is the UK's single biggest export destination. Some 17% of our exports go there, and it is important for a whole range of our sectors, such as aerospace, as we have heard about, the creative industries, and the luxury goods industry. The UK is a world leader in that, and America is home to more affluent households with disposable incomes of more than \$300,000 than any other country. It is a huge market, therefore.

Only last Friday I visited a business in my constituency that is trying to put hearing loops into the New York metro, but is having to spend thousands of pounds to meet the various and complex regulatory burdens involved.

Richard Arkless (Dumfries and Galloway) (SNP): On that point, would the hon. Gentleman try to persuade his Government colleagues that the US should lift the ban on haggis, and would he welcome that?

Robert Jenrick: That is a very good point and I certainly would welcome that. I want to see British businesses from all parts of the United Kingdom getting into those markets and creating jobs.

We have heard that tariff barriers are now quite low—down to around 3%—but it is the non-tariff barriers that need to be pushed aside for the benefit of businesses like those in my constituency, and TTIP offers a huge opportunity to create the jobs and growth of the future. It is a massive potential win not just for our constituents and businesses, but for humanity as it offers an opportunity to bring the west together to protect our economic and national security.

1.17 pm

Peter Grant (Glenrothes) (SNP): Like most of the other speakers in this debate, I am instinctively in favour of trade. Scotland has got a fantastic story to tell given the world-class quality of so many of our goods and services. We want to be able to sell them around the world, and I think that those around the world want to be able to buy them without restrictions. We should instinctively support the principle of free trade, but completely unregulated free trade is not an unmixed blessing.

We have to ask ourselves who ultimately free trade is there to benefit. Is it there to benefit a handful of major corporations, is it there to benefit a handful of well-placed people with the ear of particular Governments, or is it there to benefit the citizens who produce the wealth for all those businesses? I know where my loyalties would lie, and at the moment I am not at all convinced that free trade as envisaged in TTIP is going to give the benefits to the correct place.

We should remember that what we are being asked to agree today is not that TTIP is a good idea or a bad idea, but that TTIP should, before being set in law, be brought back and properly scrutinised and debated in this Parliament, and I would argue in the Parliaments of other EU member states as well. I find it ironic that the party whose leader is going around Europe right now arguing for better protection for the alleged sovereignty of this place in dealings with the EU also seems to be saying to us that we can trust EU officials to sign us up to trade deals and we do not need to bring the deal back to this Chamber or anywhere else in this place for it to be considered and scrutinised. Yes, there will eventually be a binding vote in the European Parliament, but there should be a proper, well-informed debate and a vote in this Parliament at the very least to give a clear indication to UK MEPs as to how we would like them exercise their vote.

Owen Thompson (Midlothian) (SNP): Does my hon. Friend agree that one of the biggest concerns about the whole process is the lack of transparency? Nobody knows exactly what is happening.

The Minister for Small Business, Industry and Enterprise (Anna Soubry): It is on the internet!

Peter Grant: My hon. Friend makes a good point. I hear the comment that it is all on the internet, but I hope that when the Government respond, or when someone responds on their behalf, they will be able to explain the following to us: if it has been on the internet and has been so widely available for so long, why is it that MEPs have been given the opportunity to scrutinise it for only the past week? That is being done not in an open debate, but in a closed room where they are allowed to take handwritten notes but are not allowed to take photocopies of that document out of that room to show to their constituents or to anybody else. Why is the EU insisting on that degree of secrecy if the whole thing is already widely available on the internet?

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP) *rose*—

Peter Grant: I am sorry, but I would like to make a bit of progress.

I entirely agree with the calls from across the House asking for an open and honest debate. I agree that it is deprecable if any politician or their family is subjected to intimidation because people disagree with their point of view, no matter how sincerely or passionately that disagreement might be held. However, the same people who are calling for an open and honest debate have also dismissed everybody who has concerns about TTIP, including the hon. Members for Stone (Sir William Cash) and for Clacton (Mr Carswell), as being part of some left-wing campaign. These people seem to think it is a bad thing that an organisation has made it as easy for ordinary citizens to lobby their MP as it has always been for multinationals, which get managing consultants and lobby consultants to do it for them. It seems that we have gone from being a “left-wing campaign” a few minutes ago—I have been a part of pretty few left-wing campaigns and I sometimes think we could do with some more of them—to being completely “anti-American” and then completely “anti-western”. The last time I checked I was a westerner. The only anti-western person in my household is my wife, and she is anti-western only to the extent that I am not allowed to watch cowboy and Indian films.

George Kerevan (East Lothian) (SNP): On this anti-western argument, does my hon. Friend agree that the American trade unions are just as vociferous in demanding safeguards, in particular the removal of the investor clauses?

Peter Grant: My hon. Friend is absolutely right; this is not a case of America wanting to push everything through and Europe wanting to stand in the way. There are vociferous supporters of TTIP on both sides of the Atlantic, but there are also those who have genuinely held concerns, not only in left-wing organisations, but in some business organisations, among some people, such as those I mentioned, who are certainly not left-wing politicians in this place, among trade unions, and in that well-known bastion of left-wing activism the British Medical Association, although the Government have dismissed it in those terms previously.

We are talking today not specifically about the merits or demerits of TTIP and its associated potential agreements, but about where decisions should be taken on whether

TTIP goes ahead. It would be a bit ironic if Members who have taken the time to come here to take part in the debate on whether we should have a debate on TTIP voted at the end of the afternoon not to have a debate about it. I am therefore assuming that there will be no need for a Division.

Concern has been raised about the ISDS, which we are told has now been completely replaced by the international court of something or other. We do not know exactly how that is going to operate as yet. My question is: why is it needed? Ordinary citizens who are aggrieved about the actions of the Government in their own country can try to rectify that through the democratic process, and I commend 38 Degrees for making that a bit easier for those who cannot afford their own lobby consultants. If they feel aggrieved that the Government have acted in a way that is against the law, ordinary citizens have recourse to the legal system within their own country or within the country of the Government whom they think has acted against them. The legal system is imperfect and so is the parliamentary democracy system, but they are available to ordinary citizens. Why does a big multinational company need a further line of recourse which is not available to ordinary citizens? Why does a citizen whose family were hounded out of Zimbabwe in fear of their lives not have recourse to compensation through the international courts, yet a multinational company that is unhappy that its profits from selling tobacco in some countries may be reduced has access through an international tribunal? Why do ordinary citizens not have that? Why is that tribunal needed in the type of country that we claim to be, where there is a mature legal system, and the courts system is designed to be impartial and to give everybody a fair hearing? If the concern is about southern Europe, I point out that the nations of southern Europe are part of the European Union.

Guto Bebb: I find the hon. Gentleman's comments fairly imperialistic, because the implication would be that we do not need this sort of mechanism in a deal with the United States, because we have mature legal systems, but if we are having these deals with a third world country, we may need it. I find the comment odd.

Peter Grant: The point I am making is that there could be concerns about the maturity of the legal system of some countries with which we might want to enter into international agreements. The example given earlier was countries in southern Europe, but the last time I checked they were part of the European Union. If they are acting in breach of a treaty that has been signed up to by the EU, I would have thought that there would be recourse through the European courts. If there is not, perhaps that needs to be looked at. I fail to see why it is necessary to have a separate form of recourse for companies that want to sue sovereign democratic Parliaments and Governments, one that is not made available to citizens of the countries who have elected those Parliaments in the first place.

Robert Jenrick: The hon. Gentleman is making a decent point, but the UK is already in bilateral investment treaties with a range of other countries around the world that have mature democracies, and some of these treaties have ISDS arrangements. The EU, including the UK, has just signed up to one such treaty with South

Korea. Is he suggesting that we withdraw from all those bilateral investment treaties around the world, including important ones such as the recent one with South Korea?

Peter Grant: I am not suggesting that at all. I suppose the question might be: if the ISDS has been so successful, why is it being scrapped and replaced by something else?

One final observation that I want to make is that although the Government clearly regard completion and ratification of TTIP as being a major selling point for staying within the EU—I believe the Foreign Secretary said as much before the European Scrutiny Committee—a sizeable body of public opinion in the UK takes the opposite view. I do not know how sizeable it is, but it is there. There are parts of the UK, including a lot of areas in Scotland, where people want to be part of the EU but will change that allegiance if TTIP goes ahead. That might be music to the ears of some Members, but the Government may be making a massive tactical mistake if they believe that support for TTIP will persuade more citizens to vote to remain in the EU. There is a serious danger that it will actually have the opposite impact. The tragic irony of it is that if TTIP is already done and dusted before the EU referendum, people will vote to leave the EU and then discover that they are still lumbered with TTIP for 20 years, because once we have signed up to it even our leaving the EU does not allow us to get out of it.

I make an appeal to Members, and this applies regardless of whether they have already decided in their own minds about the merits or otherwise of TTIP and whether they think it is a good or bad idea. Once we know the full details of what TTIP and its associated agreements are going to mean, surely we must have a proper and full debate in this place, and in the Parliaments of the rest of the EU, at least in order to give MEPs a clear steer as to how they should be exercising their vote in the binding decision that they will take at some point in the future.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. He will have to stand up, but I call Andrew Percy.

1.27 pm

Andrew Percy (Brigg and Goole) (Con): I had forgotten how to do it, Mr Deputy Speaker. When I turned up for this debate, I was not intending to speak, but I have been drawn into doing so, having listened to some of the arguments made by Opposition Members. [HON. MEMBERS: "There were not enough speakers!"] That may be a factor as well. Let us start by talking about the things we agree on. It was reassuring to hear Opposition Members talk in favour of free trade and in support of trade. I want to see Welsh lamb sold in the United States, although it is not as good as lamb from Yorkshire and Lincolnshire. I even want us to export haggis, that great north of England foodstuff that we exported to Scotland in about the 15th century. I want to see that sold in the US in the right form—not with the bits missing that must be missing for it to be sold there at the moment. We can all agree on those things.

Drew Hendry: On that point about Scottish and other produce being taken forward, does the hon. Gentleman agree that the Scottish Government should be involved in the ratification of any detail of TTIP before it is implemented?

Andrew Percy: I was questioning the Scottishness of haggis. Of course, the mechanism for determining this treaty is well set out. It will be determined in the national Parliament of the United Kingdom, as it should be, just as it will be determined in the national Parliaments of the 27 other member states. The turnout of Scottish National party Members today is impressive, as it is in a lot of debates. It certainly could not be said that the voice of Scotland on this will not—

Steve McCabe (Birmingham, Selly Oak) (Lab): Will the hon. Gentleman give way?

Andrew Percy: No, I am still responding to this point. The voice of Scotland is going to be heard strongly and loudly on this issue, as it is on so many others.

I just want to talk about—

Steve McCabe *rose*—

Andrew Percy: No, I will not give way. I have changed my mind.

I just want to talk about CETA for a moment. What the hon. Member for Swansea West (Geraint Davies) said about it being a Trojan horse is slightly offensive to the Canadian Government.

Geraint Davies *rose*—

Andrew Percy: The hon. Gentleman did not give way to me, so I will not give way to him.

Geraint Davies: On that point—

Andrew Percy: Perhaps the hon. Gentleman wants to say that it was not an insult. To use the term “Trojan horse” suggests that the Canadians are in some way being used as a battering ram for the Americans, which is quite offensive. CETA in Canada has the support of the new Government, just as it did of the previous Government.

Much has been said about transparency. The theories on that have been well and truly demolished by my hon. Friend the Member for Aberconwy (Guto Bebb) who quite rightly pointed out that the text of what is being debated is available, and that, at the end of this process, there will be a mechanism for approval in all 28 national Parliaments. One could argue that few things that affect us are subjected to quite so much scrutiny. I am not sure that I can subscribe to the argument of the hon. Member for City of Chester (Christian Matheson), which seems to be that the process of agreeing TTIP could be some sort of conspiracy with regard to leaving the European Union. I did not follow that argument, as it made little sense to me.

John Redwood (Wokingham) (Con): Does my hon. Friend agree that, given the big interest of many of our constituents in what could go wrong with TTIP, it is vital that the UK has both a strong influence and the right to say yes or no, as these are very important matters for our goods and services?

Andrew Percy: I could not agree more with my right hon. Friend. Indeed, I agree with him on so many matters. The issue will come before this House. As I said in an intervention, there is an element of anti-Americanism in this. I am not saying that that is being expressed by those in the Chamber today, but it did come across in an email to me. I do not hear much from 38 Degrees. The people of Brigg and Goole are too busy just getting on with their lives to waste their time forwarding me emails that are written by somebody else, telling me what their view is. I did have an interaction with someone in which I pointed out this view about anti-Americanism. There was then a trail of emails, in which I pointed out that we had all these ISDS agreements with 94 other countries, and that had only been used against us on two occasions, and never successfully. The trail ended with my constituent, who had assured me in his first email that he was not anti-American, saying, “Ah yes, but the other agreements have not had American lawyers involved.” Clearly, there is an element of anti-Americanism involved, and we should not pretend otherwise.

Hannah Bardell (Livingston) (SNP) *rose*—

Andrew Percy: No, I will not give way, because I will not get any extra time. [*Interruption.*] I have a lot to say.

I could not disagree with anything my hon. Friend the Member for Aberconwy said. He made a fine speech, despite his hoarse voice, on the impact on small businesses. I represent an area that is a mix of big industry and small and medium-sized enterprises. Again, a constituent contacted me with something from 38 Degrees. I was robust with him on this position on TTIP, as I have been since I came to this House in 2010. I explained that it is of benefit to small businesses. His response was, “Well, I run a small business, and I have tried to do trade in America, and it is really very, very hard.” That is exactly my point. Those are the people who will benefit most from this agreement.

I represent an exporting centre in this country. A lot of small and medium-sized enterprises have great products to offer, but only a big corporation can afford all the skills and people necessary to navigate the regulatory difficulties; others can struggle, so this agreement will be of benefit to them.

I wish to say something about the impact on the NHS. Some of the scaremongering has been really scandalous. We looked at this matter in the Health Committee, as my hon. Friend the Member for Newark (Robert Jenrick), who is on the Committee, mentioned. We put a series of specific questions to Jean-Luc Demarty, who is the director-general for trade in the European Commission, and his responses could not have been blunter. It is worth while me reading them out for the record. We asked:

“Is it the EU’s negotiating position that publicly funded health services should be excluded from TTIP?”

The answer was very clear. He said:

“This is the effect of the EU’s approach to public services in all trade negotiations since the General Agreement on Trade in Services (GATS) in 1995.”

He went on to say:

“It is also worth explaining that even without the above reservations and exceptions, the EU trade agreements leave EU governments at all levels free to regulate all services sectors in a non-discriminatory manner...Therefore, in effect all publicly funded

public health services are protected in EU trade / agreements, and this approach will not change for TTIP.”

We were not satisfied with that answer, so we asked another question:

“What would be the consequences for the provision of NHS services, including hospital, primary care and community services, if they were not specifically excluded from TTIP?”

Again, the response was clear:

“in effect all publicly funded public health services, including NHS services, will be protected in TTIP.”

We asked again:

“Does the definition of public-funded Health Services include private companies who run such services paid for from public funds? Does it include third sector organisations?”

The answer was:

“Yes, as long as the services are publicly funded, it does not matter how they are delivered.”

They will enjoy the same protections.

We get a lot of nonsense from the EU, but the answer to this next question could not have been simpler. We asked:

“Is there any opportunity after the exclusion of any public services from TTIP for other countries to challenge that exclusion and, if so, what is the process?”

In other words, can they challenge the exclusion of the NHS? The answer was, “No”—with a big fat full stop after it. It could not have been clearer. Another question was:

“Is there any action that a Member State can take outside the negotiation process to ensure that health or any other public services are exempted from the provisions of TTIP or any other trade agreement?”

The director-general said:

“As above, in the Commission’s view there is no need to take any further action to ensure this result, as public services are always protected in EU trade agreements.”

We received similar answers on charitable providers and when a national Government take back in a service. So, this nonsense being perpetuated about the risk of TTIP to the NHS is shameful. It is about trying to present an image to people in this country that big, bad, nasty American healthcare providers, which are only about profit, will come in and sweep up the NHS for private profit. Nothing could be further from the truth, as has been made clear by US negotiators. One US negotiator was really clear about this. He specifically mentioned the UK and said that TTIP is not a way of the US trying to get access to the publicly funded health system in the United Kingdom. The EU trade negotiator was very clear. He said that the service was wholly excluded already. It does not matter whether the service is privately provided, charitable-sector provided or publicly provided—it is all protected.

When people run around campaigning against TTIP and raising legitimate concerns—and there have been some legitimate concerns—about the process and ISDS, the one thing they must not do is frighten people and say that this is about American businesses coming in and destroying the NHS. The response from the EU—I never quote the EU because I do not like the EU, and I am campaigning for us to leave it—has been absolutely clear on this: the NHS is safe, whether or not there is TTIP. The only bodies that can cause any damage to our NHS, and challenge this in the way that those who oppose TTIP say, are national Governments. Governments are in a position to do the damage to the NHS, but in

England, that is not happening because we have an excellent Government doing good things for the NHS. In other parts of the UK, that might be up for debate.

Several hon. Members rose—

Madam Deputy Speaker (Natascha Engel): Order. Before I bring in the next speaker, I will have to reduce the limit to seven minutes. I call Helen Goodman.

1.38 pm

Helen Goodman (Bishop Auckland) (Lab): I wish to begin by congratulating my hon. Friend the Member for Swansea West (Geraint Davies) on securing this debate. I am very grateful to him for asking me to support his application to the Backbench Business Committee for this very important debate, and I agreed with everything that he said about the risks of TTIP and about the need for us to think more deeply about the institutional architecture as we move forward, so that trade, environment and labour standards are all put on an equal footing.

I also want to say what an excellent speech my hon. Friend the Member for City of Chester (Christian Matheson) made. He drew out the problems that similar arrangements have caused in developing countries. The point that he made demonstrated that those of us who are raising questions are fully in the tradition of all those who back the human rights and democratic values of Europe and America.

The Department for Business, Innovation and Skills has analysed the benefits of TTIP. Its estimate is that the gain in this country by 2027 in terms of higher GDP would be £7 billion. When one hears the figure of £7 billion a year, that sounds like quite a lot, but let me put it in the context of the amount of trade we have in this country and the huge uncertainties about the forecasts as we go forward.

Kelvin Hopkins: I just want to make the point that statistics are bandied about for political advantage. My hon. Friend is quite right about the £7 billion, but how would it compare with the £62 billion of trade deficit with the European Union? Those are the kind of figures that make £7 billion very small indeed.

Helen Goodman: The point that I was going to make was that the Office for Budget Responsibility, in its forecast of GDP out to 2020, has an uncertainty of 6% in GDP. That is £160 billion, so we lose the £7 billion of economic benefits in the rounding. I am not saying that there will not be some economic benefits, but we should consider how significant they are and weigh them against the disadvantages that other hon. Members have mentioned. Will this have a significant benefit for our level of exports? By way of comparison, the impact on the level of growth in the markets to which we export is expected to be £338 billion over the next five years. If we have variations in the exchange rate, that will be far greater than the possible benefits we can get from this trade deal.

I am resting my case on the analysis from the Minister’s Department. On the assumption that the Department has got this right, each person in this country would benefit to the tune of £110 a year, or about £2 a week. It is very nice to have £2 a week and I am sure that we

[*Helen Goodman*]

would all rather have it than not, but if the price that has to be paid is a loss of working conditions, labour standards and potential improvements in the national minimum wage or national living wage, the benefits will not in practice accrue to ordinary people in this country. That is why people have doubts about this.

Colleagues have raised the concerns about the national health service, the environment and food standards. I think that the carve-out in the European Commission's negotiating mandate secured by the French on audio-visual services is extremely important; it is also important that we maintain our cultural resources.

Let me come to the big downside of TTIP, which is the loss of sovereignty inherent in the investor-state dispute settlement. The intellectual integrity and honesty displayed in the speech of the right hon. Member for Hitchin and Harpenden (Mr Lilley), a former Secretary of State for Trade and Industry, made it a very important contribution to the debate.

Mr Spellar: Is not the logic of the right hon. Member for Hitchin and Harpenden (Mr Lilley) just as much that he would rather we were not involved with the EU either, as another supranational body? Is there not a danger in this line of argument?

Helen Goodman: There is nothing in our arrangements with the EU that is similar in any way to the private court system under the ISDS. That was the point that the former Secretary of State was making.

My right hon. Friend the Member for Warley (Mr Spellar) said earlier that not many cases have been taken under ISDS or won under ISDS, but it inhibits ministerial action because Ministers are worried about court cases. My hon. Friend the Member for City of Chester made the point that in developing countries the costs of running these court cases are a further inhibition on ministerial and democratic action.

Geraint Davies: Does my hon. Friend not agree that in most ISDS cases, we are the investor in developing countries, and we would be the ones to take action? In the American cases, they would be taking action against us. We have all the fire to come.

Helen Goodman: My hon. Friend makes a fair point, but I just want to say that I think that Ministers are inhibited from taking policy action by fear of court and legal proceedings. When I was a Minister at the Department for Work and Pensions, albeit a very junior one, I was interested in considering the entitlements to benefits of migrants from eastern Europe. My officials not only would not make the changes I was asking them to make, but would not even give me advice on the matter. They said, "Minister, to advise you on that would be to advise you on an illegal action." That is exactly the kind of conversation Ministers will get into with the ISDS.

Mr Lilley indicated assent.

Helen Goodman: I am pleased to see the right hon. Gentleman nodding in agreement.

Robert Jenrick: The UK has 110 bilateral investment treaties, almost all of which have ISDS, including with some very sophisticated countries such as Singapore

and Hong Kong, where the legal system, certainly for commercial cases, is acknowledged to be excellent and akin to ours. Is the hon. Lady saying that the UK should withdraw from all or some of those bilateral investment treaties, on the basis of her previous experience as a Minister?

Helen Goodman: I am not saying we should withdraw. Perhaps we should have more parliamentary scrutiny of what is going on under the arrangements we have; perhaps we are shedding a light on them; and perhaps we should be grateful for those constituents who have alerted us to the issue. I am grateful not because we have to accept every single message in its last detail, but because they have triggered my looking into this more deeply.

Lack of transparency in the negotiations, weak parliamentary scrutiny and the risks mean that it is very important that we do not agree to this measure unless we strip out the ISDS. I am extremely pleased to support the motion this afternoon.

1.46 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I last spoke on this issue in February 2014, and I started out, as I will now, by noting that Wales is a proud exporting nation, despite recent setbacks. Wales outperforms the other component parts of the UK, and according to HMRC statistics we have a trade balance of £5.86 billion based on 2014 figures. By contrast, England has a deficit of £125.6 billion.

Despite recent setbacks in Welsh exporting figures, the potential of a trade deal for Wales is hugely significant, but it should not come at any price. The cost should certainly not be the destruction of public services or environmental and safety standards, or the subversion of public justice to one law for corporations and one law for everybody else. I should state from the outset that I am in favour of further developing trade links between the EU, which is already the world's largest trading bloc, and the United States. However, I still have many reservations about the proposed TTIP, despite the recent attempts by the European Commission to allay those concerns by proposing alternatives.

It is a great irony that the UK Government are dead set on ploughing ahead with TTIP while at the same time jeopardising the future of Wales and the UK within the EU with a referendum conceded in panic by the Prime Minister when UKIP were hot on the Tories' tails. I see that the renegotiation is not going as well as he planned and I suspect that the charade of Tory unity on this issue will disappear very rapidly as the referendum approaches.

Guto Bebb: Is the hon. Gentleman not concerned that the attacks on TTIP, which is being negotiated by the European Union, are in effect undermining our relationship with the European Union? Is it not the case, therefore, that some of these outspoken attacks are more damaging to the position that he supports, which is continued Welsh membership of the European Union?

Jonathan Edwards: I am grateful for that half-clever intervention. The biggest danger to our relationship with the EU is Tory policy on the needless referendum that we will be having in the next year.

When I spoke on TTIP 22 months ago, I set out many of the concerns that I and my party, Plaid Cymru, had regarding the proposal as it stood then. I set out our concerns about the highly controversial ISDS as well as the potential for the agreement to allow for the privatisation of public services despite the public's desire to keep those services in public hands, not to mention the concerns over lowering environmental and safety standards through so-called harmonisation.

The economic benefits of TTIP are contested. A study for the Department for Business, Innovation and Skills estimates that the gains for the UK would be £4 billion to £10 billion annually by 2027. However, the average tariffs on trade between the EU and the US are already relatively low. Therefore, many of the proposals within TTIP and much of the negotiation are centred on non-tariff barriers to trade, such as product regulation and standards, which would need to be harmonised, and measures to protect the rights of investors.

Rachael Maskell: Does the hon. Gentleman agree with the Tufts University analysis of TTIP, which concludes that we would suffer a net loss as a result of the proposals for the future of our economy?

Jonathan Edwards: I have not read that report, but I take the hon. Lady's word for it.

The estimates overstate the gains, and alignment of regulatory standards in areas such as consumer safety, environmental protection, procurement and public health could have substantial social costs. Wales's existing trade with north America has grown rapidly over the past decade and a half as a share of our overall exports, without TTIP in place. Of course, a trade deal could help to grow that even further, but that should not happen at any social cost, and certainly not at the risk of further hollowing out Wales's industrial base. Any trade deal that does go ahead should definitely not be a large corporation closed shop in relation to trading across the Atlantic, as TTIP most definitely appears to be at present. Some 99% of Welsh companies are SMEs, making up the backbone of the Welsh economy. In any trade deal they deserve as much of a look-in as the big companies.

Alongside the potential for the default privatisation of public services such as health, the most controversial element of TTIP so far has been the ISDS provisions, which would allow investors to bring proceedings against Governments who are party to the treaty. The proceedings would be heard in tribunals outside the domestic legal system, meaning that Governments might determine policy with an overriding fear of being sued by corporations—a point made earlier. I said the last time I spoke on TTIP, and I will say again, that the US and the EU already have advanced legal systems. Neither is a banana republic, and corporations should abide by the same well-functioning legal system as the rest of society.

Throughout Europe, including here in Wales and the UK, Governments have been listening, and the UK Government and the European Commission have sought to allay concerns via a new proposal for an investment court system, published only last month. It appears, though, that they are only changing the name. My original point is relevant and remains valid. We already have a highly advanced court system in existence in all

the places within the reach of the proposed trade agreement. The proposals for any alternative shadow legal system should be dropped immediately. Not to do so is an affront to democracy.

Given that public services are devolved, the devolved legislatures and Governments of the UK should have a veto over TTIP.

Jim Shannon (Strangford) (DUP): I want to put on record how TTIP could affect NHS contracts. We in the Democratic Unionist party are totally opposed to it for that reason. We also oppose ISDS. As health is a devolved matter, we want to put it on record that it should be the regional Assemblies and Parliaments that make the decisions, and the Government should liaise closely with them. Does the hon. Gentleman agree?

Jonathan Edwards: I entirely agree with the hon. Gentleman. I am sure there will be some collaboration on the issue between Northern Ireland, Scotland and Wales in the near future. Those areas of public service delivery are the competencies of those Administrations. They might have a different agenda from the UK Government, and devolved Administrations should be fully consulted on and fully involved in any ratification of TTIP by the UK Government.

I am grateful to groups such as Global Justice Now and the Council of Canadians as well as Unison for bringing to my attention CETA, the comprehensive economic and trade agreement between the EU and Canada, often referred to as TTIP's little brother. Although there is much public awareness of the TTIP negotiations, CETA is on the verge of being ratified but is not receiving the scrutiny or attention it deserves. CETA includes the most controversial part of TTIP, investor-state dispute settlement. Many US firms have Canadian subsidiaries, thereby allowing US firms to operate in the EU market. Public services are vulnerable because CETA locks in current levels of liberalisation, meaning that future Governments will find it extremely difficult to stop Canadian companies delivering public services in the EU. CETA is due to be fully ratified in mid-2016, and I urge the UK Government, the Welsh Government and the public to reject this deal unless the safeguards that I have outlined in relation to TTIP are put in place.

The public and politicians should also be aware of the Trans-Pacific Partnership, which is little known over here. Again, the criticisms of this proposed deal bear the hallmarks of TTIP and CETA—secrecy, and the fact that large corporations will exert undue influence over public policy through shadow legal systems.

In conclusion, I am still optimistic that a trade deal aimed at further reducing tariffs in order to secure a level playing field can be achieved, and I believe it would benefit Welsh exporters and our economy as a whole. Many of the environmental standards that the EU requires from its producers and manufacturers should not be compromised. They are already above and beyond those required in the US, placing us at an advantage without the potential social costs that would result from the proposals that are the areas of major concern. In order for any trade deal to have my support and that of Plaid Cymru and the wider public, it must unquestionably drop any proposals for a shadow corporate legal system and ensure that the EU's existing environmental and social safeguards are maintained.

1.55 pm

Kelvin Hopkins (Luton North) (Lab): I congratulate my hon. Friend the Member for Swansea West (Geraint Davies) and other colleagues on securing this important debate. I also congratulate my hon. Friend the Member for Bishop Auckland (Helen Goodman) on her speech. Like her, I agree with much of what the right hon. Member for Hitchin and Harpenden (Mr Lilley) said in a very honest speech.

I am of the left. The Conservatives accuse some of those who oppose TTIP of being on the left. Well, I am of the left. I call myself a democratic socialist, but as our party defines itself in its constitution as a democratic socialist party, I think I am in the right party and I am happy and proud to be so.

Those who support TTIP should read “Fighting TTIP, CETA and ISDS: Lessons from Canada” by Maude Barlow on behalf of the Council of Canadians. Everything they say will be shown to be wrong when they read that.

TTIP must be opposed with all possible force as a dangerous attempt to negate meaningful democracy. It is designed simply to hand economic power to global corporations and to prevent democratically elected Governments from acting in the interests of their peoples. It has been negotiated largely in secret between private corporate representatives and bureaucrats, with no real democratic political involvement and certainly no representation from workers and their trade unions. On the continent of Europe millions of workers are aware of the dangers, and it is vital that the people of Britain, especially the working people of our country, also become properly aware of the dangers before it is too late.

I mentioned Europe and have seen evidence of the growing resistance to TTIP there. I was recently in Brussels, on the day of the European Council, when the Prime Minister announced his intention to write his famous letter to Donald Tusk. What was also significant on that day was the complete lock-down of the political centre of Brussels to protect politicians from a massive anti-TTIP demonstration. There were police road blocks at every turn, with water cannon at the ready and public transport services in the area closed down. I could not persuade a taxi driver to take me anywhere near my destination, and the metro was not stopping at the station serving the political district. Most significantly, there seemed to be an effective news blackout of the demonstration, so the political and bureaucratic establishment was doing its bit to protect the interests of the corporate capitalist world.

There will, of course, be all sorts of public reassurances from that same political establishment that TTIP will be benign and beneficial. That is a lie. If TTIP eventually becomes established, there may be some superficial qualifications, which will simply be pushed aside when the private corporations get their way. There is a parallel in the European Union’s hypocritical and empty commitment to workers’ rights and trade union rights—the sham of so-called social Europe. The Viking and Laval cases show that when push comes to shove, employers’ rights override any supposed worker rights. The Greek bail-out required the Greek Government to restrict trade union and worker rights as a condition of the bail-out, and there is more of that to come.

Now we see the nomenclatura of the European Union seeking to sell out workers’ rights, trade union rights and citizens’ rights to control their own lives and their societies through their elected democratic Governments. We are moving towards the referendum on Britain’s EU membership, and millions of trade union votes will be a significant factor in that referendum. The TUC is strongly opposed to TTIP and my own union, the GMB, is likely to recommend a vote to leave the EU if TTIP goes ahead. If 6 million public sector trade unionists fear that TTIP is going to happen, with the likely threat of privatisation of our public services without redress, and the threat to the services they provide and their livelihoods, they will vote to leave the EU.

I have argued that the EU is fundamentally anti-democratic, although some of my colleagues may disagree. If the Commission does a deal with the US and the corporations, that will confirm what many of us believe—that the EU is an agent of the global private corporate world.

Patricia Gibson (North Ayrshire and Arran) (SNP): The hon. Gentleman talks about the threat to public services. Given that the people of Scotland were told by the Better Together campaign that the best way to protect Scotland’s NHS was to vote no in the independence referendum—the People’s NHS is organising a very effective campaign in Scotland—does he agree with the position of the First Minister, who has asked the Prime Minister specifically to exempt the NHS from TTIP?

Kelvin Hopkins: I would certainly support that.

Over 10 years ago Tony Blair wined and dined American health corporations in Downing Street as a prelude to what has been happening. Private companies, with the connivance of the current Government, are even now buying into bits of the national health service to make a profit, cherry-picking the most profitable bits and leaving the difficult bits for the public sector. I believe that it is time for us all, especially in the Labour party, to wake up to the dangers and reject TTIP before it is too late.

2 pm

Ronnie Cowan (Inverclyde) (SNP): I commend Conservative Members for sitting through this entire debate; if I had gold, silver and bronze medals to hand out, I would have one medal too many.

I agree with the general principles of the motion. It is entirely appropriate for an all-encompassing agreement such as TTIP to be scrutinised by elected representatives in this House and in the European Parliament. As Members are aware, negotiations on the agreement began in July 2013. During the subsequent two and a half years it has been extremely difficult for elected representatives at any tier of government to acquire clear information about it. Holding negotiations behind closed doors rarely instils public confidence, particularly when the results of any agreement will have wide-ranging political and economic ramifications. Unsurprisingly, this lack of transparency has generated widespread public scepticism about the proposed agreement.

Drew Hendry: On that point, if the TTIP agreement is as benign as we have been told, particularly for the NHS, does my hon. Friend agree that we should get the details out into the open so that they can be debated properly in this Chamber?

Ronnie Cowan: I agree with my hon. Friend.

My Scottish National party colleagues, whether MSPs, MPs or MEPs, have held a consistent position on TTIP: although Scotland might benefit from a free trade agreement with the United States, we require a number of assurances before we can give the proposals our full support. First, under no circumstances can TTIP threaten NHS Scotland with privatisation. I previously wrote to the Prime Minister regarding that specific issue, as did the Scottish Government, who urged the UK Government

“to ensure that the NHS is fully and explicitly exempt from TTIP and, if that is not the case, to use its veto at the European Council to prevent TTIP progressing”.

The UK Government’s response expressed the opinion that TTIP poses no threat to the NHS. I know that my constituents will not find the assurances of a Tory Government sufficient evidence that the NHS is safe from privatisation.

Unionist Members will no doubt say that health is devolved to the Scottish Parliament, but I remind them that any privatisation of health services in England will have associated funding implications for Scotland. It is unfortunate that no clear evidence has been provided regarding the protection of NHS Scotland and that we are instead reliant on an assurance from the EU and the UK Government that we should not be concerned. Legal advice sought by Unite the union was quite clear in concluding that the NHS is:

“Included in the material scope of the TTIP”.

The concerns of many people in Scotland about TTIP and NHS privatisation could easily be alleviated by an explicit opt-out for the NHS in the text of the agreement. As yet that has not been forthcoming. The SNP will continue to engage and advocate for NHS Scotland to receive adequate protection.

Rachael Maskell: Would it not be better to have a positive list of what is included in TTIP, rather than a negative list of what is excluded?

Ronnie Cowan: I could not argue with that. Either way, we need to have the assurances in writing.

Worryingly, there are already examples of Government policy changes resulting in legal action from foreign investors, including in the health sector. We must do everything possible to oppose such a situation in the UK’s nations. I would add that the European Commission’s proposal to replace the investor-state dispute settlement mechanism with the investment court system is little more than a rebranding exercise that will not alleviate the concerns that have been raised. It is unclear to me why an entirely separate legal mechanism is required to “protect” investors from national Governments. Foreign investors should not have the privilege of a special court, and multinational corporations, like individuals, should continue to operate entirely within the existing legal framework.

For those reasons, the text of any TTIP agreement must be subject to parliamentary scrutiny before the UK votes on it at European level. The Scottish Parliament must be part of that process, as Holyrood is best placed to determine the effects of any agreement on Scotland.

I have no objection in principle to free trade agreements, but it must not be free trade at any cost. The potential threat to NHS services, the transfer of powers to the

private sector and the lack of transparency in the negotiation process are all areas of serious concern. It may yet be possible to reform TTIP in a positive way, but that can be done only when elected representatives have a more active role in drafting the agreement. Until the European Commission recognises these concerns, I am unable to see how any elected representative can give unqualified support to TTIP.

2.6 pm

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): I marvel at the utter certainty of the many hon. Members who are not here. Before negotiations are even completed, they seem to know what is in the final settlement. I marvel, in particular, at the hon. Member for Brigg and Goole (Andrew Percy), as we can see him fading away into the mists of the past—

John Nicolson (East Dunbartonshire) (SNP): Like Brigadoon.

Roger Mullin: Yes, like Brigadoon. I marvelled at his utter certainty and faith in the European Union as he read a letter to us for two and a half minutes. We can be comforted by the fact that we received assurances from the UK Government, and from Government Members, on a negotiation that is not complete, and unlikely to be completed for a considerable time.

I am in favour of international trade—it would be surprising if I were not, as the Member who represents the constituency that was home of Adam Smith. It would be wise of Government Members, had there been any here, to read some of his writings and see what leads to free trade and effective markets. My concern is that much of what is being proposed takes inadequate account of small and medium-sized enterprises, for example. We will be faced with a costly, bureaucratic and legalistic international court system.

Drew Hendry: Given the historically important factors for Scotland, such as shellfish and wild salmon, does my hon. Friend agree that it is vital that the Scottish Government understand the implications of the details of any TTIP agreement before it is implemented?

Roger Mullin: Absolutely. That is a particularly important reason why it is not only this House that needs fully and properly to debate any final settlement; it also needs to come to the devolved authorities, and not only in Scotland, but in Northern Ireland and Wales—I assume that Members from Northern Ireland and Wales would welcome that opportunity. If there is anything that new Members, who have been here for a mere six months, have come to understand, it is that this Government have no interest whatsoever in the concerns of the Scottish economy, and it is matched only by their complete ignorance of it.

Anna Soubry *indicated dissent.*

Roger Mullin: Well, the lady on the Government Front Bench can do her snide little waving, but it does not hide the truth of my statement. [*Interruption.*] Yes, does she wish to intervene? [*Interruption.*] Silence is golden in some cases.

I commend the hon. Member for Swansea West (Geraint Davies) for securing this fine opportunity to debate this important issue, but I am sure that he, like me, is very disappointed at the lack of interest shown by

[Roger Mullin]

Government Members in international trade. I have particular interests that have not been mentioned so far, so I am going to take a little time to delve into one or two other areas.

I became aware some time ago that the Department for International Development had commissioned a study by the University of Sussex on the impact of TTIP on developing countries, or what it called “low income countries.” I would like to read into the record one of the paragraphs produced by the University of Sussex for the Government:

“A transatlantic agreement carries potential threats...in some sectors. The reciprocal removal of”

most favoured nation

“tariffs in transatlantic trade could entail LIC”—

low income countries—

“lose market share to the TTIP partners as a result of the fall in tariffs and other barriers.”

In other words, and to put it simply, the removal of barriers to partners within the deal while maintaining barriers elsewhere will make it more difficult for international trade to be accessed by some of the world’s poorest countries, which we should be encouraging to engage in trade. I am concerned about that and hope that when the Minister responds, she will address the effect that the proposal will have on some of the poorest countries in the world.

Like many Members who have already spoken, I am also concerned about the great democratic deficit in the proposed investor-state dispute settlement or, as it is becoming known, the international court system. I was particularly intrigued by the comments of the former Secretary of State for Trade and Industry, the right hon. Member for Hitchin and Harpenden (Mr Lilley), that he was greatly concerned about the issue. ISDS will put in place a system that could usurp the legitimate democratic processes of those countries involved. On this point, as on so many others, those of us who are concerned have been reassured and told that we are foolish because there have been 94 ISDS agreements and nobody ever uses them. If that is the case, allow me to save millions of pounds in negotiating them by suggesting that they be immediately dropped. Then everybody will be happy and content, will we not? Some of the arguments strike me as completely and utterly fallacious, if enjoyable near Christmas time.

I wanted to refer to many other issues. I have been encouraged by my fellow SNP MPs to respond to all the detailed contributions made by Government Members, but since they are not here to hear my words of wisdom, I think I will save them for a more convivial time, in order to take them to task.

John Nicolson: For those of us who are having trouble seeing across the aisle, will my hon. Friend, for the record, remind us how many Conservatives are taking part in this debate? Perhaps he could count them for us.

Roger Mullin: My hon. Friend is being very unkind. I believe there is one to come, but I do not see the right hon. and hon. Members I would have expected to be flooding the Government Benches, had they a genuine interest in international trade or in the issues under discussion. They have gone away, like much of this Government’s policy.

If anybody needs to be convinced that we need to be concerned about TTIP, the democratic deficit and the way in which it provides favours, but only for the large corporations, this debate has served its purpose and served it well.

2.14 pm

Kate Osamor (Edmonton) (Lab/Co-op): I congratulate my hon. Friend the Member for Swansea West (Geraint Davies) on securing this debate and the other hon. Members who signed the motion.

I want to focus on the potential impact of the investor-state dispute settlement on our NHS. Before coming to this House, I worked in the NHS for 15 years, so it is personally important to me. Many of my constituents have also sent me emails stating that they are very concerned about the Transatlantic Trade and Investment Partnership and the potentially damaging effects on consumer safety, environmental protection and public health.

The ISDS allows investors to bring proceedings against foreign Governments who are party to the treaty in tribunals outside the domestic legal system. The Government state that the ISDS provisions are still under negotiation and that they must strike the right balance on protecting investors. I believe that that threatens to lead to greater corporate interference in public policy, as Governments may be motivated by fears that they are going to be sued by private companies. Therefore, I was particularly concerned when in February the summary of a legal opinion commissioned by Unite—a left-wing union of which I am a member—suggested that

“there are real risks arising from the TTIP that could impact on the NHS unless a robust carve-out is put in place.”

I am encouraged by the Government’s answer to a parliamentary question on 28 October that they have protected the national health service and public services in these trade agreements and that it would be possible for a future Government to terminate private provision of services, but I am deeply concerned that they will facilitate further privatisation under this Government. Many campaigners, including People’s NHS, who took to the streets in November, also fear for the NHS.

I end my speech by asking the Government, first, to clarify their position on the use of the ISDS element of TTIP and, secondly, to reiterate their guarantee that it will not interfere with our ability to de-privatise our NHS.

2.17 pm

Daniel Zeichner (Cambridge) (Lab): I, too, thank my hon. Friend the Member for Swansea West (Geraint Davies) and the Backbench Business Committee for initiating this important debate.

TTIP may not be on the lips of everyone in every constituency, but there is great interest in it in my constituency, so much so that during the general election campaign, when I was pleased to be joined on the campaign trail by the wife of the then Leader of the Opposition, she was absolutely amazed to find that the inhabitants of the first three houses whose doors we knocked on all wanted to talk to her about TTIP. I think she went away appreciating that Cambridge is a very special city indeed.

Such is the interest in the city that we have had a series of public meetings, one of which I organised. I was very pleased to welcome my colleagues Richard Howitt and Lucy Anderson, who are both Members of the European Parliament, to help throw light on what for many people is still a deeply opaque process.

Of course, I agree with other hon. Members that trade agreements are important, but they are also intricate and complicated, perhaps inevitably so. For many of our citizens they seem very remote, and they are often negotiated under wraps. Even to those of us who are following the detail, TTIP can seem fiendishly complex, but it is so important that it cannot be ignored, which is why we must keep asking questions and make sure that they are answered to our satisfaction.

As other hon. Members have pointed out, of course we are in favour of trade agreements. They bring significant benefits and boost trade and growth, and they should secure and create jobs, bring down costs and extend choice for consumers. The Government tell us that an ambitious agreement could add as much as £10 billion annually to the UK economy in the long term, which would be good for jobs and good for consumers. That would, indeed, be welcome, but those economic benefits are contested, and I suspect that, in truth, the reality is that there is simply no way of knowing for sure at this stage what the potential gains may be. We should beware of hyperbole. We need to be able to weigh the possible benefits against the possible risks, which is why the Government should assess, in a transparent, comprehensive manner, what the real economic impact might be. I understand the Business, Innovation and Skills Committee has recommended that this assessment should set out the potential benefits and risks on a sector-by-sector basis, which would probably provide much sought-after clarity.

There are many concerns about TTIP, and they have been well rehearsed in this debate. I share with many hon. Friends the concerns about the impact on public services, particularly the national health service. The investor-state dispute settlement mechanism might gift transnational corporations the power to sue countries for profits that have been lost as a result of that country's policy decisions. There is a very real fear that the inclusion of the ISDS mechanism will prevent a future Labour Government from reversing the Health and Social Care Act 2012 in England owing to the fear of the cost of legal challenges they may face.

Mr Spellar: If companies have existing contracts as a result of privatisation, can they not, under contract law, take action in the domestic courts? Is that not the problem, rather than that there will be a new legal procedure?

Daniel Zeichner: I certainly agree with my right hon. Friend that real problems are created by our own Government, and we do not just have to fear TTIP, but TTIP might make the situation worse. As someone who endured the horrors of a tortuous and expensive tendering process for our health services in Cambridgeshire during the past few years and has seen it collapse spectacularly and expensively in recent weeks, my advice to the House is: "Don't go there."

We have had reassurances from Ministers. Recently, the Minister for Skills said that

"the Government were entirely satisfied that the position regarding TTIP would not threaten the public status of our NHS or other

public services. We were entirely satisfied that there was absolutely no intention on the part of the Commission in negotiating the agreement, or on the part of any other EU member state, to allow the status of either our public services or theirs to be threatened."—*[Official Report, 9 July 2015; Vol. 598, c. 568.]*

I must say that I am not so sure, not just because of who told us that, but because, from what I have heard, my constituents are not satisfied and because we will not be satisfied until we have concrete proof that a TTIP deal would not irreversibly expose the NHS to competition and threaten its very basis as a public service.

Finally, TTIP is no ordinary trade agreement. Its prime objective is the removal of regulatory barriers to trade, but there is a significant gap between EU and US regulations in a host of areas—safety at work, food production, the use of pesticides and GM crops are just some of them. The danger is that instead of TTIP harmonising regulations upwards to remove regulatory barriers, it will seek the mutual recognition of regulations between the EU and the US. That will inevitably lead to pressure for deregulation in the EU, as EU businesses find that they can no longer compete against US companies that operate to inferior standards of environmental protection and health and safety legislation.

Jo Stevens: There are significant concerns about the United States not ratifying the International Labour Organisation conventions and about violations of fundamental labour rights in the United States, such as the right to organise and the right to negotiate collectively. Does my hon. Friend support the implementation of those core ILO standards within TTIP?

Daniel Zeichner: It would most certainly be good for our Government to recognise many such obligations, and certainly to do so within TTIP. I wanted to conclude that section of my speech by saying, to put it rather crudely, that the US can keep Donald Trump—we do not want that here.

These issues are not easy to resolve, but we should proceed with caution. A trade agreement that brings economic benefits for our country is undoubtedly welcome, but putting ourselves at a disadvantage, undermining our public services and weakening consumer and workplace safeguards is not. We deserve to know what is going on, and we demand that the Government stop ducking and dodging and ensure that future negotiations with the EU and the US are done in the open so that everyone can make an informed judgment.

2.23 pm

Mark Durkan (Foyle) (SDLP): It is a pleasure to follow the hon. Member for Cambridge (Daniel Zeichner). Like him, I have heard many concerns expressed by many constituents in relation to this issue at a number of levels. They do not come at it with an anti-American point of view. My constituency enjoys significant US corporate investment—would that we had more—and many people are employed by firms that are US-based or were US-based but now have a more global formation. The city of Derry has long been key to the transatlantic partnership. It was a key transatlantic port for many years, and even during the second world war. As Base One Europe, the Americans' first base in Europe in the second world war was in Derry. In fact, they started building it six months before Pearl harbour.

[Mark Durkan]

My constituency gives such transatlantic relationships a very positive embrace. We are not against anything transatlantic, we are not against trade, we are not against investment and we are not against partnership, but people have a right to be concerned about what has been proposed and to make sure that parliamentarians—at Westminster, in the European Parliament and, I hope, in the Parliaments of other member states—will do due diligence and give due scrutiny to what is involved, because the potential is significant.

I do not dispute that some aspects of TTIP are potentially very positive. I have listened to the arguments that some hon. Members have made in offering assurances about what this trade deal actually represents. However, they too must listen to people's serious and genuine concerns. I congratulate the hon. Member for Swansea West (Geraint Davies) on introducing this debate, but I also congratulate the right hon. Member for Hitchin and Harpenden (Mr Lilley) on helping to delineate carefully some of the different issues involved.

We have to make sure that we are not creating, in the name of all the good we want to happen in relation to trade and investment, any new constructs that are beyond accountability, meaning that we end up with transnational capital having more legal clout than the parliamentary systems of democratic states in determining public policy and national law.

It is also important to recognise that some hon. Members have cited the assurances given either by Ministers in this Parliament or by members of the European Commission. Some people say, "Well, other investor-state dispute settlement systems have not resulted in cases being lost." We know that past performance is no guarantee in relation to future prospects. We particularly need to recognise that the scale involved in this deal is much greater than that involved in any of the other existing bilateral ISDS set-ups.

We must remember that there is potential not just for cases against the UK to be lost, but for cases against other member states to be lost, which would then create case law that could, in turn, be used against the UK and other member states. That is a key worry for the devolved Administrations: what are the consequences for them of cases brought elsewhere? Indeed, the devolved Administrations may be targeted—for example, a case may be brought against a devolved health service—because they are seen not to have very deep pockets and are seen not to be in a strong position to hold out against such a case. For some corporate interests, that may then be a Trojan horse to get into other UK services.

We have had such an experience in relation to the EU. The fact is that the European Commission has often introduced directives, and given assurances about its intentions and the import of those directives, but has not then been in control of subsequent European Court of Justice decisions. Such ECJ decisions have meant that the European Commission has had to revise its guidance to member states, and member states that previously relied on those assurances have had to bow to different demands.

Christina Rees: Does the hon. Gentleman think that a separate judicial system available only to foreign investors is called for?

Mark Durkan: That could be one answer. There may be something in that. It is interesting that the European Commission seems to have accepted that there are some problems with the proposed ISDS. I note that even the hon. Member for Brigg and Goole (Andrew Percy) said that some legitimate concerns about the ISDS had been made, although he did not tell us what they are. Does the proposed investment court system answer all such questions? I am not sure that it does, and we must look at that. We must come up with a system that actually works in all terms: yes, one that provides free trade, open trade and fair trade, but also one that protects public services in this country.

We must remember that aspects of TTIP have previously been debated in this Chamber and elsewhere. Indeed, the hon. Member for Eltham (Clive Efford) introduced a private Member's Bill during the last Parliament. I was on the Public Bill Committee on the National Health Service (Amended Duties and Powers) Bill. It was filibustered by Conservative Members who wanted to stop a private Member's Bill that would have provided belt and braces protection against the implications of TTIP for the health service. If they thought that the protection was already there and the Bill was superfluous, it seems strange that they would go to such lengths to filibuster it. The hon. Member for North East Somerset (Mr Rees-Mogg) treated us to hours of papal encyclicals on social good and health. We were treated to his version of "Top of the Popes", all in an attempt to stop this House putting in place a bulwark to protect health services. That makes people suspicious of the true import of this agreement.

The hon. Member for City of Chester (Christian Matheson) was right to ask how this issue will play into the EU referendum. He said that the arguments that are being made for TTIP could be used by people who want us to exit the EU to say, "We can have all the benefits of trade outside the EU." On the other hand, the referendum will probably be highly personalised as the Prime Minister's referendum and, as he will have little to show from his renegotiation that will persuade the doubters on his Back Benches, he will instead go before the electorate saying, "If you don't stay in the EU, you won't have the benefits of TTIP."

This referendum may well be sold, as was the original referendum, on the basis of market opportunity. If the market opportunity is the TTIP market, this might become a very significant issue during the campaign. The experience in Ireland shows that issues that appear to be esoteric and technocratic can become the running strand in a referendum—one does not know where that will lie. The fundamental misgivings that people have about TTIP need to be addressed now through proper scrutiny; otherwise we might find ourselves casualties of the public debate during the referendum campaign.

2.32 pm

Hannah Bardell (Livingston) (SNP): I would like to put on the record my appreciation for the work that my hon. Friend the Member for Glenrothes (Peter Grant) and the hon. Member for Swansea West (Geraint Davies) did to secure this important debate on TTIP. It is a matter of great concern to many of us across the House and it has been important to hear the varied contributions. I pay tribute, in particular, to my hon. Friend the Member for Kirkcaldy and Cowdenbeath (Roger Mullin), whose contributions are always considered and colourful.

The position of the Scottish National party on the proposed trade deal has been clear and consistent, and was reached democratically by the membership of our party. I reflect the views of my hon. Friends, the membership of my party and many, many Scots when I say that we have real and legitimate concerns about a number of the proposed provisions in the trade agreement that would threaten the ability of elected Governments in Europe to act and regulate in the public interest. I will touch on those concerns later.

At the outset, I will address the value of international trade and foreign direct investment, which are vital to our economy. The debate on this trade agreement is not about the principles of free trade. I and my party are passionately pro-trade. Instead, this debate is about the need to achieve a balance. There must be a balance between securing opportunities for further international trade and doing so transparently, while protecting the integrity of democratically elected Governments to run public services and make decisions in the interests of the people they were elected to serve.

Scotland is an avowedly outward-looking and ambitious nation, and is punching well above its economic weight. According to Ernst & Young, Scotland was the UK's most successful inward investment magnet outside London last year in terms of the number of investment projects secured. In all, 80 separate inward investment projects came to Scotland last year, almost half of which were from the United States. There is a pattern of competitive excellence. Over the past 10 years, Scotland has secured more than 37,000 jobs from foreign direct investment, making it a narrow second to London but well ahead of other parts of the UK. In the past six years, under the SNP Scottish Government, the value of international exports has increased by 40%. That is good for Scottish business, good for the Scottish economy and good for working people in Scotland. The internationalisation of Scottish business, boosting exports and attracting foreign direct investment remain key to Scotland's economic strategy. My point is that Scotland is a proud and successful trading nation.

In the interests of balance, it would be remiss of me not to highlight the Conservative Government's record on trade and exports. There were 4,000 fewer British businesses exporting in 2014 compared with the number that traded internationally in the previous year. Earlier this year, it emerged that the Chancellor has presided over the largest annual trade deficit since records began in 1948—a deficit of £92.9 billion, which is the equivalent of 5.1% of GDP at current market prices. The claim that the Government lay to economic credibility is a myth and it lies in tatters.

I highlight that trading record because it is important to recognise that the economic achievements of the SNP Scottish Government are characterised by an openness to trade with our partners and friends around the world. We welcome the opportunity to forge better trade links and encourage our businesses to release their international potential. However, TTIP represents better trade links at the expense of transparency and democracy, and potentially at the expense of good public services owned and managed by the public. I will address three specific concerns.

The first concern relates to the investor-state dispute settlement, which has been much talked about today. We have seen movement on this issue over the past few

months from the European Commission, which has conducted somewhat of a rebranding exercise with its revised international court system, which replaces ISDS. Although the ICS proposals contain a number of important reforms of ISDS, the changes are nowhere near what is required to overhaul the inherently unfair system of extra-judicial rights for foreign investors. The fundamental question of why private companies require the ability to challenge public policy decisions made by democratically elected Governments remains unanswered.

This is not a fringe concern. Without intimating any political preference in the upcoming US presidential election, I highlight the comments of Hillary Clinton in her book, "Hard Choices". I commend it to the House—it is a great read. She says of trade agreements that

"we should avoid some of the provisions sought by business interests, including our own, like giving them or their investors the power to sue foreign governments to weaken their environmental and public health rules".

While I am talking about views in the US, it is interesting to note the letter of objection to ISDS, which claims that it weakens the rule of law, that was signed by eminent lawyers and academics such as Judith Resnik, professor of law at Yale, and Nobel laureate Joseph Stiglitz.

The SNP has repeatedly pressed the Government for an explicit exemption from the agreement for the national health service. There must be absolute clarity that although the UK is, for the time being, the member state, any decision it takes in the context of TTIP, such as opening up the NHS in England to greater private sector involvement, in no way interferes with the Scottish Parliament's devolved responsibility for the Scottish NHS. I commend the campaigns that have stimulated public interest in the potential consequences for important public health services, particularly the People's NHS campaign. I urge the Government to pursue meaningful exemptions for the NHS.

Alison Thewliss (Glasgow Central) (SNP): Does my hon. Friend agree that it is concerning that the public information campaign on TTIP has been left to such grassroots organisations? They are going out and making the case to people on the streets on a voluntary basis, but there is no wider campaign.

Hannah Bardell: I share my hon. Friend's concern. Perhaps we should draw on the experience of the Scottish referendum, which showed that full engagement and full transparency allow full participation in these processes. It is important that the public have all the information available to them.

My second concern about the potential impact on Scotland of a ratified TTIP is the effect on protected food names and geographical indicators.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): This week, we had an excellent Westminster Hall debate on bees and the use of neonicotinoids. There are worries that TTIP could water down the regulations on pesticides. Does my hon. Friend agree that, in addition to the threat to names and geographical indicators, TTIP poses other threats that could affect Scotland's clean, green status and its £14 billion food and drink sector?

Hannah Bardell: My hon. Friend makes her argument eloquently, and I share her concerns.

I understand that in the course of the negotiations the UK Government have suggested three Scottish products—Scotch beef, Scotch lamb and Scottish farmed salmon—for inclusion in TTIP as protected geographical products. However, there are at least 11 other protected Scottish food names which must have clear and explicit protection in TTIP. The consequence of this not happening would be the potential flooding of the market with imitation products. I invite a commitment from the UK Government that they will negotiate for the inclusion of special protections in TTIP for the full range of protected Scottish product names.

Negotiations on the scope of TTIP began in July 2013, but the people of these isles, who will be affected for better or worse by this trade agreement, have had to rely on speculation in the column inches of newspapers for any insight into how they might be affected. Indeed, the progress of this trade agreement has been characterised by a lack of transparency, and that is simply not good enough. Again, this is not a fringe concern; it has also been expressed by the President of the German Bundestag, Norbert Lammert, who has indicated that he would even oppose TTIP without a more transparent process of negotiation.

Should an agreement on TTIP eventually be reached, it will be for the Heads of Government across Europe to indicate their approval and for the European Parliament to approve or reject the agreement. On the question of whether the final deal is good for us, good for our public services and good for our small businesses, we will need to place our trust in this Prime Minister's judgment. I would suggest to him—and to this Government—with the greatest respect, that should an agreement on the scope of TTIP emerge, he might wish to afford this House the opportunity to properly debate the merits of any such agreement. That point has been made numerous times today, and I would welcome a commitment from the UK Government to that effect. I also suggest that that courtesy might be extended to the devolved legislatures and Governments.

It is by no means clear when, or even if, a final agreement on TTIP might emerge. To be clear, should it come to pass that an agreement is reached, any potential economic benefits of TTIP cannot come at the price of the threat of the privatisation of our public services such as the NHS, and it cannot come at the expense of the integrity of our distinct national products. I suggest that public and political confidence, if they are not already lost, might be won by embracing a more transparent process in the progression towards an agreement. I look forward to the contribution from the Government today.

2.41 pm

Kevin Brennan (Cardiff West) (Lab): First, I want to say well done to my hon. Friend the Member for Swansea West (Geraint Davies) for securing the debate. If I counted correctly, there have been 16 Back-Bench contributions. I hope I have not missed anyone out. The speech from my hon. Friend the Member for Swansea West was followed by a very important speech from the right hon. Member for Hitchin and Harpenden (Mr Lilley). His thoughtful and important points about international bureaucracies outside democratic control

resonated across the House. My right hon. Friend the Member for Warley (Mr Spellar), the chair of the all-party parliamentary group on European Union-United States trade and investment, put the case in his typically robust style and in a very effective manner.

We also heard speeches from the hon. Member for Aberconwy (Guto Bebb), my hon. Friend the Member for City of Chester (Christian Matheson), the hon. Members for Newark (Robert Jenrick), for Glenrothes (Peter Grant) and for Brigg and Goole (Andrew Percy), my hon. Friend the Member for Bishop Auckland (Helen Goodman), the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards), my hon. Friend the Member for Luton North (Kelvin Hopkins), the hon. Members for Inverclyde (Ronnie Cowan) and for Kirkcaldy and Cowdenbeath (Roger Mullin), my hon. Friends the Members for Edmonton (Kate Osamor) and for Cambridge (Daniel Zeichner), and the hon. Member for Foyle (Mark Durkan). Finally, we heard from the hon. Member for Livingston (Hannah Bardell), speaking from the Front Bench for the Scottish National party. All those speeches made for a very interesting debate, and I look forward to hearing the Minister's response to it.

There have been several debates on this subject in the House over the past couple of years and I am sure that they have helped to shape the debate about TTIP and to influence the negotiations in a positive way. There is general cross-party support for trade, and for a good trade agreement, but, as we have heard, there is also a great deal of controversy and concern, and in some cases outright opposition.

A comprehensive trade agreement between the EU and the USA has huge potential benefits. The CBI has described it as a global economic game changer, but of course for that to be true we have to get it right. The hon. Member for Livingston pointed out the Government's dismal record on trade. I can tell her that new figures have come out today on the UK trade deficit in goods and services which show that the figure had risen to £4.1 billion in the three months to October 2015, which is £2.4 billion higher than in the previous three months. If that is not clear evidence that we need to improve our trade and export performance, I cannot imagine what is.

Kelvin Hopkins: Does my hon. Friend agree with Anthony Hilton, who has written in the *Evening Standard* that the disaster facing us is in fact a trade deficit disaster, and that this Government and future Governments will have to address it?

Kevin Brennan: Yes, my hon. Friend is absolutely right. When the Government discuss deficits, they seem not to want to talk about the trade deficit at all. It is extremely important, however, because it will in effect become a tax on every household in the country if we allow it to persist. We have to do much better, and this point simply highlights the difference between the Government's rhetoric and the reality of what is happening in our economy.

Estimates commissioned by the Government, and others, suggest that the potential gain from TTIP to British output could be between £4 billion and £10 billion, or 1% and 3% in exports. We must, however, be cautious about the overall figures, as they have been questioned. It would be helpful if the Government could do more to explain their case. In particular, given the wide range of

contributions to today's debate from Members representing constituents in all the nations and regions of the UK, it would be helpful if they could break down a little further what the potential benefits would be across the nations and regions.

I put a written parliamentary question to the Secretary of State for Business, Innovation and Skills, which the Minister for Small Business, Industry and Enterprise answered recently. My question was about the potential benefits of TTIP to various parts of the UK economy. The part of the question that the Government could not answer was the part relating to the benefits for the economy of each region and nation. It would be useful if the Government did that work if they want to convince the public across the United Kingdom of the benefits of the process.

We support the core objectives of a good deal—job creation, better wages, higher standards and consumer benefits—but as the debate has shown, there are still legitimate concerns that the Minister needs to address in her response. The desire to get the deal through is understandable, particularly given the US presidential election in 2016. Europe and the US are Britain's most important markets. The US is already the UK's largest export market, but more can be done to tackle barriers to trade and to improve market access—hence the need to reach a deal. However, any trade deal must filter down to employees, to small and medium-sized enterprises and to consumers. The business case for TTIP must be more than a case just for business. That point will be crucial in assessing any final deal.

We have set out four tests in the past and I want to repeat them today. The first key test is the ability of the deal to deliver jobs and growth. The second is that it should be open and accountable. The third is the aim to achieve the highest possible standards regarding social and environmental concerns and, of course, wages. Fourthly, the agreement must allow enough space for national Governments to act in their own interests and according to their own democratic mandates. We have been monitoring closely the negotiations between the EU and the US, and the UK Government's input into them, through the prism of those tests. We want the benefits that businesses experience to be passed on to consumers through better choice or lower prices.

I am sure the Minister will argue strongly for the benefits that TTIP can bring, and it would be useful to hear whether she thinks it would be in Britain's interest to leave the European Union, given that we are negotiating this agreement. Can she explain what would happen to TTIP if the UK left the EU? Reports suggest that the Prime Minister is considering recommending such a course of action if he cannot get his way in the negotiations. Labour Members strongly believe that it is in the UK's interest to stay in the European Union, and I hope the Minister will echo that in her response to the debate.

Real concerns have been raised about the ISDS, and many of our Labour colleagues in the European Parliament have pressed hard on that issue. The current European Parliament resolution calls for the ISDS to be replaced by a

“new system for resolving disputes between investors and states”

that is

“subject to democratic principles and scrutiny.”

The text does not address the issue of having a separate judicial system that is available only to foreign investors. The European Commission responded to the European Parliament's demand by publishing on 16 September a proposal for a new mechanism called the investment court system, which would be used as a reference for TTIP and all future trade negotiations. Labour MEPs are considering that proposal closely and have expressed strong reservations about it.

It would be helpful to hear a strong statement on the NHS from the Minister, given the concerns that have been raised by constituents and by right hon. and hon. Members today. When does the Minister believe that the TTIP agreement is likely to be concluded? What representations have Ministers made to the European Union about ISDS, and what are the Government doing to engage better with businesses, charities, consumer groups and trade unions to improve public understanding of TTIP and counter the view that it is all being done behind the public's back?

The prize of a successful agreement must be shared among all—businesses, employees and consumers—and not just large corporate interests. Labour will continue to push for transparency so that the benefits of this major deal are clear to all. As hon. Members have mentioned, there are concerns about the impact of TTIP on working people and public services in the UK. Our major concern is that the trade agreement has the potential to dilute workers' rights, and given the Government's record on that—not least the Trade Union Bill in the other place—those concerns are understandable. What assurances can the Minister give about labour and workers' rights, and will she assure the House that the agreement will not be used to block future attempts to bring a health service back towards public ownership?

Time is limited, so in conclusion we believe it right that this important issue be debated in Parliament, and we agree that the proposals deserve proper scrutiny at UK and EU level. Labour supports trade agreements that can bring significant benefits through boosting trade and growth, securing and creating jobs, and bringing down costs and extending choice for consumers. However, we want to hear the Government's response to the legitimate concerns that have been raised in the House today about TTIP.

2.51 pm

The Minister for Small Business, Industry and Enterprise (Anna Soubry): I think you are too young, Madam Deputy Speaker, to remember Sanatogen wine, but yesterday I was unfortunately on my sick bed. In fact, I was so ill—I do not expect any sympathy—that I could barely sip water, never mind Sanatogen wine, but today's debate has been an absolute tonic. At times my blood pressure rose a little too high for comfort, but I think we have had a really good debate about this important agreement.

Unfortunately I have only about seven or eight minutes to try to answer all the points that have been raised, and I will fail in that. The usual rules apply, and anybody who has raised an important point will get a letter in response to it, because time—as ever—is against me. I congratulate the hon. Member for Swansea West (Geraint Davies) on securing this debate, and hon. Members on the quality of almost all the speeches.

[Anna Soubry]

My hon. Friends the Member for Brigg and Goole (Andrew Percy), for Aberconwy (Guto Bebb), and for Newark (Robert Jenrick) raised a point about the unfortunate scare stories that have been put around. I gently chide the hon. Member for Kirkcaldy and Cowdenbeath (Roger Mullin) who spoke about the fact that the Government Benches were empty. In fact, many Members seem to have disappeared by the time he rose to speak—I am sure that was not a comment on his oratory. There were about 15 SNP Members in the Chamber, and it would be silly to suggest that those who were not present do not care about this important matter.

Callum McCaig (Aberdeen South) (SNP): Will the Minister give way?

Anna Soubry: No I will not.

It does not enhance the reputation of the Chamber when hon. Members refer to the lack of people present, because that does not mean that other hon. Members are not in their rooms working and following the debate, or that they will not read it in *Hansard*. We all care, on all sides of the House, about this matter.

My hon. Friends the Members for Brigg and Goole, for Aberconwy and for Newark made very important points about the scare stories. There has been a lot of unpleasantness around this matter. I would just say to the hon. Member for City of Chester (Christian Matheson) that perhaps he and others on the Labour Benches are now experiencing the sort of abuse and attack that, frankly, most of us on the Conservative Benches have been receiving for many, many years. This is really a rather good example of it. We have been told that we do not believe in our national health service, although we do, and that we want in some way to privatise it, which we do not. Equally, we have been told by an SNP Member that such was his concern that he decided to write to the Prime Minister and that the Prime Minister wrote back giving an unequivocal guarantee that neither the NHS nor any other public service was under threat from this agreement, at which point he—the hon. Gentleman—said it was not worth the paper it was written on. I do not think that that advances democracy; it is grossly insulting to the office of the Prime Minister and it does the hon. Gentleman no credit at all.

We then have the letter from the European Commission. I will not repeat it, as my hon. Friend the Member for Brigg and Goole read out the most important points and put them on the record. Well, I hope hon. Members will take the view of the European Commission. It is a remarkable document from the EU. It is succinct and it answers good questions with good straight answers. It is absolutely clear that this trade agreement poses no threat to the national health service or any other bit of the public sector. It is most unfortunate that too many Opposition Members refuse to listen to the reality and take those assurances, and instead scaremonger and whip up a storm where no storm exists.

There has been criticism about an apparent lack of transparency. I am very grateful to the European Union, which during the course of the debate has tweeted a link to its website. I have visited its website. If Members follow me on Twitter, I will very happily provide a link to it. Again, I have to say—perhaps remarkably, although

I am a firm supporter of our continued membership of the European Union; that is well known and has been known for donkeys' years—in all seriousness that it absolutely lays out everything that is being negotiated very clearly in good plain English. The idea, therefore, that this is all being conducted in a secret manner is absolute nonsense.

It is very important to make the point that there have been six debates about TTIP in this place, and rightly so. That is exactly what this place does extremely well. Backbench Business debates, Westminster Hall debates—it matters not. They have all been opportunities, like today, for hon. Members quite properly to stand up and raise their concerns, as the hon. Member for Swansea West so ably did.

Helen Goodman: Will the Minister use the last three minutes to respond to the questions that have been raised about ISDS, instead of telling us what she drinks?

Anna Soubry: The hon. Lady has just wasted 30 seconds in which I could have provided exactly that response.

May I now deal with the actual subject of the debate, even though others seem to have drifted off? This is an important trade agreement and it is all about free trade. It will bring huge benefits to the economy of this country. We have heard mention, quite rightly, of independent assessments that say that the benefit to the United Kingdom economy is somewhere in the region of £10 billion—that is real benefit to everybody. We have many examples of previous treaties. The hon. Lady should know all about these investment treaties and ISDS clauses, which she says she does not like in this treaty. She should like them. She should know all about them, because when she was in government she approved 20 of them—20 of these sorts of treaties were signed by the previous Labour Government, and rightly so. We have a great record of creating the right environment in the United Kingdom for investors and for treating them fairly. We have over 90 such agreements in place with other countries, and, as other hon. Members have said, there has never been a successful claim brought against the United Kingdom. To date, 90-plus existing bilateral investment treaties have not led to any regulatory chill. The European Union wants an improved approach to investment protection, and ISDS in TTIP guarantees the right of Governments to legislate in the public interest fairly and without discrimination.

I will deal quickly with the point about small and medium-sized businesses. I take exception to the idea that they will somehow suffer disproportionately under TTIP. On the contrary, large companies can often overcome non-tariff barriers, such as differing regulatory standards, because they have the necessary resources that small businesses simply do not have—small businesses cannot afford the time and the costs involved. TTIP is likely to be most beneficial precisely to small businesses in our country, because it will help them trade, notably with the United States.

I can assure hon. Members that these provisions will not prevent the Government from taking regulatory action to protect the public or the environment, nor will they force the Government to change laws, to open markets, or, as I say, to privatise public services such as the NHS. I want to make it absolutely clear that climate change policies are not on the table in the TTIP negotiations,

so TTIP will not hold back action on climate change or undermine current or future legal obligations, under the United Nations framework convention on climate change, to reduce carbon emissions.

TTIP is not a secret negotiation. It is there for everybody to read on the internet, and it is reaching the right conclusions. When it has concluded, it will be for this Chamber to ratify it. It will lie here for 21 days. At that point, any hon. Member could put before the House a motion to reject it. However, I hope that when that day comes Members will accept this agreement because it is about free trade and it is the right thing to do.

3 pm

Geraint Davies: I thank all Members from all corners and all nations of the United Kingdom who have contributed to this excellent debate. The problem that people have with TTIP is ISDS. Nobody has made a compelling case for the inclusion of ISDS. The wolf's teeth should be drawn so that we can move forward to get the benefits of trade. In addition, we need to introduce enforceable and binding measures to protect our environment, our democracy, our labour standards, and our human rights.

The simple fact is that we want trade. Yes, we will have trade, but let us not trade our democracy, our liberty, our sovereignty, our public services and our environment into the pockets of multinational companies. Let us have trade, let us move forward, let us keep all that we have in Europe that we value, and let us have a global trading situation where everybody can benefit fairly and our environment is sustained.

Question put and agreed to.

Resolved,

That this House believes that the Transatlantic Trade and Investment Partnership, the Comprehensive European Trade Agreement, the Trade in Services Agreement and any associated investor-state dispute settlement provisions should be subject to full parliamentary scrutiny in the UK and European parliaments.

International Human Rights Day

3.2 pm

Jim Shannon (Strangford) (DUP): I beg to move,
That this House has considered International Human Rights Day.

As we celebrate the 800th anniversary of Magna Carta this year, it seems particularly appropriate to debate international human rights to highlight the fact that in many parts of the world the values of Magna Carta, the rule of law and basic rights are routinely, systematically and severely violated; and to ask Her Majesty's Government whether human rights remain at the very heart of our foreign policy, and, if so, how we protect and promote them in practice. That is the thrust of this debate.

I am aware of the recent reconfiguration of human rights priorities within the Foreign and Commonwealth Office to address human rights within the broad contexts of democratic values, the rules-based international system, and human rights for a stable world. I look forward to hearing from the Minister what that will mean in practice and how human rights will be more effectively delivered under the new framework.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Having written to the Prime Minister and the Foreign Office a fortnight ago regarding proposed mass executions in Saudi Arabia, I am dismayed that the Government evidently do not share my alarm, as I am yet to receive replies. Does the hon. Gentleman agree that if the UK Government wish to be taken seriously about human rights, they need to show more leadership globally?

Jim Shannon: Yes, I do, and I have already put that on the record in debates in Westminster Hall.

I am particularly pleased to have secured this debate alongside the hon. Member for Congleton (Fiona Bruce), who is sitting across the way; she is a dear friend who is well respected in this House. There have been many debates in this House on human rights themes in relation to specific countries, but we have not, to my knowledge, in the time of this Government or the previous one, had a wide-ranging debate with an opportunity to review the human rights situation around the world and the different ways in which Britain—this great nation—has responded to the challenges so far. The House of Lords has had several such debates, and I welcome this opportunity to do likewise.

The Foreign and Commonwealth Office publishes an annual report on human rights, as well as quarterly updates. May I suggest that we consider having an annual debate in Government time in the main Chamber of this House to coincide with the release of the annual report, giving the House as a whole an opportunity to respond to it?

It is vital that we discuss human rights today, on international human rights day, when we commemorate the adoption 67 years ago of the universal declaration of human rights by the UN General Assembly. The declaration was written to provide a common standard for all peoples and nations of which individuals and societies should strive to secure effective recognition and observance. It has helped to shape policy around the world and paved the way for nine legally binding

[Jim Shannon]

human rights treaties, including the international covenants on civil and political rights and on economic, social and cultural rights, which were both adopted in 1966 and which more than 160 states have ratified.

Despite these treaties, the human rights and basic freedoms we enjoy in this country are under sustained and severe attack in many other parts of the world. Some 67 years on from the declaration's adoption, the preamble is worth recording in *Hansard*, because it is very relevant today:

"disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people".

That is what we should focus our attention on.

The first three articles of the declaration make it clear that human rights are not confined by geography, territoriality, culture or religion. As its name suggests, they are universal—for everyone—and as the UN Secretary-General, Ban Ki-moon, has underlined, it is not called the partial declaration of human rights or the sometimes declaration of human rights. Article 1 unequivocally states:

"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

Article 2 states:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction...or under any other limitation of sovereignty."

Article 3 insists:

"Everyone has the right to life, liberty and security of person."

These and the following 27 articles should provide the framework for this debate and our foreign policy.

Liz McInnes (Heywood and Middleton) (Lab): When I was a trade union representative, I went on a training course about the Human Rights Act 1998, and one thing that has always stayed with me is that the Act was introduced to prevent another holocaust from happening. Does the hon. Gentleman agree that, were this country to scrap the Act, it would send a terrible message to the rest of the world?

Jim Shannon: Yes, I do agree. The Human Rights Act is an integral part of this debate, as I think contributions from across the Chamber today will confirm.

Despite everything I have said, freedom of expression, including freedom of the press, is denied in many countries. Journalists, dissidents and bloggers have been arrested, imprisoned or murdered in countries such as China, Bangladesh, Vietnam, Russia, Cuba, Egypt and Iran. Women's rights are abused in many places through rape and sexual violence in conflict. Can we begin to understand the violence, barbarity and horror of what that means? Such things have occurred in parts of Burma and the Democratic Republic of Congo; such acts have been carried out by religious extremists in India and Pakistan; in countries such as Saudi Arabia women are denied basic freedoms. In addition, the rights of children are under attack through the forcible conscription of child soldiers in many countries and the use of child labour. Refugee rights are a particularly topical concern, given the unprecedented movement of people escaping desperate

situations in the middle east and north Africa and the situation of the Rohingya people from Burma on boats in the Andaman sea.

Freedom of thought, conscience or religion is set out in article 18 of the declaration, and is the most basic right of all, yet the right to choose what to believe, to practise one's beliefs, to share them with others in a non-coercive way and to change them is increasingly under threat throughout the world, and it affects everyone, of all religions and no religion. The Conservative party manifesto and the Government have recognised freedom of religion or belief as a fundamental British value, and the Government have pledged to stand up for this right at the UN Human Rights Council in 2017-19.

I am proud to chair the all-party parliamentary group on international freedom of religion or belief, which boasts 55 Members and 22 expert stakeholders dedicated to advancing this fundamental right. Freedom of religion or belief is a litmus test of the state of human rights in any society and is inseparably linked with other freedoms, such as the right to life, freedom from torture and inhuman or degrading treatment, the freedoms of expression and of association, as well as rights such as those concerning unjust detention, the right to a fair trial and the rule of law.

It is vital to recognise that such violations affect everyone, not just particular religious or belief communities. Minority belief women and children are particularly vulnerable, and are often doubly discriminated against for their identity. As Andrew Copson, chief executive of the British Humanist Association, and Benedict Rogers of the Christian Solidarity Worldwide highlight, where Christians are persecuted, minorities from within Islam—Shi'a or Ahmadiyya, for example—also suffer, as do the Baha'i. Where Muslims are the prime victims as in Burma, and the Uighurs as in China, Christians and other minorities suffer alongside them.

In many parts of the world, those who choose to exercise their right not to believe, to reject religion and to become agnostics, atheists or humanists, face discrimination, arrest, imprisonment, torture or even death. That is the reality of today's world. Religious freedom involves far more than merely freedom to worship, and is not just a concern for some minorities that hold strong religious convictions. Religious freedom is not just a right to be tackled in moments of crisis.

My first suggestion for policymakers and diplomats therefore is directly to address freedom of religion or belief as a mainstream human right inseparably linked with other fundamental freedoms, and proactively to address religious freedom abuses before they escalate and result in devastating violence—the like of which we have seen at the hands of Daesh in Syria and Iraq. Ensuring that individuals have freedom of religion or belief is in the interests of all nations, including our own.

This year, 100,000 Christians will be murdered because of their faith, while 2 million will be persecuted for it and 2 billion will live in what is called an endangered neighbourhood. That is just one section of religion—Christians—and shows what can happen to them and to all the other religions as well. Extensive research carried out by Georgetown University's Berkley centre demonstrates that greater religious freedom leads to

better security, stability and even economic growth, and that it reduces extremism, societal tensions, violence and even poverty.

Promoting and securing the right of individuals to have the freedom to practise their beliefs in peace and safety is a fundamental British value that we all uphold. It should therefore be treated seriously as a framework on the basis of which many of the UK's foreign policy aims can be achieved. Perhaps the Minister will respond to that point in his reply.

My colleagues will be able to expand on why a strategy including the advancement of freedom of religion or belief should inform how the 2015 national security strategy and the strategic defence and security review should be implemented. In its bid for re-election to the UN Human Rights Council, the UK pledges to advocate

“in favour of equality and non-discrimination, including on the grounds that freedom of religion or belief can help to counter violent extremism”.

I strongly believe that it can, so it is a pledge that I welcome and sincerely hope will be carried through.

It is important that the Government not only speak out about religious freedom and other human rights abuses, but proactively ensure that their current policy is not directly or indirectly supporting violations of human rights and particularly of religious freedom. Steps should be taken, for example, by the Department for International Development—it is important for this debate to encompass defence and DFID issues—in line with sustainable development goal 16 to ensure that aid is not given to schools that preach intolerance, as happens in Pakistan, and to encourage trading partners to ensure that religious minorities and those who have non-religious world-views are given equal rights in the workplace. Aid must be channelled, I believe, to organisations and programmes that can demonstrate a sophisticated understanding of freedom of religion or belief and can show how their work will have a positive rather than a negative impact.

Given that the Government have recognised in their various guises the importance of freedom of religion or belief as a fundamental stability and security-generating human right, and given that human rights are to remain at the centre of UK policy abroad, how will the Government ensure that their staff are “religious-freedom literate” and that this right will be taken seriously across all Government Departments? How will the Government ensure that all Departments work in conjunction with each other effectively to secure this right?

While the visits over the last few weeks of the Indian and Kazakhstani Prime Ministers and Chinese and Egyptian Presidents are important for building economic and trade ties, we sincerely and honestly hope that the human rights, and indeed human rights clauses in trade agreements, are kept integrated into the discussions during such visits. It is great to have economic ties, and we should have them, but let us have human rights enshrined and protected as well. Foreign policy cannot be based on fiction and we cannot allow immediate political and economic interests consistently to take precedence over more long-term security objectives, even if seen as controversial.

The spirit of the universal declaration of human rights, adopted 67 years ago today, must be respected and upheld. We must strive to secure effective recognition

and observance of human rights that will in turn provide all victims of rights violations around the world with the hope that we take their situation personally and we take it seriously. We have an opportunity in this House today to be the voice of those who do not have a voice.

Several hon. Members *rose*—

Madam Deputy Speaker (Natascha Engel): Order. I am going to impose a time limit of eight minutes, and we will see how we get on.

3.14 pm

Tom Tugendhat (Tonbridge and Malling) (Con): I am delighted to be under your chairmanship again, Madam Deputy Speaker.

I thank the hon. Member for Strangford (Jim Shannon) for his inspirational introduction to the debate, and for organising it. It is essential for international human rights day to be remembered in the House of Commons, which is, in many ways, the foundation of many of the rights of which we speak. It is from this Parliament, and from this voice of free-born sons of the country—originally English, but now including representatives of Scotland, Wales and Ireland—that many of the rights that we now see around the world have sprung. The traditions of democracy that were brought together here 750 years ago led to the rights in the declaration of New York, of which the hon. Gentleman rightly spoke, and which echoed around the world to fight the fascism and hatred that resulted in the holocaust. The hon. Member for Heywood and Middleton (Liz McInnes) spoke of that earlier.

Angela Rayner (Ashton-under-Lyne) (Lab): On this international human rights day, does the hon. Gentleman agree that the issue of violation of the Igbo tribe's human rights needs to be resolved, and that the Biafran leader should be released, as has been suggested in representations by my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman)?

Tom Tugendhat: The hon. Lady clearly speaks with great knowledge of those issues. I am sure that she will raise them with the Foreign Secretary and the Secretary of State for International Development on the appropriate occasions.

If the House will forgive me, I shall now focus on a specific aspect of human rights, namely the right to freedom of religion. This may surprise some Members, but I am going to begin with a quotation from the Koran. It is from the second Surah, Surah al-Baqarah, which states “*la ikra fi al-din*”: “There is no compulsion in religion.” One of the seminal tenets of Islam is that it is a religion freely entered into by free people, and one of the reasons why many of us recognise it as one of the great religions of the world is that very principle of freedom—that very underscoring of rights.

Those of us who may not share the same belief system as the Islamic faith, because we are from a Christian tradition, may not follow all its tenets. However, that freedom of association, that freedom of religion and expression, that freedom to choose whose God, which God, or indeed no God, is a fundamental human right. I am very pleased that we are beginning to have this conversation in the House of Commons, which, as we

[Tom Tugendhat]

know, recognises all religions and none. As the west becomes more secular—and, indeed, as the “none” gains more power over the plurality—it is worth remembering that those freedoms do not always apply, and that some religions turn the minds of young men and women towards the extremism that this House would fight. However, I am pleased that we are at last talking not only about extremism as something that we might fight—as we did only a week or so ago, in the debate that was summed up so eloquently by the right hon. Member for Leeds Central (Hilary Benn)—but about a right: a very fundamental right that all people in our country and, we hope, around the world will share.

As we emerge from talk of extremism in the global area, I hope that Members will forgive me for speaking about extremism at home. In view of Operation Trojan Horse and Peter Clarke’s impressive report on Birmingham schools, it is worth remembering that even in our own society—even in our most multicultural and free towns, such as Birmingham and London—it is possible to find havens of hatred and islands of ideology that are absolutely inimical to the freedoms that we expect of all people, not just all British people but people around the world. I am delighted that the Government are fighting that extremism, and I urge them to stand even more strongly against it. When we see young people being brought to the school of hatred rather than the school of understanding, we must fight that with every fibre of our being. It is not those young people who are born to hate, but the so-called leaders, the so-called community elders who teach them hatred, and we must fight that too.

Extremism is of course not just a threat to the souls of humans all around the world; it is a threat to our security and it is therefore absolutely right that when we consider how we shape and defend ourselves, we form one simple principle into which we must all fit. That principle was underlined in this country with the signing of the Great Charter at Runnymede; that single understanding that we all stand equal before the law, from King to pauper, is a fundamental principle. It has applied for 800 years because the common law is indeed that: it is common to all of us and it works for all of us.

When I hear people talk, as some have over the past number of years, that we should have different legal structures for different religious communities, I say that as a man who follows the Church of Rome—I know not all Members of the DUP would agree that that is a great thing to say in this House—and who stays loyal to the Holy Father, I recognise very strongly that we here follow the common law. We follow the Queen’s law and it is right that we do so.

My own private confession is precisely that; it is a confession of private faith. It is not an act of public statement, and I would urge those of other religious communities that when they seek to structure the way they operate within our great United Kingdom to also see it as that. There is of course a place for conscience in our country—and there is a place for tradition and there is a place for culture—but it is not the same as the place for common law. That is why I am absolutely vehement and will bow to no one in my defence of that common law.

It is not just articles of the common law that some people speak of, and it is not simply Acts that may have been passed in the last 15 or 20 years, that guarantee those rights; it is the sum total of law that has been built up over nearly 1,000 years that guarantees those rights. Yes, there are other Acts that bring in elements of continental jurisdiction. Yes, there are Acts that bring in elements of other foreign concepts of jurisdiction as well. But personally, when people speak of the right of men, I prefer the rights of British men and women, because those are the fundamental rights that have kept us safe, free from fascism and communism and free to live our own lives in dignity and to practise our own faiths.

That leads me to think about some of the times when we have not been free. There have, even in this great kingdom of ours, been moments when our forebears were not free to practise their faiths, and when they were victims of hatred and religious wars. I am thinking, of course, of the reigns of the great Queens Mary and Elizabeth, when people under their authority executed and tortured people of opposing faiths. There were great saints on both sides of that national moment and there were great heroes on both sides of the debate, but for me what sums up that debate is something we should remember as having the heart of Englishness in it—it was, as we know, a very English moment. What summed it up for me was Queen Elizabeth’s great line; “I will not put windows into men’s souls.” That illustrates the understanding she had that freedom of expression under loyalty to the Crown was an essential part of being part of our kingdom.

That is the central aspect we must remember on international human rights day, because that understanding that freedom of faith and expression is something the state must guarantee for us—that, in our case, the Crown must guarantee—is essential but it works only if the relationship is two-way. Yes, the state must guarantee the freedom of expression, but the freely expressed religious faith must not be of a kind, an ideology or an extremism that seeks to undermine the liberties of others, which in our case means the application of common law.

I am deeply honoured to be following the hon. Member for Strangford, and I am deeply proud to be standing here on international human rights day in this Court of Parliament, which I see very much as the heart of the court of human rights in this world, because this Court of Parliament has been a light, a beacon, a city on a hill. It has been that ideal, and we can see, my own family included, how many migrants, activists and others have shaped their concepts of democracy and freedom on the basis of the words that have been spoken on these Floors and from these Benches. So I am honoured to be here speaking on behalf of this motion, and I urge the House to consider it well.

3.24 pm

Valerie Vaz (Walsall South) (Lab): It is a pleasure to follow the hon. Member for Tonbridge and Malling (Tom Tugendhat), whose family has a long tradition of public service. I also thank the hon. Members for Strangford (Jim Shannon) and for Congleton (Fiona Bruce), my right hon. Friend the Member for East Ham (Stephen Timms) and the hon. Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) for securing this debate,

because we are here to celebrate human rights today, not to bury them. I do not know whether hon. Members have seen the website of the Canadian astronaut Chris Hadfield, but he sent down images of Earth from space and showed us the beauty of where we live. He showed us Earth as one world, where we live together and the only boundaries are those of land and sea. Injustice and discrimination know no boundaries, which is why international human rights are necessary.

The universal declaration of human rights set out articles and protocols. They are the guide, the code, the commandments of how we should live together in a common humanity. The UK was one of the first countries to sign it and was the first to ratify it, in March 1951. What are they? The hon. Member for Strangford alluded to a few of them, but I want to put them on the record: the right to life; the prohibition of torture; the prohibition of slavery and forced labour; the right to liberty and security; the right to a fair trial; no punishment without law; the right to respect for private life; freedom of thought, conscience and religion; freedom of expression; freedom of assembly and association; the prohibition of discrimination; and, under the first protocol, the protection of property, the right to education and the right to free elections. Every single one of those we hold dear in our country, and they are embedded in the declaration's words.

The universal declaration of human rights was drafted after the ending of the second world war, as a response to the oppression and tyranny that came out of the two world wars. Every one of the rights I listed had been systematically violated, which is why we need the declaration, and why we incorporated it into the European convention on human rights and subsequently into the Human Rights Act 1998. This was not to take anything away or add anything and make things difficult for judges; it was so that judges could read into our legislation whether it is compatible with our fundamental rights. Ministers do not have to do anything apart from declare that human rights and their legislation are compatible.

There is a myth that the European Court of Human Rights is taking some sovereignty away, as it applies the doctrine of the margin of appreciation. The margin of appreciation gives flexibility and enables the Court to balance the sovereignty of member states with their obligations under the convention and now the 1998 Act. It takes into account the sovereignty of member states and their laws.

Breaches of human rights still occur around the world. In Burma, despite the election win by the National League for Democracy, there are political prisoners who still need to be released—Pyone Pyone Aung took part in a peaceful protest; and the army can still overthrow a democratically elected Government in cases of national security. That must change. In Australia, Human Rights Watch found that the Government had done too little to address indigenous rights and disability rights—indigenous Australians are disproportionately represented in the criminal justice system. In the USA, the criminal justice system, from policing to prosecution and punishment, is plagued with injustices, such as racial disparities and excessively harsh sentencing. In Yemen, with which a number of Members have links, including my right hon. Friend the Member for Leicester East (Keith Vaz) and the hon. Member for Beckenham (Bob Stewart), who spent his childhood there, Amnesty International has reported 21 air strikes which killed at least 241 civilians

and injured 157 people, most of them women and children. The strikes were found to be indiscriminate or disproportionate, and arms are still supplied by the UK.

We then come to the lawyers who have died defending human rights. The Law Society said it was shocked and saddened by the murder on 28 November of the Kurdish human rights lawyer Tahir Elçi. Karim Hamdy, 27, died in February 2015, after two days' detention in Cairo, with broken ribs and bleeding in the brain. Rashida Rehman was killed in 2014 for defending people charged under Pakistan's blasphemy laws. Salwa Bugaighis was shot dead in her home in Libya in June 2014 after voting. She was a prominent human rights lawyer who opposed moves to make the hijab compulsory.

Finally, human rights—both the Human Rights Act and human rights generally—are the David to the Goliath of the powerful. They provide help to the helpless and a voice to the voiceless, which is why we must protect them and celebrate them today.

3.30 pm

Fiona Bruce (Congleton) (Con): I congratulate the hon. Member for Strangford (Jim Shannon) on opening the debate on international human rights day so comprehensively, and on all that he does in this regard. It is a pleasure to follow the hon. Member for Walsall South (Valerie Vaz), and I commend her on her speech and all that she has done, particularly with regard to the people of Burma, over very many years.

This House is debating the most crucial of issues. A former Foreign Secretary was clear that human rights are at the very heart of foreign policy. I thank the Foreign Office Ministers for attending this debate, and for regularly raising human rights issues around the world, as I know they do. It is important that Ministers from the Department for International Development do so, too.

As a member of the International Development Committee and the Joint Committee on Human Rights, I was concerned to see a lack of any focused reference to human rights in the recently published Department for International Development strategy, "UK aid: tackling global challenges in the national interest". Yes, there was reference to supporting women and girls, and yes there was reference to the disabled, but it is my contention that if there is not a core focus on human rights in our strategy for international development, we will miss out on addressing the cause of so many humanitarian problems around the world, which, ultimately, DFID and our aid funds have to address.

There must be much more focus on human rights in our international aid work. For example, not addressing article 18 disproportionately affects women and girls in any society. Not addressing inequality disproportionately affects the disabled. Twenty-one of the 28 countries in which UK aid is spent are either fragile or conflict-affected, and for many of them, that fragility is at least in part—if not in large part—a result of their Governments' lack of respect for human rights.

The hon. Member for Strangford mentioned Pakistan, which is a recipient of substantial UK aid, but many other countries that receive UK aid should be challenged on their human rights abuses. In Bangladesh, for example, freedom of expression is denied to journalists, dissidents and bloggers, who are arrested and detained. In Uganda and Sudan—also recipients of UK aid—the rights of

[Fiona Bruce]

the child are under attack. There is forcible conscription of child soldiers, and child labour. In Ethiopia, where we support women and girls, there is a closing down of the political and media space. In Nepal, where we have done so much to help with the recent disaster relief outcomes, there have been recent endeavours to restrict the constitution. In every country where UK aid is spent, DFID Ministers and in-country officials should challenge it when they see that human rights are not being respected.

Bob Stewart (Beckenham) (Con): I thank my hon. Friend for giving way. I have a huge respect for what she does. Is it her belief that we should not give aid unless human rights are maintained in a country, or do we have to compromise in giving aid? I think we do. What does she think?

Fiona Bruce: It would be a tragedy for the people of those countries to suffer even further and not receive our aid, simply because their Governments were abusing their human rights.

The UN Secretary-General Ban Ki-moon recently said that the freedom for civil society to operate is diminishing around the world, and there is real concern that the space for human rights has been closed down in many countries. Increasing restrictions in some countries is limiting the ability of non-governmental organisations to work or receive funding. If civil society is to play its full role, the international community, with the UK in the lead, needs to act to protect its operating environment, particularly as implementing the sustainable development goals—the new global goals recently signed up to by 93 countries—is a huge challenge. In those countries, the contribution of a healthy civil society, which very much needs those goals to succeed, will be essential. We cannot afford to see civil society space closed down.

Let me give examples of how even in the past few years, new laws and policies in countries that we support have restricted NGOs' ability to operate. In Kenya, legislative restrictions on freedom of information are inhibiting the fight against corruption, and hundreds of NGOs have been shut down or had their bank accounts frozen. Amendments have been sought to legislation with the aim of capping foreign funding for NGOs at 15%, basically making it impossible for many to operate. Ethiopia, too, had similar restrictions on organisations receiving more than 15% of their money from abroad, and on working on issues such as women's rights, child rights or peace building. What are the Government doing to help protect civil society space, particularly in countries with which the UK has a relationship?

Let me turn to concerns about sovereignty. If human rights are to be universal, the sovereignty of a country cannot be used as an excuse for ignoring them. We need to resist the growing argument that sovereignty is somehow paramount, and that that therefore allows countries to interpret human rights subjectively. If human rights are universal, they are universal. China cannot say that it is justified in incarcerating its human rights lawyers without due trial process, as it has recently, simply because it is a sovereign country and they have broken its laws. Nor can North Korean officials say, as they did to me only this morning, that they have their "own way" of interpreting human rights. They certainly do. When their view of

human rights is state-sanctioned prohibition of freedom of expression, the imprisonment of anyone who utters even the slightest contradiction to the Government's views and a host of atrocities, including against children, we need to stand up and speak out about them. Particularly when countries have recently signed up to the global goals, with their integral commitment to good governance and strong and stable institutions, we should speak out and challenge them on human rights.

It is a long time since 1948, and somebody asked me recently whether we would be able today to get the same broad sweep of clear human rights expressed in a document as we did then. We at least have the SDGs, or global goals, which were signed only in September; many of the statements in them re-express a clear commitment to human rights. Human rights should be not only universal but transparent. We should be transparent in how we challenge countries such as Saudi Arabia. We are challenging and should challenge it, as a country with which we trade, though it does not receive aid from us. It might be uncomfortable for those countries, and they might not like it, but the public require it, and it is right that we do it.

There are a number of other countries that I would have liked to have spoken about in more detail. The Conservative party human rights commission, which I chair, has done a lot of work to highlight the need to raise human rights and concerns about them across the world. Will Ministers reconsider some of the recommendations that our commission has made over time? For example, we recommended that there be a Minister responsible for international human rights in the Foreign and Commonwealth Office, who could focus on this issue, and that he be supported by an ambassador at large for international human rights; perhaps there could also be a number of special representatives on issues such as genocide, war crimes, crimes against humanity and women's rights—a model employed effectively in other countries.

Will Ministers consider a high-level international conference, in which the UK takes the lead, perhaps similar to the summit held last year on preventing sexual violence, to raise international attention of increasing concerns about human rights abuses? It could co-ordinate international strategies, and ensure that media institutions and Governments around the world both speak out for oppressed individuals and help to ensure that, in their lifetime, we can truly say:

"All human beings are born free and equal in dignity and rights."

3.39 pm

Stephen Timms (East Ham) (Lab): I am pleased to follow the very thoughtful speech from the hon. Member for Congleton (Fiona Bruce), and I welcome the way in which the hon. Member for Strangford (Jim Shannon) opened the debate.

There is no doubt that the publication of the universal declaration of human rights on 10 December 1948, 67 years ago, was a profoundly important moment in establishing the freedoms that men and women should expect to enjoy across the planet in the modern era. Eleanor Roosevelt, who chaired the drafting committee, made the comparison—the hon. Member for Strangford touched on this—with Magna Carta. She referred at the time to the universal declaration as the "international Magna Carta for all",

and in this 700th anniversary year of Magna Carta, it is right for us in this Chamber to underline that comparison. The universal declaration is a vitally important document around the planet.

One of the submissions sent to us ahead of this debate came from the British Institute of Human Rights, which published an advertisement today. I think a meeting is being held at this moment in the other place under its auspices, chaired by Sir Nicolas Bratza, who was the president of the European Court of Human Rights. It is drawing attention to the importance of our own Human Rights Act 1998. In its advertisement, the institute describes the legislation as

“the promise of the Universal Declaration of Human Rights made law here”

in the UK. I hope it will remain part of our law.

The Conservative manifesto pledged to scrap the Act. As others have suggested, that would be a terrible mistake, sending very bad signals around the world. I note that the Justice Secretary has delayed his consultation on this until the new year, no doubt reflecting serious, very proper concerns among Conservative Members about that course of action. I hope that the Human Rights Act will remain on our statute book.

Like the hon. Member for Strangford, I want to say something about article 18 of the universal declaration, which states:

“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

There is growing concern that that article, as well as others, is being breached with increasing frequency around the world.

In September, along with the hon. Member for Strangford, I attended a conference in New York of the International Panel of Parliamentarians for Freedom of Religion or Belief, focused on that article. There was a big attendance of parliamentarians from a large group of countries, including European countries and Tunisia, Pakistan, Egypt, Iraq, Senegal, Malaysia and Turkey. It was good to hear a speaker from Iran addressing that conference on the subject of religious freedom. A strong case was made that more needs to be done to strengthen observation of adherence to that article around the world. It is increasingly clear that there is a link between religious freedom and prosperity. There is no doubt that over our history, economic growth has been bolstered by the ideas and inventiveness of people inspired by deep religious commitment. Prosperity has been increased by the contributions and brilliance of many people—including Protestants from France and Jews from central and eastern Europe—who fled to Britain to escape from religious persecution elsewhere, because they knew they would find freedom here to practise their beliefs.

Recent research has suggested that religious freedom more broadly can enable economic growth more directly. It can help create an environment in which wealth creation can flourish. Researchers in the US—the hon. Member for Strangford referred to research at Georgetown University—looked at GDP growth in 173 countries in 2011, controlling for a range of factors, and found a positive correlation between religious freedom and prosperity. That is another ground for us to support and promote article 18 of the universal declaration.

When the conference in New York concluded, the Members who attended sent out three letters. The first was sent to Vietnam, where there are proposals to restrict religious freedom in new legislation. The second was sent to Burma—my hon. Friend the Member for Walsall South (Valerie Vaz) mentioned Burma—and concerned a member of the Myanmar Parliament who was being prevented from standing in the forthcoming election, which took place in November, because he is a Muslim from the Rohingya minority. We wrote to the President of Myanmar to complain about that, and to urge that people not be barred from standing for election on religious grounds. The third letter was sent to the Speaker of the Iranian Parliament, expressing grave concerns about restrictions on religious freedom in that country. In 2010, for example, seven Baha’i leaders were sentenced to 20 years in prison simply for exercising their faith.

We also wrote about a number of Christian figures imprisoned in Iran. I particularly want to mention Maryam Nagash Zargaran, who is serving a four-year prison sentence in the notorious Evin prison. Her sentence began in 2013. She suffers from a serious heart condition, which has significantly worsened in the two years she has served so far. I understand that she was recently allowed a short period in hospital for treatment, but she needs more. I would like the Minister to ask his right hon. and hon. Friends in the Foreign Office to raise her case with the Iranian authorities, because her only crime has been to practise her faith.

One of the submissions that I and, no doubt, others received ahead of this debate asked us to draw attention to human rights violations being suffered by the people of Palestine. It listed articles that are being breached there, such as article 9, which states:

“No one shall be subjected to arbitrary arrest, detention or exile.”

I hope that we will see progress in that country as well.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I have to reduce the time limit to seven minutes, as so many Members wish to speak.

3.47 pm

Jeremy Lefroy (Stafford) (Con): It is a great honour to speak in this debate, and I very much welcome the speeches of all Members who have contributed to the debate so far. Indeed, I do not have an awful lot more to add, but I want to make some points about the relationship between freedom and development and, in particular, as my hon. Friend the Member for Congleton (Fiona Bruce) said, the importance of respecting, and taking great note of, freedom in international development. I do not see enough of that in the aims of the Department for International Development, much as I respect its work.

The right hon. Member for East Ham (Stephen Timms) mentioned the huge contribution that people of religious faith have made to the development of this country, particularly those who fled persecution. He mentioned the Huguenots—I declare an interest, as I come from a Huguenot family—who were followed by the Jews and many others, including Asians from Uganda and, most recently, people from Somalia and Syria. They have all had a tremendous impact on the economic, cultural and social life of this country.

[Jeremy Lefroy]

Freedom, in my view, is absolutely bound up with development. We cannot have long-term development without freedom. If we look at the four main aims of the Department for International Development's strategy, as set out recently, we see how vital freedom is to them all. If we take the first two—strengthening global peace, security and governance, and strengthening resilience and response to crises—we see that it is often violations of freedom, whether religious or political, that lead to tensions and insecurity. Conversely, countries in which freedom is respected, despite—or perhaps because of—diversity, are often those that are most at peace. I had the honour of living in Tanzania for many years and I chair the all-party group on Tanzania, a country that has lived at peace since independence, even though it has a very wide variety of peoples, including very strong representations of both Christians and Muslims and, indeed, those of neither faith. They have lived at peace because they have respected the freedom of those people to practise their religion and faith. Indeed, more recently they have also respected political freedom since the mid-1990s.

The third and fourth aims of DFID are promoting global prosperity and tackling extreme poverty, and helping the world's most vulnerable. The right hon. Member for East Ham has already referred to the work of Georgetown University. Amartya Sen's book "Development as Freedom" was published in the late 1990s. He rightly points out that economic development entails a series of linked freedoms, including not only freedom of opportunity and economic freedom but political freedom and, by extension, religious freedom and freedom of thought.

If DFID is to achieve those four goals over the next five years, as I very much hope it will—it has some excellent Ministers and staff, both here and in the countries in which it operates—it needs to place the upholding of freedom and human rights at its core. I very much support the suggestions of my hon. Friend the Member for Congleton for human rights ambassadors and, indeed, a Minister with that specific responsibility.

In closing, I would like us to pay a little attention to our own record. We sometimes come here and talk about human rights and freedoms around the world, and that is absolutely vital, but we must make sure that we do not let those human rights and freedoms slip in our own country. I believe that sometimes it is necessary to take risks in order to maintain human rights. It is all too easy to think that, by clamping down a little here and with a bit more surveillance there, we are giving ourselves the security that we all desire for ourselves and our families, and yet, little by little, we are eroding those human rights that have taken so much pain and so much struggle over the centuries to realise in this country.

We also have to make sure that we do not consider security and economic progress to be the only goods—the only things—that we should strive for. There are many other things that are very important in life—friendship, family, the arts, laughter, the company of friends. Of course, those things do depend on and flourish with security and economic progress, but security and economic progress are not absolutely necessary to have them. It is vital that we ensure that freedoms and rights are placed above security and economic progress. We can run the risk of saying that unless we keep ourselves secure and

unless we make ourselves more and more prosperous, we cannot be free. In fact, it is the other way around.

3.53 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): Today is international human rights day and I want to focus my attention on two communities that are at the heart of my constituency, namely the Ahmadiyya Muslim community and the Sri Lankan Tamils.

Britain's Ahmadiyya Muslims contribute greatly to this country, and their belief in peace and religious tolerance is an example to us all, as we would expect from a community whose motto is "Love for all, hatred for none". However, in Pakistan the very same peaceful community continues to be persecuted on a daily basis. It is the only religious community to be targeted by the state on the grounds of faith. In Pakistan, Ahmadis cannot call themselves Muslims and are forbidden by law to vote as Muslims. This state-sponsored persecution has been enshrined in the country's constitution since 1974. On top of that, they are openly declared as "deserving to be killed", with neither state nor civic society willing to stand up for them against extremists. Perpetrators are given free rein to attack Ahmadis, safe in the knowledge that they will not be prosecuted for their actions, and in the past few years alone, hundreds of Ahmadis have been murdered.

It is quite shocking to think that the persecution this community faces is enshrined in Pakistani law. It is a criminal offence, punishable by imprisonment, a fine or even death, for Ahmadis to call themselves Muslim, to refer to their faith as Islam, to call their place of worship a mosque or to say the Islamic greeting, "Peace be upon you". The laws specifically against the Ahmadi Muslims also conflict with the constitutional right of Pakistani citizens to freedom of religion.

State laws have emboldened other state actors and extremists to harass, attack and kill Ahmadis. They are denied the right to life. Hundreds have been murdered on the grounds of their faith. The deadliest attack on the community occurred in 2010, when the Pakistani Taliban attacked worshippers during Friday prayers at two Ahmadi mosques in Lahore. In 2014 alone, 11 Ahmadis were killed solely because of their faith. This year, a vigilante mob targeted an Ahmadi family in Gujranwala, setting their home alight and killing three family members—a grandmother and her two little grandchildren. No arrests have been made, and Pakistani news channels refused to air bulletins about the incident.

Ahmadis are denied the right to vote—they are disfranchised unless they declare themselves as non-Muslims—and are the only disfranchised group in Pakistan. It is crucial to note that no prosecutions have been brought in relation to any of these murders, or indeed in respect of any killings of Ahmadi Muslims. Civic society fares little better. The Pakistani Urdu press continues to publish fabricated stories inciting violence against Ahmadis, who are often presented as the root cause of the problems in Pakistan. In 2014, at least 2,000 such reports were published. Article 20 of Pakistan's constitution guarantees freedom of religion. The country is also a signatory to the UN universal declaration of human rights, which makes it obligatory for the Government to safeguard the fundamental rights of all, without any discrimination based on religion, faith or belief.

It is clear that Pakistan is systematically failing to uphold the human rights of all its citizens. The ongoing persecution of Ahmadi citizens undermines Pakistan's progress and development, and stores up huge problems for the future stability of the country. Furthermore, state policies allow extremism to flourish, which threatens the security of Pakistan and the rest of the world. It is also clear that the international community has a moral responsibility to act and to apply pressure on Pakistan to abide by international conventions and treaties to uphold the human rights of all.

The UK Government should consider what further steps to take to ensure Ahmadis have the right to vote in Pakistan. They should think about how to guarantee that UK taxpayers' money will not be used to promote intolerance and extremism in Pakistan. They should decide how to raise the specific issue of anti-Ahmadi laws and corruption that allow extremists to target and murder Ahmadis.

Very sadly, Pakistan is not the only country where we have to be watchful of violated human rights and reflect on the UK's moral responsibility. I am in the process of writing to the Foreign and Commonwealth Office about my concerns regarding the release of UK Government funds to Sri Lanka. I have previously raised the ongoing inadequacy of justice mechanisms.

In Sri Lanka, the Tamil community has suffered greatly. This group continues to be the victim of ongoing security sector human rights abuses. Despite the recent change of Government in Sri Lanka, which may offer some hope, the charity Freedom from Torture has received seven referrals in relation to people tortured in the country since the January elections, including as recently as July 2015. Let us consider the significance of that evidence by comparison with the UK's seemingly unwavering confidence in the new Sri Lankan Administration. This confidence has been expressed in terms of financial support, with our Government providing funds from UK taxpayers partly to fund military reform in Sri Lanka, without any proper safeguards as to how the money will be spent.

Six years after the end of the brutal civil war, not one person has been prosecuted for war crimes, despite the fact that 40,000 Tamils died in the final stages of war alone. Furthermore, contemporary evidence of secret torture camps, sexual violence against Tamil war widows and the militarisation of Tamil lands demonstrate that the UK Government's optimism is unfounded, and their financial support questionable without explicit safeguards.

This example demonstrates that the UK has an incredibly important role to play in encouraging countries to do the right thing when it comes to human rights. Where it can choose between calling for justice against human rights abuses and turning a blind eye, I hope the content of this debate will make it clear what its moral responsibilities should be.

3.59 pm

Suella Fernandes (Fareham) (Con): In today's world, most of the major human rights treaties have been ratified by the vast majority of countries, yet I believe that the human rights mission is struggling. Although I admire and am grateful for the aims, the means have faltered.

In much of the Islamic world, women lack equality, religious dissenters are persecuted and political freedoms are curtailed. Political authoritarianism has gained ground in Russia, Turkey, Hungary and Venezuela. Lesbian, gay, bisexual and transgender communities are treated inhumanely in countries as diverse as Russia and Nigeria. The United States, which denied a fair trial to detainees in Guantanamo Bay, has lost credibility on civil liberties. Even slavery, which was supposedly abolished, continues to exist, with nearly 30 million people being forced to work against their will. Why do more than 150 countries of the 193 that belong to the UN still engage in torture? Why do women remain subjugated in many parts of the world? Why do children continue to work in mines and factories in so many countries? It was not supposed to be like this.

Based on the plight of millions of people, I say that, sadly, human rights law has failed to accomplish its objectives. I have the sense from my experience as a barrister that human rights were never as universal as people had hoped. The belief that they could be forced on countries as a matter of international law was shot through with misguided assumptions from the very beginning. Part of the problem is the imposition of top-down solutions on developing countries. I believe that it is time for a new approach.

I applaud and respect the aspirations of the universal declaration of human rights by the UN General Assembly in 1948, which arose from the ashes of the second world war and heralded a new, brighter era of international relations. It provided a long list of rights, most of which are the familiar political rights that are set down in many conventions or that have been constructed by courts over the years.

The weaknesses that would go on to undermine human rights law were there from the start. The universal declaration was not a treaty in the formal sense. No one believed at the time that it created legally binding obligations. It was not ratified by nations, but approved by the General Assembly, and the UN charter did not give the General Assembly the power to make international law. Moreover, the rights were described in vague, aspirational terms that could be interpreted in multiple ways by national Governments, who were wary of enshrining duties. At that time, the US did not commit itself to eliminating racial segregation. Several countries, such as the Soviet Union, Yugoslavia and Saudi Arabia, refused to vote in favour of the universal declaration and instead abstained.

The words in the universal declaration may have been stirring, but I question how much they have influenced the behaviour of Governments. Yes, countries have changed, but in Saudi Arabia, which ratified a treaty banning discrimination against women in 2007, women are still treated unequally in all areas of life, and child labour exists in countries that have ratified the convention on the rights of the child, such as Uzbekistan, Tanzania and India. In a very rough sense, the world is a freer place than it was 50 years ago, but is that because of the human rights treaties or because of other events, such as economic growth and the collapse of communism?

There are three key problems. The first problem with human rights law is ambiguity. A lack of precision allows Governments to rationalise almost anything that they do, as a result not of sloppy draughtsmanship but of the choice to overload the treaties with hundreds of

[Suella Fernandes]

poorly defined obligations. The sheer quantity and variety of rights, which protect virtually all human interests, can provide no guidance to Governments. Given that all Governments have limited budgets, protecting one human right might prevent a Government from protecting another.

Let us take as an example the right not to be tortured. Brazil is one of the largest democracies, and it is rarely considered a human rights violator, but unfortunately the local police often use torture because they believe that it is an effective way to maintain order and solve crimes. If Brazil's national Government decided to wipe out torture, they would need to create honest, well-paid investigatory units to monitor the police. They would also need to fire their police forces and increase the salaries of the replacements. They would probably need to overhaul the judiciary, and possibly the entire political system, as well. Such a Government might reasonably argue that their resources should be put to other uses, such as building schools and hospitals. Such value judgments compromise the universality of human rights and undermine the status that it supposedly possesses. Problems such as those arise because the task of interpreting human rights has been left to trusted institutions such as the United Nations. Sadly, the UN is weakened by a lack of consensus between the nations and the lack of an accountable structure and hierarchy.

The second problem is that there is a misassumption running through our rights culture relating to the predominance of the individual over the communal interest. The importance of the individual is seen as the defining axiom upon which we should base our policy and gauge its success. This assertion of individual instincts is frequently transposed into rights and is becoming paramount. It now prevails over consideration of how our choices might affect others and have consequences for those born later, and of how they might be measured by past experience. The third problem goes to the core of our social values. Where is the reverence and respect for the habits, cultures and customs of our country? Tradition has deteriorated, and British values have declined at the expense of permissiveness. I hope for a fairer society in which value is stored in the commonality of our men and women.

4.7 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a pleasure to speak in this debate and I congratulate those hon. Members who secured it. It is also a pleasure to follow the hon. Member for Fareham (Suella Fernandes). I actually thought that, for once, I was going to agree with everything she said, but as it turned out, that was not the case, even today.

It would be great if the whole world could celebrate international human rights day, but unfortunately too many countries are still blighted by regimes that ignore the human rights of their citizens and persecute ethnic and religious minorities. Last week, we had a debate on Syria. Despite all the human rights abuses in that country, we on these Benches opposed the bombing of Daesh in Syria. We did so for a variety of reasons, but mainly because there appears to be no co-ordinated political strategy, no exit strategy, no plans for rebuilding and no proper commitments from the coalition on any of those elements.

It is clear that any plans for Syria must be based on lessons learned from Iraq. The de-Ba'athification of Iraq helped to create the power vacuum that led to religious persecution and the rise of al-Qaeda. Now we have come full circle with the creation of al-Qaeda's offshoot, Daesh. We must ensure that those mistakes are not repeated in Syria. A future Syria must enshrine religious freedom and human rights in its constitution and legal system and ensure that no minorities are excluded or persecuted in revenge.

We have already heard about Saudi Arabia today. I felt that Saudi Arabia was the elephant in the room when we were discussing Syria last week. Not only does it have appalling human rights abuses, but it is clearly a state sponsor of terrorism, given its involvement in Yemen and, of course, in Syria. And yet Britain continues to sell arms to the country. The use of the death penalty is still extensive there, political opposition is closed down, and women are not even allowed to drive cars and are still subordinate to men. We need to send a much stronger message to Saudi Arabia.

Neighbouring Iran also has serious human right breaches, including extensive use of the death penalty. In 2014, Iran had the second-highest number of executions after China, and it is one of the biggest jailers of journalists and bloggers. Over the years, there have been an estimated 120,000 political executions in Iran, and the UK must speak with a strong voice in negotiations with that country. In many of those countries, it is illegal to participate in homosexual sex and there is a risk of the death penalty if men are caught engaging in homosexual activity. When using examples of such abuses as an excuse to bomb Daesh, we should remember that some other countries still incorporate such things in their legal systems.

I do not have time to mention all the human rights abuses in different countries, but we have already heard about Burma, Sri Lanka, Chad and the Congo. Palestine has not yet been mentioned, although that issue is worthy of a debate in itself. As hon. Members have said, Amnesty International does a great job of publishing human rights assessments for 160 countries.

When talking about human rights we are talking about the great traditions of the UK, but it is worth also reflecting on some of the human rights abuses that have taken place under UK Governments and Administrations since world war two. In the Malayan emergency of 1948, 500,000 ethnic Chinese were forcibly removed from their homes and rehoused in new villages. Between 1952 and 1963, concentration camps in Kenya imprisoned up to 1.5 million people. When Cyprus was agitating for its independence, the story was the same. Suspected rebels or insurgents were rounded up and tortured, and it turned out that a lot of innocent people were wrongly tortured. The Aden emergency in Yemen also led to torture chambers. We must always be careful and never become complacent.

In modern times, we have the scandal of the Chagos islanders, who were forcibly evicted from their homeland so that Britain could allow the US to set up an air base at Diego Garcia. The Government told lies over the years, and there was obfuscation about what had happened. I call on the UK Government to start making proper plans to allow the Chagossians to return home if they wish to, to allocate funding from the aid budget towards that, and to discuss further funding arrangements with

the US and the European Union. Diego Garcia reminds us of the UK Government's compliance in US rendition flights, which included the use of Scottish airports such as Prestwick. By turning a blind eye, the UK was party to the US moving prisoners to places where their human rights would be breached.

Domestically, we have a UN investigation into the imposition of the bedroom tax, an ongoing UN investigation into whether welfare cuts impact on the rights of people with disabilities, and the Government's out-and-out attack on the trade unions. Those matters are a wake-up call for those who say that we do not need a Human Rights Act. That Act must remain for there to be any chance of retaining social justice in this country.

Yesterday, the First Minister of Scotland gave a speech on international human rights, and I commend her comment that the protections offered under human rights should be a "floor not a ceiling". If the UK is to be, and to remain, the beacon that we have heard it can be on these matters, it must lead by example both domestically and in its overseas territories, and it must talk much tougher on the international stage. Recent events in Paris have shown that there are many who want to take away our freedoms. We must do all we can to protect and enshrine our human rights, and the Government must play a part in that as well.

4.13 pm

Mr George Howarth (Knowsley) (Lab): It is a pleasure to follow the hon. Member for Kilmarnock and Loudoun (Alan Brown), and I congratulate the hon. Members for Strangford (Jim Shannon) and for Congleton (Fiona Bruce), and my right hon. Friend the Member for East Ham (Stephen Timms) on securing this debate.

The burden of the argument put forward by the hon. Member for Fareham (Suella Fernandes) seems to be that universal declarations and standards are of no use without the means of enforcing them—I think that was her argument, broadly speaking. We could turn that on its head and argue that without those principles there is no basis by which to bring about improvement around the world.

Suella Fernandes *indicated assent.*

Mr Howarth: I am glad the hon. Lady agrees with that. It is important that we have the principles, even though they are not always enforceable at all times and in all places.

I decided to take part in the debate because a constituent contacted me earlier this week and I wanted to read out what he had written. I will not name him, because I have not asked his permission. He wrote:

"In 2015, thousands of Christians around the world have been victims of unspeakable violence. Over 200 Christians were abducted by self-proclaimed Islamic State (IS) in Syria. Some were released, others remained captive, and still others were brutally executed. Iraqi Christian and Yazidi women and girls have been traumatised and brutalised as sex slaves by IS.

Elsewhere, Christians were attacked, jailed, tortured and executed because of their faith. The global persecution of Christians has continued relentlessly and, without a sustained response, it will only get worse."

That is absolutely true about the persecution of Christians.

Groups such as ISIL in the so-called caliphate, Boko Haram and al-Shabaab carry out atrocities, falsely in the name of Islam, that all too often involve brutality

and the appalling treatment of women. In a very un-Islamic way, they invoke the great religion of Islam to justify their existence. We have to speak out about that and we have to be prepared to take action. I think in a way that that was what the hon. Lady was saying.

Suella Fernandes: Does the right hon. Gentleman agree that the aims are laudable but the means by which they have been implemented fall short, thereby undermining the method and the initial aspiration? We should be trusting in our traditional belief in our communal values.

Mr Howarth: I think I did summarise that point of view. That was the argument I understood the hon. Lady was making.

Gavin Robinson (Belfast East) (DUP): Does the right hon. Gentleman agree that in relying on faith to commit human rights abuses, many faith groups and individuals are turning the fundamental tenets of their beliefs on their head?

Mr Howarth: I think I did make that point. If I did not, let me say that I agree with the hon. Gentleman.

Part of my argument, and why I feel strongly about these issues, is that I spent two years as a Minister in the Northern Ireland Office. It is fitting that the hon. Member for Strangford opened the debate. It is also fitting that the hon. Member for Foyle (Mark Durkan) has been here for most of it. The lesson I took from that period in Northern Ireland is that where there has been division in the past and each community sees a radically different future for the communities they represent, focusing on what can unite people for the future instead of what divided them in the past is probably the best way forward. I do not take any great personal credit for it, but the people of Northern Ireland, having made that decision, were able to move forward. I think that lesson can be applied around the world.

I want to conclude by saying a few words about the Human Rights Act 1998. There are a lot of myths about the Act, as though it came out of the ether and was imposed on the British people. It did not. I was a Minister in the Home Office at the time. The Human Rights Act is modelled very closely on the European convention on human rights, which we have already talked about. It was brought into our domestic law so that it would be more convenient for people to access justice through human rights law in domestic courts, rather having to take their cases off to Europe at great expense. Courts sometimes do misinterpret it, and I understand why the Government get concerned about that, but the way to address it is by dealing with the way the courts operate, not by scrapping the Human Rights Act. I hope that whatever concerns the Government have, some of which may be legitimate, about the Human Rights Act in practice, they do not throw away the principles behind it by scrapping it, or even by the wholesale amendment of it. It is an important statement about the way in which we see ourselves in the world. I really do hope that it remains on the statute book as a strong statement about Britain and where we stand in the world.

4.20 pm

Kate Osamor (Edmonton) (Lab/Co-op): I thank the hon. Members for Strangford (Jim Shannon), for Congleton (Fiona Bruce) and for Ochil and South Perthshire

[Kate Osamor]

(Ms Ahmed-Sheikh), and my right hon. Friend the Member for East Ham (Stephen Timms), for leading this debate.

We as a nation take pride in our historical championing of liberal democracy and human rights. The two are placed side by side as though living in a democracy means automatically that we should have a strong human rights record, but that is not always the case. Simply celebrating the UK's efforts is one sided and slightly misleading. We must recognise the contradictions at the heart of our human rights policy and beliefs.

Why do the Government continue to hold Saudi Arabia—a country that routinely commits the gravest violations of human rights—as one of their closest allies in the middle east? Why did we back its bid for the Human Rights Council, despite its systematic discrimination against women and religious minorities, and its awful track record of executions, including of those who took part in peaceful protests?

Our human rights failings occur not only in terms of international complicity but here at home. Our immigration detention system is inhumane and a violation of detainees' human rights. We are unique in the EU in our policy of detaining people without a time limit—a policy the Government voted to uphold on Third Reading of the Immigration Bill. A recent parliamentary question I asked revealed that the longest a woman without outstanding criminal offences has been held in detention since 2010 is 588 days. This should never happen. The rights and dignity of people in this country should not depend on a piece of paper.

Why are the Government trying—although I would say unsuccessfully—to attack the Human Rights Act? We should be proud of what the Human Rights Act has achieved. It has upheld the right to peaceful protest, it has helped to defend journalistic freedom, and it has revealed the extent of racism in prisons. If we want to stand up today for human rights, we need to acknowledge the contradictions separating the Government's rhetoric from their policy.

Human rights means human rights for everyone. It means standing up for ordinary people subjected to human rights abuses by our diplomatic allies. It means reforming our detention system. Fundamentally, it means saving our Human Rights Act.

4.23 pm

Anne McLaughlin (Glasgow North East) (SNP): I congratulate the hon. Members for Strangford (Jim Shannon) and for Congleton (Fiona Bruce), the right hon. Member for East Ham (Stephen Timms), and my hon. Friend the Member for Ochil and South Perthshire (Ms Ahmed-Sheikh)—I am going to train everyone to say the “ch” in “Ochil” at some stage—on securing this important debate.

It is remarkable that out of the bloodshed and destruction of the second world war was forged perhaps the defining guarantee of all that allows democracy and liberty to be defended—the universal declaration of human rights, which we commemorate and reflect on today. What may prove even more remarkable in the long term is that this declaration was endorsed by member states reflecting all of humanity's philosophies, religions and political systems. That in itself should be a positive and

timely reminder of the values that we share right across the globe in the face of those who seek to spread division and discord from behind the barrel of a gun or from the top of a soap box. At its heart, the declaration is a recognition and codification of the inherent dignity and rights of all members of the human family. It is not a bestowal of rights by a generous overlord, state or international organisation.

We might wish to reflect on that as we consider the human rights situation in our own jurisdiction. The different parts of the UK have made their own contributions to the recognition of human rights: for English Members, there is the Magna Carta, to which the right hon. Member for East Ham referred, and for Scottish Members, there is the Declaration of Arbroath, which provided a fundamental recognition of the freedom from tyranny, usurpation and subjugation by foreign powers. However, just because these rights are timeless and universal, it does not mean they are always recognised in practice, as many have said today.

My party, my constituents and I are gravely concerned by the direction of travel, rhetoric and philosophy of the Government when it comes to human rights. Two of our finest organisations in this field, Amnesty International and Liberty, share those concerns and are already campaigning stridently to defend our Human Rights Act. While the British Government are moving in the wrong direction, however, let nobody think they are supported by the people of the countries of the UK or by civic society at large.

We are blessed on these islands to have produced some incredible charities, non-governmental organisations and community groups that provide lifelines for their fellow human beings with very little funding. I cannot name them all today, but I want to pay tribute to one, because today is the 30th anniversary of the Scottish Refugee Council, one of Scotland's leading human rights agencies. I am proud to say it is recognised as an example of best practice in the UK, Europe and across the world. The SRC is known for its pioneering, holistic and asset-based approach to integration that recognises the dignity and resilience of refugees and works with them as actors in this through its holistic integration service. I am sure it would appreciate it if hon. Members signed my early-day motion marking its achievements.

I turn to the international context in which we operate and, in particular, the Saudi Arabians, who, as the hon. Member for Edmonton (Kate Osamor) said—I congratulate her on standing up again for people stuck in indefinite detention in the UK—are busy killing their own civilians and foreign nationals in the name of justice in the most barbaric ways possible: stoning, beheading and beheading followed by crucifixion. The Government argue that engagement with tyrannical regimes might help bring them back into the fold and towards a recognition of universal rights, and I have some sympathy with that view in principle, but in practice this strategy of engagement with Saudi Arabia is clearly not working. No matter how close our Governments and royals, the butchering of civilians in the name of justice increases.

Amnesty tells us that at least 151 people have been executed this year, with scores more due to be executed in the coming weeks. This is the worst rate of execution for 20 years and it includes many so-called crimes that are in fact the exercising of one's right to free speech and protest. A Sri Lankan housemaid is about to be

stoned to death in Saudi Arabia, and I thank the hon. Member for Mitcham and Morden (Siobhain McDonagh) for raising the rights of Tamils and pointing out that we cannot yet be confident that a change of regime in Sri Lanka will help the Tamils in that country. We need to keep a watching eye on that.

I had never really thought through what stoning entailed until I read about it recently. This woman will be buried up to her neck in sand, and a bunch of men will hurl bricks at her head. She, of course, will be unable to lift a hand to protect herself. There will be nothing to prevent those bricks from smashing into her eyeballs, bursting her nose open and caving in her skull. It was due to happen towards the end of this week. For all we know, she might be buried up to her neck in sand right now, waiting. It is the very Saudi Arabian regime that the Government have befriended that is doing it to this poor woman.

Trying to bring such as wolf in sheep's clothing back into the fold is not working. It is not pragmatism; it is veiled indifference. As my hon. Friend the Member for Kilmarnock and Loudoun (Alan Brown) said, if the Government continue to choose receipts for arms sales over the defence of the declaration, any words they offer today will be empty and meaningless.

Jim Shannon: What comes to mind straight away when we are talking about Saudi Arabia are the 28 Christians—mostly women and children, but a few men—who were having a prayer meeting, but were arrested and then disappeared into the ether of Saudi Arabia. They have not been heard of since. That is another example of why Saudi Arabia needs to be taken to task.

Anne McLaughlin: I thank the hon. Gentleman for that. People have disappeared in Saudi Arabia and indeed across the world and nobody seems to know where they are. It seems that we will never find them, yet all that they have done is practise their own religion and their own faith.

The Government were quick to condemn any opposition over the Syria vote last week, but if there is one example of appeasement in the face of tyranny, it is the UK's relationship with Saudi Arabia. I—and, I am sure, Members of other parties—would welcome a statement from the Government on the role of British-made weapons in the deaths of innocent civilians at the hands of Saudi forces in Yemen. I have received many emails from constituents about that very point. Our constituents hear about people, regardless of where they are in the world.

What of human rights here in Britain? Thanks to groups such as Liberty, we have some examples of how human rights, and particularly the Human Rights Act, have made a real-life impact on our constituents. That is important because, as the right hon. Member for Knowsley (Mr Howarth) said, there is a lot of confusion about what the Human Rights Act actually means.

Diana Bryant's daughter Naomi was cruelly murdered by a convicted sex offender. Her daughter's death was not going to be subject to an inquest because the murderer had already been identified. However, by using the Human Rights Act and article 2 on the right to life, Naomi Bryant's mother, working with Liberty, managed to secure an inquest. That inquest identified a catalogue of failures by public agencies and other partners that

allowed a known convicted sex offender to murder Naomi. Without the Human Rights Act, that inquest would not have happened and the victim's family would have been denied the truth. All our constituents would still have been at risk from the same institutional malpractice that failed Naomi Bryant.

Who would not have supported that mother's right? Who would not support the human rights of the families of our armed forces killed in action? Who would not support the right of Mr V, who successfully used the Human Rights Act to ensure that when his wife, living with Alzheimer's, had to go into a nursing home, it was not one so far away as to make it impossible for him to visit her? Anyone who supports the repeal of the Human Rights Act, that is who.

Let me close with the words of Thomas Muir of Hunters Hill, educated at Glasgow University, which were subsequently cited on the high street of Glasgow at my constituency's boundary. Muir was sentenced to transportation to Botany Bay for sedition, simply for exercising his right to free expression as it is now generally known—outside regimes such as Saudi Arabia, of course. Speaking from the dock, Muir said:

"I have devoted myself to the cause of The People. It is a good cause—it shall ultimately prevail—it shall finally triumph."

Human rights and their international recognition, protection and fulfilment are the modern successor to that fight, protecting the voiceless, defending the vulnerable. Advocates such as the imprisoned Saudi human rights lawyer, Waleed Abu al-Khair, are the modern successors to Thomas Muir. My party will continue to fight with all its power to defend them, whether it be through the universal declaration, the European convention or our own Human Rights Act. To do otherwise would be an abdication of our responsibilities and would render pointless our time in this place.

4.33 pm

Andy Slaughter (Hammersmith) (Lab): This has been a thoughtful and measured debate—something that this Chamber does very well. I begin by thanking the Backbench Business Committee for sponsoring the debate and the right hon. and hon. Members who have spoken in it: the hon. Members for Strangford (Jim Shannon) and for Tonbridge and Malling (Tom Tugendhat), my hon. Friend the Member for Walsall South (Valerie Vaz), the hon. Member for Congleton (Fiona Bruce), my right hon. Friend the Member for East Ham (Stephen Timms), the hon. Member for Stafford (Jeremy Lefroy), my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh), the hon. Members for Fareham (Suella Fernandes) and for Kilmarnock and Loudoun (Alan Brown), my right hon. Friend the Member for Knowsley (Mr Howarth), my hon. Friend the Member for Edmonton (Kate Osamor) and, last but not least, the hon. Member for Glasgow North East (Anne McLaughlin). I am sure that they will forgive me, given the time constraints, if I do not draw more on their excellent contributions.

We are here because this is international human rights day. As has been said, we commemorate the day in 1948 when the UN General Assembly adopted the universal declaration of human rights. The UN wishes us to mark the 50th anniversary of two other international covenants on human rights: the covenant on economic, social and cultural rights and the covenant on civil and political

[Andy Slaughter]

rights. That is important, because together, the two covenants and the declaration form the international bill of human rights, which sets out the civil, political, cultural, economic and social rights that are the birthright of all human beings. I do not share the pessimism of the hon. Member for Fareham (Suella Fernandes): I do not think that those international treaties and statements of rights are in any sense a waste of breath or paper. They are the bedrock on which we build, and if we fail to achieve those ambitions, it simply means that we should strive harder to do so.

My right hon. Friend the Member for East Ham (Stephen Timms) mentioned the full-page letter in *The Times* today, sponsored by the British Institute of Human Rights. It is a very short letter, so I shall read it out, because I think that it makes my central point. It states:

“Today is Human Rights Day. Across the globe, people are celebrating the Universal Declaration of Human Rights. This international Magna Carta for all humanity has inspired so much, including our own Human Rights Act.

Today we celebrate the often overlooked everyday differences our Human Rights Act makes for people across the UK. Our examples are many, whether this is supporting children to access education, stopping inhuman treatment of older people, providing refugees with safety, preventing discrimination, or offering justice for victims and families failed by the system, and many more.

Today we celebrate how our Human Rights Act strengthens our democracy, giving everyone a voice, and ensuring the powerful do not go unchecked.

Today we celebrate how our Human Rights Act does more than defend our traditional liberties. It makes the universal human rights we share with people across the world part of our law here at home.

Today the future of human rights in the UK is uncertain. Today we stand with the Human Rights Act recognising it is the promise of the Universal Declaration of Human Rights made law here at home. We urge our political leaders to stand with us.”

We should not talk only about international obligations. We should celebrate the effect of those measures domestically, and understand why the Government’s decision to attempt to repeal the Human Rights Act is, at best, misguided. However, as international human rights have featured in the debate, I shall say a little about them.

Yesterday I had the privilege of attending a reception given by Amnesty International and hosted by Mr Speaker, who has a long-standing interest in human rights and has campaigned on them in Burma, Sudan, Zimbabwe and elsewhere. The reception was also attended by the right hon. and learned Member for Beaconsfield (Mr Grieve)—it was a very ecumenical occasion—and we heard a speech from the Leader of the Opposition, who has a history of upholding human rights around the world for more than 30 years. He mentioned in particular the recent release of Shaker Aamer, who had been detained at Guantanamo Bay for 14 years without charge or trial. It is shocking that one of our allies, and one of the great democracies of this world, should have treated a British resident in that way.

Many countries around the world have been mentioned, and, sadly, many of them have very poor human rights records. A third of countries still maintain the death penalty, and 141 still practise torture in one way or another. Many eyes are now on the middle east, because human rights abuses are occurring in a number of middle eastern

countries. We think, obviously, of Syria, where 250,000 people have been killed, a million injured, 4 million made refugees, and 7 million displaced. Today we may think particularly of the family—a mother and seven young children—who drowned while trying to travel the short distance between Turkey and Greece. I ask the Minister to consider whether we are doing all that we can to ensure that there is an effective search and rescue programme in that area, because the human rights of those people are as important as the human rights of anyone in this country or anywhere else in the world.

Syria is not alone, however. In Egypt, 40,000 political prisoners are detained, 2,500 political opponents have been killed, and 18 journalists are in jail. Palestine, which has been mentioned today, has undergone nearly 50 years of occupation, and there are more than 500,000 settlers, although that is illegal under international law. In Gaza, 1.8 million people have been blockaded, victims of collective punishment. We think, also, of the Gulf. Last night I had the privilege of chairing a meeting in the House on human rights in the United Arab Emirates. There was a live video link—because he is forbidden to leave the country—with Ahmed Mansoor, a very brave man who speaks out despite the risk of imprisonment, which he has already suffered, and indeed torture. I think also of Bahrain, which continues to practise torture, despite it being, the Government tell us, a firm ally, and a place where we are building a naval base.

I should also mention Saudi Arabia; it has been referred to several times, but I mention it particularly because on 27 November, the Leader of the Opposition wrote to the Prime Minister about the cases of Ali Mohammed al-Nimr, Dawoud Hussain al-Marhoon, and other young men who have been sentenced to some of the cruellest forms of punishment—death by crucifixion or beheading. I am afraid to say that the Leader of the Opposition has not yet received a response to that letter, but we know from the comments made by the hon. Member for Glasgow North East that over 50 Saudis are awaiting execution in Saudi, including people who were juveniles at the time of their detention, people detained for taking part in peaceful protests, people who have signed blank sheets of paper which were then rendered as confessions, and people who have been tortured and kept in solitary confinement. I ask the Minister and Government urgently to turn their attention towards that country.

I read the article by the Foreign Secretary in *The Independent* today, and I have to say that it filled me with dismay. The Foreign Secretary talks about

“Quiet and continued engagement behind the scenes”, and says:

“Just because the British Government isn’t shouting about an issue from the rooftops, doesn’t mean we aren’t assiduously pursuing a case in private.”

Of course one uses all means to attempt to engage with human rights in countries abroad. He rightly mentioned that Karl Andree, a British citizen, has been released from the threat of being lashed many times in Saudi Arabia, but what about the cases the Leader of the Opposition raises? What about Raif Badawi and the others? We cannot rest on our laurels, we cannot be complacent about these matters, and we do have to speak up. I am afraid that the Foreign Secretary going to Saudi Arabia to apologise, as it were, for the Government

not going ahead with the disgraceful prison contract, and saying that it was business as usual, does not set the right tone on human rights.

Let me return to domestic matters. It is right to say that this country, since Magna Carta, has a proud tradition of human rights under English common law, but the incorporation of the European convention through the Human Rights Act since 2000 has indeed been a sea change and a step forward, and it is shameful that repeal is being suggested. Who benefits from the Human Rights Act? Our armed forces, victims of crime, journalists, those engaged in peaceful protest, victims of homophobia and racism, those with mental health problems, those with disabilities, and those subject to unlawful or intrusive surveillance by the state. Those are the people who have been able to bring rights home, as the Government would put it—who are able to uphold their rights in UK law.

I wonder whether the Government even know what they are doing on this. In Justice questions earlier this week, several Members raised questions that the Government are frankly unable to answer at the moment. The hon. and learned Member for Edinburgh South West (Joanna Cherry) asked about the Sewel convention, and pointed out that the answers given by the Secretary of State for Justice to the House of Lords Constitution Committee show that he does not know whether this is a matter for the devolved Administrations or not. That is a key point that has to be answered.

Another key point is what rights will be excluded. I took part in a small act of civil disobedience earlier today, when, with Liberty, we unveiled a banner in Westminster Hall pointing out what rights were protected by the Human Rights Act, which the Government wished to repeal. I am glad to say that the House authorities treated us with their usual tolerance and politeness. This is a serious matter, however. Earlier this week, I raised with the Secretary of State the case of Andrew Waters, a person with Down's syndrome who had a "Do not resuscitate" notice placed on his bed without the consent of his family, or indeed himself. That is the third of three cases, the others being those of Carl Winspear and Janet Tracey, involving unlawful acts under the Human Rights Act, as has now been determined by the courts.

Those article 8 rights are exactly the rights that the Government have complained about. The Secretary of State was perfectly right in saying that he would not expect such behaviour to be countenanced in law, whatever is in the Government's proposals, but how do they square the circle? How can they say that article 8 rights—the ones particularly attacked by Conservative Back Benchers and Front Benchers—will be preserved if the rights of people such as Andrew Waters are not respected?

What is the answer? The Government have no answer on how to deal with the issue of supremacy—they do not seem to understand it. They have no answer to questions on devolution, and they do not have an answer on whether they will pick and choose which rights to implement. This week, the Duma—the Russian Parliament—decided to introduce a law allowing Russia to pick and choose which of the convention rights it implemented. I would not want to be part of a Parliament that endorsed that approach; I do not want to follow Mr Putin in deciding which rights set down in international law

we decide to implement at home. I hope that the Minister and the Government will think again about their entire approach to the Human Rights Act.

4.45 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): On international human rights day, I am grateful to the hon. Member for Strangford (Jim Shannon) for bringing us this debate and to other hon. Members for giving me the opportunity to emphasise the importance that not only this House but the Government place on the promotion and protection of human rights around the world.

Hon. Members have made many valuable contributions today, and we have heard how everyday rights and freedoms that we take for granted are often denied or limited in far too many countries. The hon. Member for Walsall South (Valerie Vaz) described human rights work as the David to the Goliath of power, which puts it eloquently. There has been talk of the Human Rights Act, and I gently say to hon. Members that human rights existed before 1997, when the Bill that became that Act was put through, without proper consultation. Other hon. Members dated human rights back to the Magna Carta, but reference to more recent legislation and documents, such as the 1948 universal declaration, is perhaps the touchstone we all look towards.

I wish to set out this Government's approach to human rights and then address as many as possible of the individual issues raised by hon. Members today. The Conservative manifesto contained a firm and clear commitment to support universal human rights. Members have noted that in many ways we are able to do that with our support for international human rights day. Only yesterday, Baroness Anelay hosted a meeting at the Foreign Office where she set out the UK's pledge for our re-election to the UN Human Rights Council. Today I have published a blog, as have other Foreign Office Ministers. My blog is about the human rights situation in Burundi. Members who are interested in Burundi may wish to stay to hear the Adjournment debate secured by my hon. Friend the Member for Stafford (Jeremy Lefroy), which I am sure will be interesting. I am proud to raise lesbian, gay, bisexual, and transgender issues whenever I can. The hon. Member for Kilmarnock and Loudoun (Alan Brown) urged me to do that, as did my hon. Friend the Member for Fareham (Suella Fernandes). I urge those two to get together to discuss this, as they may find that they agree on a lot more and the world would be a better place if more people agreed with my hon. Friend. Our entire network of embassies and high commissions is holding events or issuing communications today to highlight the importance of human rights issues.

Most importantly, the Foreign Secretary today published an article which, although not fully satisfying the Opposition Front Bencher, the hon. Member for Hammersmith (Andy Slaughter), aimed to set out our approach to human rights: how we raise difficult issues with international partners; how we work with partners whose values, histories and cultures are different from our own; and, crucially, how we enable our diplomatic network to flex its muscles where it can have most impact on the human rights of individuals. Many people implore us to speak out more critically and more often, and there are times

[James Duddridge]

when this is the right approach. But there are times when, if our goal is to promote the creation of conditions for the protection and promotion of universal rights, we need to balance the immediate instinct to react at all times, everywhere and in every case, with the potential gains of a more valued approach. It is not about building on foundations of sand, but more about building on foundations that enable us to have irreversible change. When states take actions that wilfully disregard human rights—as we have seen in Syria—we must speak out critically and clearly. However, where there is scope for working with international partners to improve human rights, we undermine ourselves and our position as a force for good if we alienate other countries through megaphone diplomacy.

Recently, we have hosted leaders from China, Kazakhstan and Egypt. Some commentators said that we pulled our punches, but they are wrong. My right hon. Friend the Prime Minister discussed human rights with each and every one of them, and I think the hon. Member for Edmonton (Kate Osamor) would approve of what he said in private.

The issue of Saudi Arabia has been raised by a number of Members, including the hon. Members for Glasgow North (Anne McLaughlin), for Hammersmith and for Strangford. Despite what was said, we do have a strong relationship with Saudi Arabia, and it is in our national interest to do so. Our collaboration with the Saudis has foiled terrorist attacks, directly saving British lives.

There is a massive number of problems, including that of women's rights in Saudi Arabia, but on that issue the Saudis are making gradual reforms. The UK opposes the death penalty in all circumstances and in every country, including Saudi Arabia. As for the Saudi Arabia's membership of the United Nations Human Rights Council, there was no election, so the UK's position was immaterial; Saudi Arabia was elected as part of the Asia-Pacific group's block of votes.

Human rights remain an integral part of our work and a normal part of our dialogue with all countries. Without the "golden thread" of democracy, the rule of law and accountable institutions, we cannot have the dependable and stable partners on which our own security and prosperity depend. That is why, this year alone, with the co-operation of civil society partners, we have delivered 75 Foreign and Commonwealth Office-funded human rights projects in more than 40 countries. This year, within the UN Human Rights Council, we have used our influence to shine a light on human rights violations in many parts of the world, including Syria, South Sudan, Iran and North Korea. I am sure that this House will be unanimous in its support for the UK's continued presence on the UN Human Rights Council and our re-election bid for a second term.

My right hon. Friend the Foreign Secretary stated at the UN General Assembly that

"the stability we seek in relations between nations is best realised through the framework of laws, norms and institutions that together constitute the rules-based international system".

The national security strategy and the strategic defence and security review, which were published last month, underscore how important that and our human rights work are in the UK's national interest. We make the

point to our international partners that human rights are not just universal but vital to the success of any society. The Prime Minister has called that insight the "golden thread" of democracy, the rule of law and accountable institutions. I am proud that British advocacy has helped put those principles at the heart of the UN sustainable development goals.

I support this idea of a civil society, which was mentioned by my hon. Friend the Member for Congleton (Fiona Bruce). In different ways, that term encompasses exactly what the Prime Minister meant by the "golden thread".

To support the rules-based international system and the golden thread, we have reconfigured our foreign policy work on human rights around three broad themes: democratic values and the rule of law; strengthening the rules-based international order, for example through our membership of the UN Human Rights Council; and human rights for a stable world, which ensures that human rights are central to the global effort to prevent and resolve conflict, and to deal with terrorism and extremism.

The hon. Member for Strangford and a number of others mentioned freedom of religion and beliefs. There is far too much persecution, particularly of Christians, around the world and in the middle east and this is a profound concern of Her Majesty's Government. At a senior level, we regularly urge Governments to uphold the rights of all minorities and religious beliefs and to support practical projects that support community dialogue and civil society.

We should also give praise when there are good examples. My hon. Friend the Member for Stafford praised Tanzania, a largely stable country where different religions peacefully co-exist. Our full-spectrum response to extremism contains at its heart support for freedom of religious beliefs. The right hon. Member for East Ham (Stephen Timms) spoke about the international work he has done, as has the hon. Member for Strangford, in chairing the group here in the United Kingdom.

At the heart of this is opposition to religious intolerance, following the school of understanding, not of hatred, as my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) put it. The right hon. Member for East Ham raised a specific Iranian case. Human rights in Iran are dire and I would be more than happy, if he wants to write to me about that specific case, to follow up in detail. We are working on a Muslim-led counter-extremism narrative to deal with all extremists. I would love Muslims around the world to follow the lead of the passenger at Leytonstone station last week, who so memorably remarked, "You ain't no Muslim, bruv." That was absolutely perfect and encapsulated the moment and what all British people think, regardless of their religion.

Religious tolerance is crucial in defeating extremists and we will not be divided by terrorists. We are under no illusion about the size of the task, but, equally, extremists and terrorists should be under no illusion about the strength of our resolve to dismantle the hatred. That is what our Prime Minister has called the struggle of a generation. It is an enormous threat, but we are up to sorting it out. The UN is committed to resolution 1618, which went through unanimously. We also need to consider a number of other issues.

I am conscious that I am running out of time, but I would like to address the point made by the hon. Member for Mitcham and Morden (Siobhain McDonagh) about the Ahmadiyya people in Pakistan. DFID and the Foreign Office constantly raise the rights of minorities at the highest level in Pakistan, advocating greater tolerance and action against abuses when they occur. In fact, in August the Foreign Secretary discussed with the Interior Minister, Mr Chaudhry Nisar, the importance the UK attaches to the protection of religious minorities. The hon. Lady also mentioned Sri Lanka, and we regularly raise matters of concern with the Sri Lankan Government, although I disagree with a lot of what she said. I am happy to write to her in more detail about the points with which I disagree and exactly why I disagree, but given the time remaining it is important to establish on the record that Her Majesty's Government does not take as fact everything presented as fact.

In conclusion, human rights are the responsibility not just of each and every state but of all states, and, by extension, of parliamentarians and civil society. We all have a responsibility to hold one another to account domestically and internationally. The House has today shown the key role that it plays in upholding human rights promotion and protection worldwide. I commend the motion to the House.

4.58 pm

Jim Shannon: It is only right that we should thank the 17 right hon. and hon. Members who contributed to the debate. It was fitting that a range of Members from all parties made speeches. I thank the Minister for his detailed and positive response setting out how he will personally address those issues. This House and this great nation of the United Kingdom of Great Britain and Northern Ireland excel on occasions such as this, which bring all the themes and thoughts together. Some of the speeches today were compassionate, inspirational and valuable. They are the sorts of speeches for which this House will be renowned and remembered.

If we focus on why we are here—international human rights day—we can see it as a catalyst for change. The aspirations that we have all expressed today are admirable and should be our goal. The Minister referred to the “golden thread”, which was the theme of his speech and of what the Prime Minister has said. The golden thread of human rights went through all the speeches we heard today. Our job, as I said at the beginning, is to be the voice for the voiceless. Today's debate managed that, so I thank all right hon. and hon. Member for their contributions.

Question put and agreed to.

Resolved,

That this House has considered International Human Rights Day.

Burundi

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

5 pm

Jeremy Lefroy (Stafford) (Con): Thank you, Madam Deputy Speaker. It is a great honour to raise the subject of the political situation in Burundi under your chairmanship, particularly on international human rights day.

Last week we spent 10 and a half hours discussing Syria, the subject of United Nations resolution 2249, but I shall refer to United Nations resolution 2248, which relates to Burundi. Perhaps we in this House ought to pay more attention to resolutions of the Security Council, of which the United Kingdom is a permanent member, because they often highlight crises around the world.

Everyone I have met who has been to Burundi has returned with a love for the country and its people. I had the privilege of going there for the first time in 2011 with the International Development Committee and have returned several times since. I declare an interest in that I help to lead the Conservative party's social action project Umubano in Burundi with my hon. Friend the Member for Congleton (Fiona Bruce), whom I am glad to see in her place. We worked in Burundi in 2013 and 2014. We had planned to go this year, but unfortunately the political situation there made that impossible.

All those who care deeply about Burundi have been greatly concerned by the violence of the past few months, which started before the presidential and parliamentary elections. We all long for it to come to an end and for stability to prevail. We also wish to see a return to the greater freedom of expression for which Burundi has rightly been commended in recent years, following the turbulent first 40 years after independence.

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for giving way. I asked his permission earlier to intervene. I understand that the UN says that since April this year 240 people have been killed. Just yesterday five people were taken away, beaten, shot and disappeared. Their only crime, if it is a crime, was that they spoke out against the president. It is clear to me that the vigilantes think they can do what they like. Does the hon. Gentleman think it is time the vigilantes were restricted and the Government took control?

Jeremy Lefroy: I totally agree. There are still killings almost every day in Burundi. I will come to that later.

I was talking about the first 40 years after independence, which saw several ethnically based mass killings, in particular during 1972, when between 150,000 and 300,000 people were murdered, mainly by Government or Government-inspired forces, including the elimination of almost the entire Hutu elite. I shall spend a little time going through history because it is so relevant to what is happening today. Whereas April 1994 is remembered as the beginning of Rwanda's terrible genocide, it is often forgotten that the shooting down of the presidential plane that killed the Rwandan President Habyarimana and marked the start of the genocide also brought about the death of Burundi's President, Cyprien Ntaryamira. He was the second Burundian leader to meet a violent

[Jeremy Lefroy]

end within six months, as the democratically elected Melchior Ndadaye had been murdered the previous September.

Violence escalated in 1995 and 1996 and there followed several years of civil conflict. A series of peace talks took place, sponsored by the regional peace initiative in Burundi, mediated by former Tanzanian President Julius Nyerere and held in Arusha, but not much progress was made. Some of the main political parties, including CNDD-FDD—the current governing party—were not involved at this point. In August 2000 a peace agreement, known as the Arusha accord, was signed by the Government, the National Assembly and a range of Hutu and Tutsi groups. This provided for the establishment of a transitional Government for three years, the creation for the first time of a genuinely mixed army, and a return to political power sharing. Neither the CNDD-FDD, nor the FNL—an armed wing of another political party—was involved in the agreement and military activity increased in 2001.

The CNDD-FDD eventually agreed to a ceasefire in December 2002, which came properly into effect in October 2003, when final agreement was reached on the terms of power sharing. The soldiers of the CNDD-FDD, led by Pierre Nkurunziza, the current President, were to be integrated into the national armed forces and given 40% of army officer posts. Negotiations in South Africa to agree a new constitution met with success in November 2004. It provided for a 60:40 power-sharing agreement and both Hutu and Tutsi Vice-Presidents. A minimum of 30% of the Government had to be women.

In 2005 elections were held under the new constitution, resulting in a decisive win for the CNDD-FDD, led by Nkurunziza. He was elected President indirectly, as the new constitution provided, by the National Assembly and Senate. The indirect election is the source of the controversy surrounding the 2015 elections.

This still left the FNL. Rwasa, its leader, announced in March 2006 that he would enter unconditional negotiations to end hostilities and a ceasefire agreement was signed in September 2006. However, talks on points of disagreement broke down and a formal end to the conflict did not come about until 2009. We can see how long the people of Burundi have suffered under various forms of civil conflict.

The presidential election in 2010 saw Nkurunziza returned with 91.6% of the votes cast. International observers believed that the election met international standards, but they expressed concern at the worsening political climate. Between the 2010 election and 2015, low-intensity violence—if there can ever be such a thing—continued. Rwasa had fled in June 2010 and was reported to have moved to the Democratic Republic of the Congo, where he was recruiting fighters. There were killings by rebels and by Government forces. In December 2011 UN Security Council resolution 2027 called on the Government to halt extrajudicial killings.

Amid all this there was real progress. The integration of the Burundian army was generally a great success. It began to take part in many peacekeeping operations, where its skills and discipline were respected. Most notably, it has played a huge role in AMISOM—the African Union Mission to Somalia—alongside the Ugandan and Sierra Leonean armies, and latterly the Kenyan

army, in bringing stability to Mogadishu and other parts of Somalia. That cost the lives of more than 450 Burundian soldiers, and great credit and honour must be paid to them. Burundian press and civil society were generally free and active for some of that time. A national human rights commission was established, although the Government delayed setting up the truth and reconciliation commission and the special tribunal to prosecute crimes against humanity committed during the civil war.

With elections due in 2015, the question of President Nkurunziza's eligibility for another term came sharply into focus. His supporters claimed that, due to an ambiguity in the constitution, his election in 2005 was by Parliament and not by the people, and therefore his election in 2010 marked the beginning of his first term, not his second. Opponents said that the Arusha agreement, on which the constitution was based, stipulated a maximum of two presidential terms, which he has completed this year.

The National Assembly narrowly defeated a proposal to revise the constitution in 2014. However, President Nkurunziza was officially announced as a candidate in April 2015 and the constitutional court validated that on 4 May. The vice-president of the court fled to Rwanda, maintaining that the decision had been made under duress and intimidation. Mass protests followed the decision and were met with very strong force by the police, which was condemned by regional and international figures. Election aid was suspended by the EU and Belgium.

On 13 May there was an attempted coup while President Nkurunziza was in Tanzania to discuss the crisis. It was led by the former head of Burundi's army and, more recently, its intelligence service, who had been sacked earlier in the year. He specifically cited the President's candidacy at the forthcoming election, which he blamed for instability. The coup attempt was unsuccessful.

The parliamentary elections were eventually held on 29 June and the presidential election on 21 July. Both were largely boycotted by the opposition parties and both resulted in the CNDD-FDD receiving just under 75% of the vote. According to the United Nations electoral mission, this time the elections were not free or fair. The electoral commission declared a victory for President Nkurunziza.

Since the election, as the hon. Member for Strangford (Jim Shannon) has pointed out, violence has continued, with killings of unarmed civilians as well as armed opposition and Government security forces. This has sometimes been accompanied by rhetoric from political leaders that can only inflame the situation. In one speech on 29 October, a senior politician is reported to have said in respect of action against armed opposition members—this is translated from the Kirundi—

“you tell those who want to execute mission: on this issue, you have to pulverize, you have to exterminate—these people are only good for dying. I give you this order, go!”

The United Nations is rightly alarmed. In its resolution 2248, to which I have referred and which was adopted on 12 November, the Security Council expressed its

“deep concern about the ongoing escalation of insecurity and the continued rise in violence in Burundi, as well as the persisting political impasse in the country, marked by the lack of dialogue among Burundian stakeholders.”

Fiona Bruce (Congleton) (Con): My hon. Friend the Member for Stafford (Jeremy Lefroy) is making a powerful speech and I know that the concern he is expressing today has endured for several years. Does he agree that addressing the issue is vital, because the political instability in what is already a very poor country is impacting on the poorest the most and in a devastating way?

If Members will bear with me, I would just like to refer to a report that I received this week relating to the children in an orphanage with which Project Umubano members who volunteer in Burundi have a relationship. It says that the children are so desperate for food and medicine that they are

“malnourished and often ill...can't obtain medicines.. and there is a real risk that one or more may die.”

Jeremy Lefroy: I am most grateful to my hon. Friend, who has done a huge amount of work with Project Umubano. I have received the same report.

The Security Council resolution also strongly condemned “the increased cases of human rights violations and abuses, including those involving extra-judicial killings, acts of torture and other cruel, inhuman and/or degrading treatment, arbitrary arrests”.

Stephen Phillips (Sleaford and North Hykeham) (Con): The Security Council resolution refers to the escalation of violence in Burundi. Is my hon. Friend as concerned as I am about reports this week—they have not made it into the press, but they are none the less coming out of Burundi—that armed murder gangs are again making their way across the border from the Democratic Republic of the Congo at the behest of those who would ensure that violence serves political ends in Burundi? Does he, like me, look forward to hearing what the Minister is doing about that?

Jeremy Lefroy: I am most grateful to my hon. and learned Friend, who has a very close interest in these matters. I am, indeed, very concerned. The people of Burundi have suffered too much over the past 50 years.

The Security Council resolution also condemns abuses, “including those involving extra-judicial killings, acts of torture and other cruel, inhuman and/or degrading treatment, arbitrary arrests, illegal detentions, harassment and intimidation of human rights defenders and journalists, and all violations and abuses of human rights committed in Burundi both by security forces and by militias and other illegal armed groups”.

In particular, it strongly condemns

“all public statements, coming from in or outside of the country, that appear aimed at inciting violence or hatred towards different groups in Burundian society”.

That last point is very significant, given the history of Burundi and the wider region.

I have gone into considerable detail on the history of Burundi as an independent nation, as it is vital to understand the current crisis in its context. This is not something that has happened over the past year or two. I am most grateful to the Minister and, indeed, to his officials for their close attention to this crisis. I know that he and they take it very seriously, and I will now ask a number of questions.

First, can the Minister reassure me that the Government understand how important it is to solve the crisis in Burundi? The mediation efforts led by the East African Community and the African Union through President Museveni should be given the fullest possible support. The Burundian Government, and the opposition, need

to co-operate fully with that process. The UN Secretary-General suggested looking at a peacekeeping force, and I urge for that process to be continued. As I have said, the people of Burundi have suffered enough. They are not interested in power struggles between elites who think it their right to rule; they want stability and the ability to live their lives free from fear. I urge President Nkurunziza, whom I have met on two occasions, to engage fully with such mediation. I understand that the Minister is considering a visit to the country. I welcome that: it is a very long time since a British Minister was there.

Secondly, will the Minister consider establishing in due course a full diplomatic mission in Burundi, which I know would be welcomed by many Burundians? They have appreciated UK support over the years. When the International Development Committee was in Liberia last year, we saw the great benefit that a small, cost-effective and influential mission, newly established by the FCO, can bring.

Thirdly, will the Minister encourage our right hon. Friend the Secretary of State for International Development and the Under-Secretary of State for International Development, my hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd), who has responsibility for Africa, to consider restoring bilateral aid to Burundi when a political settlement has been reached? It has the second lowest income per head on earth, and it is both fragile and conflict-affected, so it comes into every conceivable category that DFID treats as a priority. I appreciate that DFID works indirectly in Burundi through TradeMark East Africa and multilaterals, but that is not enough. We are often told, rightly, the respect in which DFID's work is held and how much its involvement is appreciated. Nowhere would that be more the case than in Burundi. When we look at the map of east and central Africa, we can see that among the countries with which DFID works bilaterally are Tanzania, Kenya, Uganda, Rwanda, the Democratic Republic of the Congo and South Sudan. Only Burundi is missing; yet I would argue that Burundi needs assistance the most.

Fourthly, will the Minister ensure that the innocent refugees from this conflict and their host countries are properly supported through the UN institutions? It was estimated in August that 180,000 people had fled since April—75,000 to Rwanda, 89,000 to Tanzania, and the remainder to Uganda and the DRC. We should express our thanks to those host countries for taking them in. At a time when all eyes are on the Syrian refugee crisis, the world cannot forget such crises elsewhere.

Finally, will the Minister recognise that instability in Burundi, and indeed other countries, has had devastating effects on the people of the region, particularly in the DRC? Up to 6 million people are estimated to have died as a result of the conflicts, some of which had their source in this region, in the DRC during the past 20 years. With elections in the DRC due next year, it is all the more important for Burundi to be at peace.

Burundi is a beautiful county with some of the most hospitable people it has ever been my pleasure to meet. They simply want to live in peace, throw off the shackles of poverty and give their children the chance that all of us would wish to give to ours. What we need now is determination—from the East African Community, the African Union, the international community and, indeed, the United Kingdom—to ensure that the Government

[Jeremy Lefroy]

and opposition groups break the cycle of violence and breaches of human rights that has scarred Burundian politics and life for far too long.

5.17 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): I congratulate my hon. Friend the Member for Stafford (Jeremy Lefroy) on securing this debate, and I commend him for his outstanding and tireless work on both the Joint Committee on Human Rights and the International Development Committee.

I am grateful to other hon. Members, including my hon. and learned Friend the Member for Sleaford and North Hykeham (Stephen Phillips), who asked some specific questions, and my hon. Friend the Member for Mid Derbyshire (Pauline Latham), who has certainly proved the point that one does not have to speak in the House of Commons to have an enormous influence. Her private lobbying, as well as the private and public lobbying of hon. Members in the Chamber, has been instrumental in my reaching the position I hold on Burundi and the actions I will take over the next month.

I first visited Burundi in 2006, and I have since followed the situation there closely. I was there with Christian Aid, along with another hon. Member. I can tell the House that, later this month, I intend to be in Burundi to discuss the situation there, but also in Uganda and Rwanda to discuss both domestic matters and the regional situation.

Before I respond to the specific points that have been raised, I will set out the Government's position more generally. It is clear that there is a deepening political, humanitarian and security crisis in Burundi. The Burundian Government have refused to engage in substantive political dialogue. That, along with the inflammatory remarks made by senior members of the Burundian Government, has led to an increased risk of civil strife and a deepening refugee crisis, which is unacceptable. More than 200 people have been killed since April, including five people who have reportedly been killed in the past 48 hours or so, either in protests against President Nkurunziza's third term or in targeted political assassinations. The killings continue daily, so we need a genuine and inclusive dialogue, based on respect for the Arusha accords. Such a dialogue would enable Burundian stakeholders to find a consensual solution to the crisis facing their country, preserve peace and consolidate democracy and the rule of law.

Clearly, the ongoing violence and insecurity are having an impact on the Burundian economy and the humanitarian situation. The Government have little income and livelihoods are being threatened. About 220,000 people have fled the country and are living in neighbouring Tanzania, Rwanda, Uganda and the Democratic Republic of the Congo. Burundi has been blocking the flight of some refugees. The number of internally displaced people is therefore high in Burundi, although we do not have precise numbers. There is a risk of contagion. My hon. Friend the Member for Stafford is right to highlight the effect of the situation in Burundi on neighbouring countries, particularly the DRC.

The UK has played a leading role in building a single, consistent response from the international community. In January, we set up a group of international partners with interests in Burundi, which have since worked together to develop a common strategy. Collectively, we lobbied President Nkurunziza to engage with the international community and, crucially, accept the principles of the Arusha agreement. In June, I appointed a special envoy to the great lakes, Danae Dholakia. She is actively involved in delivering our messages in Burundi. I appreciate my hon. Friend's communications with the Foreign Office, in which he has provided an insight into what is happening on the ground.

Jeremy Lefroy: May I express my thanks to the envoy, who has been assiduous in her work and incredibly helpful to me and, I believe, the people of Burundi?

James Duddridge: I am sure that those comments will be appreciated. They are certainly appreciated by me.

My hon. Friend spoke about the African Union and the EU, and the engagement between the two is incredibly important. We have supported the East African Community in trying to deliver a regional solution. I hope to meet President Museveni and to co-operate with his efforts to effect a regional solution to the crisis in Burundi. We will do everything we can to support him in those endeavours.

We encourage the whole region and the African Union to play a strong role in urging Burundi to take part in an inclusive dialogue outside Burundi. That would do much to pave the way for a substantive solution to the crisis. Peacekeeping will be part of that. I will also be discussing the possibility of a stand-by rapid reaction force with the region.

It was under the UK's presidency of the UN Security Council that resolution 2248 was agreed. That resolution demonstrates the unity of the international community in its approach to the crisis. We continue to work with the African Union to mobilise financial and political resources to support the mediation process. We will continue to work with our colleagues around the world on contingency options in case things go wrong. We plan to make things go right, but we are also planning contingencies in case they do not.

The Department for International Development is providing nearly £15 million to support the international relief effort for refugees fleeing to countries like Tanzania. That will be channelled through the United Nations refugee agency and the World Food Programme. The Department for International Development is providing close to a further £4 million for the refugee response in Rwanda through the United Nations and non-governmental organisations. That has been used to fund refugee transport, medical care, shelters and food rations.

Perhaps this is a good point to respond to my hon. Friend's plea for us to do more. I am sure that the Foreign Office would not want me to over-promise, but I think that now is the time to review this situation across the Foreign Office and across the Department for International Development. I am happy to pledge to have a meeting with the Minister in DFID to see whether our response is appropriate, proportionate and co-ordinated. We have made efforts to ensure that it is all of those things, but I am sure we could do more. I do not think that anyone who sat in my office before the Rwandan genocide would have regretted spending more time on that issue rather than less.

The UK strongly supports a sanctions regime for Burundi. Four individuals have been listed so far, and the European Union and the African Union are giving consideration to further sanctions against individuals. I personally have made a number of calls to the Burundian Foreign Minister, Alain Aimé Nyamitwe, following the inflammatory comments made by the President and the president of the Senate, some of which my hon. Friend read out. They were truly distressing and hauntingly similar to words that were uttered in Rwanda before the genocide.

Our work in the region, in the European Union and with the United Nations has undoubtedly had an impact. The Burundian Government have already shown increased restraint in their deployment of the police and security forces, and they have finally accepted the notion of inclusive dialogue through article 96 consultations with the European Union, for which the UK pushed very hard. Under those consultations, the European Union will press Burundi on a range of issues related to the current crisis, including press freedom, human rights defenders and the proper functioning of the judiciary.

Looking ahead, I will visit Uganda, Rwanda and Burundi this month. I will be looking at a broad range of issues, but the main reason for my going is the situation in Burundi and its regional implications. I will meet members of each Government and members of

the Burundian opposition, humanitarian organisations and UN agencies. I will listen to regional views on the situation and discuss how the UK and the international community could further support steps towards political dialogue. I will emphasise that the eyes of the world are on Burundi. I will call for urgent action to prevent the country from descending into civil war. And I will give a strong message that the security and safety of the people of Burundi are ultimately the responsibility of the Burundian Government.

To conclude, the UK is doing everything possible to ensure peace and prosperity for the Burundian people, but to achieve that, Burundi must step up and engage with the international community. To that end, we will continue to work with international partners, the United Nations, the European Union, the African Union and the East African Community. I again thank my hon. Friend for giving us the opportunity to debate these important issues in the House, and for his lobbying, which is in large part what is leading me to go to those countries later this month to advocate Her Majesty's Government's, and his, cause.

Question put and agreed to.

5.28 pm

House adjourned.

Westminster Hall

Thursday 10 December 2015

[MR ANDREW TURNER *in the Chair*]

BACKBENCH BUSINESS

Protection of Ancient Woodland and Trees

1.30 pm

Rebecca Pow (Taunton Deane) (Con): I beg to move,

That this House has considered protection of ancient woodland and trees.

I thank not only the Chair and the Minister, but the Back Benchers who have turned up today in support of the debate, which struck an enormous chord when I first started talking to people about it. I also thank the Woodland Trust, which has championed the cause not only of trees, but of ancient woodland and veteran trees for so many years.

Mr Turner, I want to begin by taking us on a magical mystery tour, if you would like to come with me. Imagine that we are walking down a track through a dense coniferous and mixed-species forest. After crunching leaves underfoot for some time, we dive off into the denser part of the forest and suddenly come upon a glade with dappled light filtering through the canopy. There is a carpet of mixed plants beneath our feet. Wild flowers are bursting into bloom and birds are singing. All of a sudden, we see these gargantuan sentries, as if guarding time itself. Huge, enormous oak trees rise out of the carpet. They have a sort of mystery about them, an air of knowingness. They are covered in nooks and crannies. They are filled with creatures such as the vulnerable cardinal click beetle, woodpeckers, brown long-eared bats, wood mice, stag beetles, tawny owls and hornets, and multifarious fungi, moss and lichen, all taking advantage of the antiquated bark. It is reminiscent of Enid Blyton's "The Magic Faraway Tree"—I do not know whether you have ever read it, Mr Turner.

Those were the first ancient trees that I ever encountered. They were 500 years old and part of the ancient forest of Neroche close to where I live in the Blackdown hills. I was filming them for "Saving the Best Bits", a film about the special habitats of Somerset, and I have never forgotten the experience. Ancient trees, which form only part of today's debate, are living relics. The age at which a tree becomes ancient varies with the species as some live longer than others, but the oldest ancient tree, the Fortingall yew in Scotland, is said to be 2,000 to 3,000 years old. Veteran trees are also included in today's debate. They are not quite as old, but they are on their way to becoming ancient trees. More than 120,000 such trees are listed on the ancient tree inventory.

However, we are talking today about not only specimens, but ancient woodland as a whole. Ancient woodland is our richest terrestrial habitat, but the sad situation is that only 2% of it remains. Something is classed as ancient woodland if it has been on the map since 1600 in England. In Scotland, it is slightly later at 1750. The date is when good maps first came into use, so we were obviously slightly ahead in England. I regard ancient

woodland as our equivalent of the rainforest. It represents the last fragments of the wildwood that cloaked the land after the ice age. It is a biodiverse and rich habitat that is home to animals and plants that depend on the stable conditions that ancient woodland provides. It is so rare, however, that it contains many threatened species. The loss of ancient woodlands over the past 100 years has meant that 45 species associated with them have disappeared, which is an absolute tragedy. The woods are not just biodiverse; they are living history books, because they contain fascinating historical features such as medieval boundaries, charcoal hearths and old coppice stools, all of which provide a window into past lives. They are irreplaceable parts of our heritage.

Neil Parish (Tiverton and Honiton) (Con): Will my hon. Friend give way?

Rebecca Pow: I will of course give way to my hon. Friend from over the hill.

Neil Parish: I very much like the way that my hon. Friend is presenting this debate. We are neighbours and our constituencies share the Blackdown hills. There is ancient woodland there and all across Devon. We need to protect it, and when we need to do something such as dual the A303 or A30, we must find ways of ensuring that we go around ancient woodland rather than through it. We need infrastructure, but we need to maintain our ancient woodland.

Mr Andrew Turner (in the Chair): Order. I have to say that that was a pretty generous intervention, so let us not be quite as generous in future.

Rebecca Pow: I thank my hon. Friend for that intervention, because I entirely agree. I will be referring to his point later in respect of the reference to green infrastructure in our manifesto. I know the roads he mentions well and know the debates that have gone on for years about dualling the A30, but it has to fit in with the environment. All things are possible, so we have to get round these things.

To be clear, we are discussing not only the trees themselves, but the soils underneath them, too. The soils have built up over centuries and, just like the woods, cannot be recreated. The soils are equivalent to those in the rainforest and are just as precious. They contain genetic material and biodiversity that could be the key to life-saving treatments or combating pests. We remove them at our peril.

Turning to the detail, there are two types of ancient woodland. The first is ancient semi-natural woods, which are composed predominantly of trees and shrubs native to the site that do not obviously originate from planting and have grown up from the beginning. Often, such woods have been managed through coppicing or pollarding, but they still count as ancient woodland. The second type is plantations on ancient woodland sites, which are where former native tree cover has been felled and replaced by planted trees predominantly of species not native to the site. Such sites can include pine, so coniferous forests can be classed as ancient, or sweet chestnut, forests of which I believe exist in Scotland. The soil under such trees is also significant.

[*Rebecca Pow*]

People might ask, “Why worry about these small areas? Woods that are planted today will become ancient woodlands in 400 years’ time,” but it does not work that way. The way we are changing land use due to agriculture and industry means that the woods we plant today will never turn into the equivalent of the ancient forests of yesterday.

Kevin Hollinrake (Thirsk and Malton) (Con): Will my hon. Friend give way?

Rebecca Pow: I will give way to my hon. Friend whom I know has many ancient trees and woodland up there in Yorkshire.

Kevin Hollinrake: I thank my hon. Friend and London neighbour. My constituency has 1,400 ancient trees, but we have also had one of the UK’s first applications for shale gas fracking. Will she join me in pressing for a change to include ancient woodland in the protected areas specified by the new Government regulations?

Rebecca Pow: My hon. Friend’s point is pertinent and one that I hope the Minister will take on board. Fracking in such areas would seriously disturb the glorious biodiversity and we should think seriously about protecting them. He makes an important point.

We might assume that something as precious as ancient woodland would already be protected, but that is not the case—although I am delighted that the Government have stated on many occasions their support for and appreciation of the value of ancient woodland and the need to protect it. Sites of special scientific interest offer protection, but they cover only 17% of ancient woodland. Some ancient woodland comes into areas of outstanding natural beauty and national parks, which give extra recognition, but they do not guarantee that the protection cannot be removed for other reasons. The planned High Speed 2 route, for example, threatens many areas of ancient woodland in the Chilterns AONB.

Scott Mann (North Cornwall) (Con): Will my hon. Friend give way?

Rebecca Pow: I would love to give way to my hon. Friend from Padstow.

Scott Mann: I thank my hon. Friend. A balance definitely needs to be struck between protecting our environment and the building necessary to get our economy moving. Does she agree that the balance we have at the moment seems to be skewed? Protections to ancient woodland in the national planning policy framework could do with being bolstered.

Rebecca Pow: I thank my shrewd hon. Friend for his intervention, although I think he must have been looking over my shoulder, because I am coming to that point—he has hit the nail absolutely on the head. Unlike many other precious habitats, ancient woodland is not a statutory designation and therefore suffers from a lack of protection.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): Does my hon. Friend agree that if we are going to build large infrastructure projects it is essential that we observe

the national designations given to areas of land that include ancient woodland, such as the AONB in the Chilterns to which she referred? It makes a mockery of any environmental credentials or policy if we do not protect the nationally designated areas while going ahead with the project.

Rebecca Pow: My right hon. Friend makes a valid point, which I will address in a moment. She is right; if we cannot stand by the designations, we might ask what the point of having them is. I put that to the Minister.

I thought that the Minister responsible for forestry would reply to the debate, but I am pleased to see the Minister of State with responsibility for farming in his place. The whole of the Department for Environment, Food and Rural Affairs is especially committed to trees and woodland, but the Forestry Minister admitted in the Select Committee on Environment, Food and Rural Affairs—I was at the inquiry meeting at which he said this—that

“ancient woodland, as a category, is not a protected category”.

I am now coming on to what many of my hon. Friends are referring to—everything is about paragraph 118 of the national planning policy framework, which allows for the destruction or loss of

“ancient woodland and...aged or veteran trees”

if

“the need for, and benefits of, the development in that location clearly outweigh the loss”.

As a result of that loophole, as I would describe it, hundreds of ancient woodlands and trees are being lost or threatened in the planning system every single year. Since the national planning policy framework was introduced in March 2012, more than 40 ancient woods have suffered from loss or damage.

Marcus Fysh (Yeovil) (Con): Does my hon. Friend agree that one of the problems in planning assessments is that much reliance is placed on professional reports and assessments of one kind or another that are challengeable, although they seem to persist from development to development with a life of their own? We need decision makers who will actually challenge such things and not allow them to take on a life of their own.

Rebecca Pow: My hon. Friend makes a good point, which I will come on to later with reference to the idea of natural capital and how much value we put on the natural world versus development. The Woodland Trust is dealing with an incredible 560 threats to ancient woods; November saw the biggest escalation ever of the number of threats being registered—14 in one month, which is shocking. Threats can come from mineral extraction, installation of electricity or gas pipelines, housing, leisure proposals, roads, golf courses or even sites for war-gaming and paintballing.

Other ancient woodland areas are under threat from local area plans, which are falling through the net and we hardly know anything about. I have one such near me at Ash Priors, where houses were built on ancient woodland because the local plan could not really stand up for it. We do not know exactly how many ancient woods there are, let alone how many are threatened, because we rely on the dear old Woodland Trust to

gather such data. I ask the Minister for a proper database to collate all such information, because then we would be on stronger ground.

Interestingly, the motion we are debating has not been far from the thoughts and considerations of others in this place. Only one year ago, in December 2014, the Select Committee on Communities and Local Government called for ancient woodland to be awarded the same level of protection as designated heritage assets in the built environment, which include scheduled monuments, wreck sites, battlefields, and grade I and II listed buildings—my own house is grade II and, small and humble as it is, I cannot knock it down to build a road. Do my hon. Friends agree that the CLG Committee proposal seems eminently sensible?

Alex Chalk (Cheltenham) (Con): I congratulate my hon. Friend on how she is presenting her powerful case. Ancient woodland exists not only in rural constituencies, but in urban areas such as Cheltenham and, as such, can be particularly precious to local communities. Does she agree that there is a powerful case for providing strong and explicit planning protection for ancient woodland, particularly in towns?

Rebecca Pow: My hon. Friend makes another excellent point. Some trees have preservation orders on them, but by no means all do. Trees in the urban environment, as I am sure the Minister will say, are important for things such as controlling rainwater and flooding, taking carbon dioxide out of the air and the feelgood factor of seeing a lovely tree as we walk past.

According to the Communities and Local Government Committee, the national planning policy framework ought to be amended. The Select Committee stated that any loss of ancient woodland should be termed as “wholly exceptional”—that is, it cannot be got rid of unless that is absolutely and utterly essential. I will be grateful to hear the Minister’s view of such a change, because ancient woods are national treasures. Scotland has a similar planning framework, but a slightly softer approach to trees and development. I will be pleased to hear about that later from the Scottish Members present.

The CLG Committee also called for an increase in the number of SSSIs covering ancient woodland, because that would surely help. Perhaps the Minister will comment on that proposal as well. In addition, we must not forget that we ought to thank many landowners for managing the SSSIs and to ensure that they have adequate funding to keep the woodland as it should be kept for the nation. The success of such woodland depends on that management. There is also real concern about the march of awful diseases such as chalara, or ash dieback, in ancient woods, which could present us with another threat to them in future.

I do not want to sound too much like a stick-in-the-mud, because I understand that we need a balance. On the one hand, we want to protect the environment and on the other we want a thriving economy, which the Government are pursuing positively and with great effect. However, I remind the Minister of the green infrastructure commitment in our manifesto in which we said that we would try to make our roads and developments more environmentally friendly. We need to start doing that somehow.

My hon. Friend the Member for Banbury (Victoria Prentis) wanted to raise the issue of planning in particular, but she cannot be here. If we have to steamroller through a piece of ancient woodland because it is unavoidable, often the suggestion is to ameliorate the situation by planting trees elsewhere. She says that that is fine, but we need to take real care about how that is done. At Mixbury, HS2 will plough through some woodland, so it has been recommended that new trees are planted. However, guess where that will be? On a patch of ancient pasture! It is ridiculous that more thought was not put into that decision. I call for a much more sensible approach and for caution.

The spin-off of woods’ biodiversity value is their glorious, natural benefits, which we call natural capital. Should we put a value on our woods? We need to start thinking about that. They reward us in spades through making us feel good—by raising our spirits and inspiring us, as well as through their biodiversity. I know that the Government are thinking about that and that the Natural Capital Committee, which will report back shortly, is looking at setting an economic value on nature. That is tricky—no one says that is easy—but should we not apply that concept right now to ancient and veteran tree cover? That is a prime example of where it could be applied.

Natural capital is not an idea that Rebecca Pow has come up with; it is really being talked about. In January the Natural Capital Committee said that ancient trees are “priceless”. That is there in writing and that is the root of my debate.

The all-party group on ancient woodland was formed recently and I am pleased to be its chairman. Since its formation, I have been contacted by so many people who are at their wits’ end and want to know what to do about an area of threatened woodland near them. They are usually really passionate about these places. Whole communities will be campaigning to try to keep them, but they do not have the teeth to do it. These places are threatened by quarrying, roads and other such things, but as my hon. Friends the Members for Tiverton and Honiton (Neil Parish) and for North Cornwall (Scott Mann) asked, can we not try to work such thoughts into our development plans so that somehow we can have both?

I will give a few examples of threatened areas. Just last month, a proposal to destroy part of the beautiful and ancient Bluebell wood near Maidstone went through, with permission granted for housing without any recognition of the loss to nature, despite a huge local campaign. I have mentioned HS2 already and I think we might hear more examples about that. In the south-west, a pipeline in Torridge in Devon will go right through the Buck’s Valley wood. Mineral extraction in Dorset is going though Honeycomb and Downshay woods and ancient woodland between junctions 5 and 6 of the M42 near Solihull in the west midlands is threatened by an application for an extension to a service station—the list goes on and on.

I have raised a number of issues that I would like the Minister to consider. In particular, it would be great to get a database going. Will he also look at updating the standing advice for ancient woodland? Developers need to look at that advice to see whether what they are doing tallies up with Natural England’s instructions, but that barely covers matters. It needs to be updated

[*Rebecca Pow*]

for English planning authorities to include veteran trees and historic wood pasture, because sadly many developers are exploiting the advice.

I cannot stress strongly enough that once this glorious natural wonder is gone, it is gone—we cannot recreate it. Trees, as we all know, cannot speak for themselves—unless they are Ents in “*The Lord of the Rings*”, which I love—so I am speaking for them. At the rate we are going, soon none of this precious woodland will be left. Only 2% is left, which is so minuscule. How quickly could all that be whittled away?

I urge the Minister to consider my suggestions for ensuring that we do not get rid of all this woodland. We must give it some chance of surviving for hundreds more years. We need to deal with this root and branch. I urge him to give more consideration to the protection of our glorious, awe-inspiring ancient woodlands.

1.56 pm

John Mc Nally (Falkirk) (SNP): I am delighted to support the hon. Member for Taunton Deane (Rebecca Pow), who secured this debate on the protection of ancient woodlands and trees. We are all impressed with her passion for the countryside and rural and urban nature. She has raised my awareness of the ancient and veteran trees in my area: I had probably ignored it, but there are 65 ancient trees and 44% of my constituents live within 500 metres of ancient woodlands—I was not aware of that until I met the redoubtable Member.

I am fortunate to represent a constituency that has a great variety of accessible woodlands located close to its population centres. I will give a wee bit of background on my area and do as best I can—the hon. Lady is a difficult act to follow. The picturesque Callendar wood in Falkirk is at least 500 years old. The trees, woods and adjacent parkland were once the gardens and grounds of Callendar house, a family home for centuries. The wood probably evolved from a medieval hunting park, although there is also evidence of working forestry and coalmining. It is a complex, cultural woodland that is rich in archaeology and veteran trees. Through protection, it has become an island of archaeological preservation and biodiversity.

Torwood, also in my constituency, was a large forested area in the 12th century that stretched from the River Carron in the west and north towards Stirling and inland towards the Campsie fells. At that time it was traversed by an old Roman road, which I have walked many times with my dad, my brothers and my sisters over many years. In preparation for the battle of Bannockburn it was used as the encampment for the men of James Douglas, one of the leaders of King Robert the Bruce’s army. In the wood stood an oak tree that, allegedly, Bruce and William Wallace met under—they probably had a cup of tea or something similar—and which gave Wallace shelter. In 1680 the wood is said to have been the site of the excommunication of King Charles II by Donald Cargill.

My constituency is also blessed with the natural beauty of the Carron glen, which has a magnificent stretch of woodland with a beautiful, steep-sided gorge that supports a large tract of ancient deciduous woodland. I spent most of my childhood in the glen, swimming in

the Red Brae and the Black Lynn, probably climbing over ancient dykes and generally mucking about. It was a natural place where I could go and enjoy myself and it will never be forgotten. To this day it is a site of special scientific interest that should be preserved at all costs. It supports oak, birch, alder, goat willow and ash, as well as a variety of woodland flora. We now have otters frequenting the area. If someone sits there long enough, they will see deer walking past in the same area. It is an absolutely outstanding, peaceful area of tranquillity.

Not far from that is a tree locally referred to as a Spanish chestnut tree. Its actual species is not known for certain; we are still investigating that. That tree is the symbol of the Denny and Dunipace Heritage Society, of which myself and Charles McAteer—not the Charles mentioned earlier—were founder members. The tree is more than 400 years old and was part of the Herbertshire estate owned by the Forbes family. The castle on the estate was burnt to the ground in 1914—I was not around at that time, before the hon. Member for Taunton Deane says anything. The tree is still standing and is still known locally as the “hanging tree”.

A number of local conservation groups help to protect the ancient trees and woodland in my constituency, such as the Communities Along the Carron Association, which is run by a group of local volunteers who are committed to the regeneration of the River Carron, its communities and its ancient land. It is led by a remarkable woman called Christine Bell. There is also the local Community Green Initiative, which is run by a group of volunteers. One of its aims is to ensure that the woodland areas are kept litter-free and accessible for everyone. That group is extremely active, with all the schools across Falkirk using the local woodlands. This is about looking to the future and the long term.

As a keen cyclist and walker, I have taken full advantage of those natural amenities. I am well aware that woodlands ancient and modern are more than a source of timber, more than a habitat of flora and fauna and more than a pleasant vista. Although they are and should continue to be all those things, they are also a destination for all groups, families and communities to enjoy. The protection of this natural asset is vital. Ancient woodland is our richest habitat for wildlife and is home to more threatened species than any other habitat. It represents the last fragments of the wildwood that once covered all of the UK thousands of years ago.

When I was doing some research this morning, I came across an article by Scottish Natural Heritage on hen harriers, which are a rare bird of prey. There were only 505 pairs left at the time of the last survey, in 2010, and another survey will be done next year. Those birds leave the highlands of Scotland and come down south for the winter. We are still not sure where they go, but if we cut down these trees, they will not go there again; that is a certainty. We need to be mindful of that at all times.

Our ancient woodland has now diminished to a fraction of its former extent. We have lost forever an irreplaceable part of our natural heritage. The nation’s remaining ancient woodlands are increasingly under threat from development. As the hon. Member for Taunton Deane mentioned, the Woodland Trust reports that it has responded to 14 cases of woods under threat in just the last month and is currently dealing with a total of 561 such cases. That is an unacceptable number of threats,

and I do not know how the Woodland Trust will cope. There is a genuine increase in threats to ancient woodland, and the UK Government are simply not doing enough about it.

Scott Mann: While the national planning policy framework affects England, I understand that Scotland has devolved powers in planning. Will the hon. Gentleman expand a little on how Scotland has dealt with this issue?

John Mc Nally: I can give the hon. Gentleman a brief answer, but I am sure my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) will answer that later. The Scottish Government have developed a policy direction for decisions on woodland removal in Scotland and will apply the policy to decisions within the areas of competence. Unlike England, Scotland has an ancient woodland inventory, to which the hon. Member for Taunton Deane referred. We are making progress. There is a lot more information to read, which I advise hon. Members to do. We can all learn lessons from one another. This is not a political matter; it is about doing the best we can.

Within my constituency, more than 7.5% of the ancient woodland is under threat, while more than 40% of constituents live near woodland. That amounts to only 15.6% of woodland, old and new, which is quite scary. However, the quantity of ancient woodland under threat is not the only issue; the irreplaceable nature of that woodland is the significant point. The hon. Member for Taunton Deane mentioned a Fortingall tree earlier of between 3,000 and 3,500 years old, which I have visited many times. It is believed that Pontius Pilate was born underneath it—never let the facts get in the way of the truth. In Scotland, we define ancient woodland as having existed since around 1750 AD, so what takes minutes to cut down takes centuries to grow. The loss is immeasurable; imagine cutting down the Fortingall tree.

Existing protection for ancient woodland is insufficient. The UK Government have stated on many occasions their support for and appreciation of the value of ancient woodland and the need to protect it. In Scotland, as I mentioned, we are making significant efforts to change that and address these problems, although we are not without our problems. Unlike many precious habitats, however, ancient woodland is not a statutory designation in law and therefore suffers from a lack of protection.

The Minister responsible for forestry, the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Penrith and The Border (Rory Stewart), for whom I have a lot of time—he is an excellent guy who knows his brief exceedingly well—recently admitted: “ancient woodland, as a category, is not a protected category”.

That is quite a statement.

Paragraph 118 of the national planning policy framework allows for the destruction or loss of ancient woodland and aged or veteran trees if

“the need for, and benefits of, the development in that location clearly outweigh the loss”.

That is a total contradiction, because we can never get that woodland back. As a result of that loophole, hundreds of ancient woods and trees are lost or threatened in the planning system every year. Since the NPPF was

introduced in March 2012, more than 40 ancient woods across the UK have suffered loss or damage from development. Hundreds more ancient woods are at risk within areas of land allocated for development through site allocations as part of local plans. As admitted by the Forestry Minister under the previous Administration, the Government do not collect data relating to the loss of trees and woods, so a complete picture of the scale of losses in any given year is currently impossible—I totally agree with the hon. Member for Taunton Deane on that.

In December last year, the Select Committee on Communities and Local Government called for ancient woodland to be awarded the same level of protection as designated heritage assets—that includes the house owned by the hon. Member for Taunton Deane. The Committee also called for work to be undertaken to increase the number of ancient woods with statutory designations, to further increase protection. However, in response to the Committee’s report, the Government ruled out changing the wording, arguing that

“existing protection for ancient woodland in the Framework is strong and it is very clear that development of these areas should be avoided.”

Again, that seems a wee bit contradictory. I urge the Government to follow the Communities and Local Government Committee’s recommendations.

In addition to the previously mentioned comments, the Forestry Minister went on to say that

“an enormous amount of our ancient woodland is already protected within our national parks and within AONBs. A lot of it is covered by natural sites under European legislation and a lot of it is protected under SSSI legislation.”

In a response to a parliamentary question on 23 November, corrected on 24 November, the Forestry Minister set out how much ancient woodland is in fact located within designated areas:

“Natural England estimates that 15% of ancient woodland is located within national parks and 30% is located within areas of outstanding natural beauty (AONBs). In national parks, 29% of this woodland has site of special scientific interest (SSSI) status; in AONBs, 13% of this woodland has SSSI status.”

Unfortunately, while some ancient woodland is indeed located within a national park or area of outstanding natural beauty, that is simply not good enough protection to ensure ancient woodland is not impacted by or lost to development. I absolutely agree with the hon. Member for Thirsk and Malton (Kevin Hollinrake), who mentioned the issue of fracking in such areas.

The HS2 route, as has been mentioned, is a notable example of woodland located within designated areas being threatened by development. Although I do not know it, the Chilterns is an area of outstanding natural beauty, well known throughout the world. Another example provided by the Woodland Trust is a hydroelectric scheme currently being proposed in north Wales at Fairy Glen near Betws-y-Coed—are there any Welsh Members here?

Richard Arkless (Dumfries and Galloway) (SNP): You got away with it.

John Mc Nally: Thanks. No one can contradict me.

The scheme threatens to damage the ancient woodland located in the Snowdonia national park. The Cairngorms national park local development plan expressly backs

[John Mc Nally]

potential development sites that could cause damage to ancient woodland, including at An Camas Mòr, Carrbridge and Nethy Bridge. Indeed, in 2014 the installation of a micro-hydroelectric turbine in the Cairngorms was approved, which could also damage ancient woodland.

I could go on and list more examples of ancient woodlands in designated areas that have been removed or are threatened by development. I think everyone in the room shares the concerns of the hon. Member for Taunton Deane about such matters, and I go along with her too. I am happy to support her as best I possibly can. I had more to say, but I think I have spoken for long enough.

2.10 pm

Mrs Cheryl Gillan (Chesham and Amersham) (Con): It is a pleasure to serve under your chairmanship, Mr Turner, and to follow the hon. Member for Falkirk (John Mc Nally). I looked up his biography, as he is a new Member of the House, and I understand that he was a barber in a former life, so he will probably well know that his predecessors had their instruments forged from charcoal that came from our ancient woodland. In a way, his calling is linked to the woodlands that he has been speaking so eloquently about. I am also so glad that he has learnt about his constituency. I can honestly say that it does not matter how long he is here in the House, he will never stop learning—I learn something new every week about my constituency.

What a pleasure it is to have my hon. Friend the Member for Taunton Deane (Rebecca Pow) be successful in securing the debate. I congratulate her not only on securing it, but on the way in which she introduced the subject. She is, of course, a new Member of the House. She has worked with the National Farmers Union for a while and is a trustee of the Somerset Wildlife Trust. However, she also brought her skills as a journalist to her powerful descriptions, as she walked us through the wonderlands of her childhood. She reminded me of my childhood in Wales, when I used to be taken for holidays to my uncle's farm near Usk and I would play in the woodlands, which were charmingly called the Dingle. I used to think that I could get lost in those woods, and that nobody could find me—but the Dingle was a pretty small standing of trees, so I reckon that if someone had been really looking for me, they would have been able to find me.

I am grateful for the way in which my hon. Friend introduced the subject, because I seem to have been in touch with the Woodland Trust, which we are all so proud of, for at least 22 of my 23 years in the House. I need to declare an interest in that under her chairmanship, I am a vice-chair of the all-party group on ancient woodland and veteran trees, and I am pleased to be so.

I first came across the Woodland Trust some 22 years ago, when a substantial woodland in my constituency, Penn wood, came under threat. A six-year battle commenced when planning permission was granted for a golf club. Many of the people who lived in and around the area got very hot under the collar about that use of that precious area of woodland, which is so distinctive of the Chilterns and the Chiltern hills. After

all, much of our industry and business used to come from the woodlands and the beech woods that surround the area, which is famous for its furniture-making.

Over the six years, the Woodland Trust had to have a national appeal to raise the phenomenal sum of £1.2 million that was needed to secure the whole wood. It was finally successful in doing so in 1999. The funding came from all sorts of sources, but particularly important at the time was the grant made by the Heritage Lottery Fund of £288,000, which was one of the largest. Local residents raised over £200,000 to help the trust finally to purchase the wood. Interestingly enough, five gifts were left in people's wills. So important were the woods to people in the Chilterns that they were willing to put those specific legacies into their wills to ensure that the woods would be there, in perpetuity, for our children, grandchildren and great-grandchildren.

In securing the whole 436-acre site, we have been able to ensure that the wood is now a powerful part of local recreation and local facilities, which are available not just to people who live around the woods, but to people who come out to the Chilterns for recreation, particularly Londoners. They take the Metropolitan line out to Metro-land, then nip off it and go out into the Chiltern hills and the area of outstanding natural beauty.

The 15th anniversary of Penn wood showed the many things that can be done with woodlands, with some tremendous activities including children's environmental games, woodland art and fire-lighting. More excitingly, the Woodland Trust was able to show the removal of trees with heavy horses, which is something we have long lost, but which is still being retained in heritage works locally. It is rather wonderful for children to see how woodland was managed long before we had those terrible machines that make a lot of noise and chew logs and wood up into tiny little bits to be used on gardens or pathways.

There are more ongoing plans for the wood, and the investment that the Woodland Trust has made in it has really paid dividends. In fact, I was in the woods recently with the Woodland Trust; we were looking at the first stage of a £200,000 investment in Penn and Common woods in Buckinghamshire which is helping to make the woods more accessible. I looked at some of the new surfaced pathways, the existing surface tracks and the link that had been introduced. That is really exciting, because it is making the woods accessible to people who are disabled and people using wheelchairs. That is a very important move, because it means that the woods are accessible to all.

Once again, the Heritage Lottery Fund, which deserves a great deal of praise in this area, has come up with £68,800. The Veolia Environmental Trust has put a considerable sum of nearly £35,000 towards the improvements that are being made to the wood. With grants from the Forestry Commission, which are really important, it has been possible to continue the programme of improvement, including improving the signage, including in various places an interpretation of the woods for people visiting them. That makes it a tremendous experience for anybody coming out to see Penn wood.

There is a lot more work to be done on Penn wood. I think it is important that work is done on the history of the woods, and I know that the Woodland Trust has plans to look more into the historical usage of the woods. However, that takes me from the large wood

that has been saved by raising a large amount of money and which will be an ongoing project, hopefully in perpetuity, to one of the latest little projects on woodland in my constituency. I had the pleasure of visiting it the other day—it is called the Little Chalfont nature park.

The Little Chalfont nature park is a small area of land that lies between some houses and the Little Chalfont library and which has been bought by the community. I had a terrific visit there, with the chair of trustees of the Little Chalfont Charitable Trust, Roger Funk, and three of his compatriots, Gill Roberts, Rob Rolls and Mandy Rooke. Mandy has been a key member of the team that is saving this piece of land for the community and contributing to the design. The area is only small, but it means that a nature park is being created actually in the heart of the village of Little Chalfont. It is being done partly from original, preserved natural grassland, but it also contains a beautiful, small piece of woodland, which is being gradually restored and made accessible to people in Little Chalfont and any visitors who want to come.

The nature park is not open yet, but it will be in 2016. Once it is fully opened, I hope that everybody will be able to enjoy it as much as I enjoyed my visit. We can all help, of course, by going on to the website for the Little Chalfont nature park and making a contribution, because nothing comes free in this day and age. If people can help to support that, we will have, in the heart of a small village in the Chilterns, yet another piece of preserved woodland together with a nature park that had me spellbound when visiting, because it contains such a wide variety of fungi, flowers and features. On the edge are the old clay pits, from which the brickworks excavated the clay to make bricks locally. There is a tiny bit of the cherry orchard that used to belong to the original Snells farm. There are the amazing mounds that were the edges of the wood, which have all been revealed by some heavy-duty work by volunteers, who are also cataloguing exactly what is contained in the heart of the village. I think that it will be a very good addition.

Our woodlands are not just places to visit. I also have in my constituency some 72 acres of woodland that is now the GreenAcres woodland burials site. It is a living, active woodland in which burials are taking place and where people can appreciate the peace, quiet, tranquillity and elements of nature that contribute to the end-of-life experience for their loved ones, which I think makes it a very special place. We must remember that we are talking not about fossilised bits of land or areas that we are protecting just out of stubbornness, but about living woods that right up to this day provide a service to the community.

That is why I feel so passionate about the woodlands that are being affected by HS2. My hon. Friend the Member for Taunton Deane referred to HS2, and I would not speak in a debate such as this without referring to HS2. It is predictable, but that does not make it any the less important. The Government really need to listen to the issues being raised about the destruction of woodland through the development of infrastructure. None of us here is a philistine. We want infrastructure to be built. We want this country to progress. We want a solid and firm economy. However, that must not be at the price of some of our most fragile and precious landscapes, which is what is happening with HS2.

Having said that, I have some praise, not particularly for the Government but certainly for the HS2 hybrid Bill Committee, because it has granted yet another extension to the Chilterns tunnel. The Minister should know that that extension means that Mantle's wood, Sibley's coppice and Farthings wood have all been saved from the bulldozer. Sitting in the middle of Mantle's wood, I shed a tear when I thought that HS2 was going to devastate and demolish most of that wood, which people have been walking in for centuries. However, the area of outstanding natural beauty that is most of my constituency is still exposed to HS2. Jones' Hill wood, in the constituency of my right hon. Friend the Member for Aylesbury (Mr Lidington), will lose about 0.7 hectares. Although the impact has been reduced by the plans currently on the drawing board, it will still be affected. Other ancient woodlands in the AONB will be indirectly affected by the works or are directly adjacent to the construction boundary and will be damaged. I am referring to Jenkins wood, Havenfield wood, Stockings wood and Oaken corner.

A Government who have been rightly trumpeting their environmental credentials should now step up to the plate and ensure that they go the whole mile and protect the whole of the AONB and those ancient woodlands against HS2. That may cost a little more, but the costs are in doubt and arguable. It is possible from an engineering standpoint and certainly desirable to tunnel the whole of HS2 under the AONB and come out without damaging the AONB, as will be the case with the current plans.

I have some amazing constituents who have been working on the issue of HS2. It is always an unequal battle, because whereas the Government have access to taxpayers' money and have already spent some £14.5 million on legal fees alone—paying lawyers—on HS2, my constituents, who after all are only fighting to protect their homes, land and businesses and the environment of the Chiltern hills, have to raise every penny voluntarily. There is no Heritage Lottery Fund for them. There are no grants coming from any esteemed bodies. They have to raise every single penny and pay out of their back pockets not only for the luxury of being heard at the petition stage in the hybrid Bill Committee—they all have to pay £20 to put their piece of paper in—but to get the advice that they need.

One of my constituents is a tremendous landscape historian. Alison Doggett has studied a 500-year-old map and revealed that the Misbourne valley, across which HS2 will slash a swathe, has barely changed since medieval times. She described her work in an article called "A Lost Valley?" in the May 2014 edition of the BBC's *Countryfile* magazine, which I am sure my hon. Friend the Member for Taunton Deane, from her previous life, is familiar with. The ancient map was drawn up in 1620 for Dame Mary Wolley, who owned the Chequers estate, which in those days included the northern part of the Misbourne valley. Nowadays, as everyone knows, Chequers is the Prime Minister's rural retreat. It is vastly diminished. The current boundaries of the estate do not encompass the original, historical boundaries of the older Chequers estate.

Alison's comparison of the field boundaries, woodlands, lanes and farmsteads as depicted in 1620 has shown that in many cases very little has changed. Thanks to the good stewardship of the people who have lived in

[Mrs Cheryl Gillan]

the area and worked the land, and its status as part of a nationally protected landscape—the AONB—since 1965, any visitor today will find the valley very little changed from 1620. Unfortunately, the merits of good stewardship and national protection through the AONB have been ignored by the HS2 project. I therefore ask that the Minister and his Department, which is crucial to the protection of our environment, ask the Department for Transport to step up to the plate, protect that AONB and go for the long tunnel, which will protect the ancient woodlands to which I have referred so that they are still a valuable part of the landscape.

I will give Alison Doggett the last word, because her article concludes:

“Landscapes are granted protected status for characteristics that make them unique. The protection ensures we tread lightly so that we may share the landscapes with future generations, just as past generations shared them with us. We need to ask why protections on historical landscapes are being overturned. Is this trampling of our rural inheritance part of a bigger picture: a calculated indifference to the value of countryside in the name of progress?”

I hope that the answer to that question is no and that the Minister’s Department will go and champion the area of outstanding natural beauty and our ancient woodlands in the Chilterns.

2.29 pm

Kit Malthouse (North West Hampshire) (Con): It is a great pleasure to appear before a fellow member of the Hampshire caucus, Mr Turner.

“Rapunzel was the most beautiful child in the world. When she was 12 years old, the witch shut her up in a tower in the midst of a wood.”

“When Little Red Riding Hood entered the woods, a wolf came up to her; she did not know what a wicked animal he was and was not afraid of him.”

“At last, the Queen said to the huntsman, ‘Take Snow White out into the woods, so that I might set eyes on her no more. You must put her to death and bring me her heart as a token.’”

Those stories are universal. They evoke in us a sense of mystery and a shiver. It is no coincidence that they are all set in the subject of today’s debate: ancient woods, dark and forbidding. To the brothers Grimm, those old forests set the boundaries of human control. The world has changed, but while the whirlwind of human life has careered on, the same ancient woodlands have stood, silently watching. We feel smaller next to them and humbled by their age—feelings not often associated with our modern times. Untouched by us, ancient woodlands are the perfect antithesis of our technologically advanced, man-made world.

Today, science says that everything is explicable, and it may well be right. We are not entirely built that way, however. Somehow, we are healthier when nature is visible and in our lives. Our ancient woodlands will always hold wonder for us, and they are a reminder that no matter how far our knowledge and understanding progress, there is always the chance of getting lost and not knowing the way. We should do our best to preserve that sense, for it is part of what makes us human.

Many Members have focused, and no doubt others will focus, on the biological and environmental value of woodlands, and they are right to do so. Those environments are complex and unspoiled, and they provide habitats for wildlife and rare species. As my hon. Friend the Member for Taunton Deane (Rebecca Pow) has said, they cannot be recreated if they are destroyed. If I may, however, I will leave that aspect to others and focus on the role that ancient woodlands play in our national psyche and our relationship to our history, and on the effect on our psychology of our ever-growing command of the natural world, even if we only rarely notice it or get the chance to experience it.

As the fairy tales that I quoted illustrate, it cannot be denied that those ancient woodlands stir something deep within us—something that we would be foolish to lose. But we are already losing it. As others have said, the Woodland Trust is already ringing alarm bells. It states that we have lost some 1,000 hectares of ancient woodland in the last decade, and that some 500 sites are threatened by planned development. We will lose it all if we do not take measures now, when there is urgency in our building for various reasons, to ensure that we meet our housing and infrastructure needs responsibly. Do we really want to see those living links to our history destroyed to make way for golf courses and paintballing? In my constituency, 60% of which is in an area of outstanding natural beauty, we certainly do not.

No one really planned how we got here. We barrelled forward, not knowing what lay ahead, and never stopped along the way to take account of what we had left behind. Many prophesied—rightly or wrongly, for good or ill—what would happen, but life went on. Jobs have become more specialised and technology has improved. Our population has grown; the demand for land has grown with it and continues to grow. It has brought us to this. As grassy hills and wooded glens become rarer and suburbs sprawl, we risk losing sight of what we actually value. Few would say that the ancient woodlands, the protection of which we discuss today, are not important, but it is far too easy to get caught up in the processes that put them in danger.

The crux of the matter is that failure to protect this ancient treasure will turn us into the kind of country that we do not want to be. It will not have escaped hon. Members that the quotes with which I began my speech came from the brothers Grimm, and that they spoke of forests in Germany; just as in our legends, the forests have deep value in German culture. However, the Germans recognise that value by having the most protected woods in Europe. It has never been more pressing for us to follow their example.

Our forests have borne witness to our island’s history. They have seen war and peace, the sparks of invention, the birth of our democracy and the scores of generations who made them happen and made Britain what it is today. The very youngest of those woodlands were born in a Britain that would—apart from the Misbourne valley—be unrecognisable today. They remind us that we come and go, but there are countless generations behind us and countless more ahead of us.

We know that we have a debt to past generations and a duty to those in the future. Natural treasures such as our ancient woodland are evidence of that connection and contract. If we lose them, life will be less rich, our experience of the world a little bit more desolate and

our society more disconnected from itself. If we become the kind of country that takes no notice of such things, or that shrugs and says that we can merely offset the loss by planting more somewhere else, no summer's bloom will lie ahead of us. To do so would be to accept a Britain where we had broken cleanly with our past and our heritage. The mystery would have gone, and we would be diminished.

2.35 pm

Amanda Milling (Cannock Chase) (Con): It is a pleasure to serve under your chairmanship, Mr Turner. I congratulate my hon. Friend the Member for Taunton Deane (Rebecca Pow) on securing the debate and giving such a passionate and entertaining speech.

My constituency, Cannock Chase, takes its name from the beautiful landscape that was designated as an area of outstanding natural beauty in 1958. A large part of the chase is made up of natural deciduous woodland and coniferous plantations. Trees are an important part of the chase AONB landscape—how it looks, the views and the history of the place—and they are an important habitat for the birds in the area.

Only last Friday, I joined the AONB team on a tour of the chase, which gave me an opportunity to see at first hand the wide variety in the landscape and habitat, and to discuss many of the challenges of balancing the human use of the chase and the protection of the natural environment. I want to take this opportunity to commend the team from the AONB and thank them for that tour.

Despite the fact that a large part of my constituency is made up of forest—perhaps I should say trees—it contains a relatively small number of areas of ancient woodland. There are more in the seat of my neighbour, my hon. Friend the Member for Stafford (Jeremy Lefroy), with whom I discussed this topic earlier today. One of the few ancient sites in my constituency is Chetwynd coppice, which is just outside the village of Brereton. Interestingly, we do not know where all the ancient trees are, because they have not all been identified yet, but some keen volunteers have expressed a wish to seek them out.

Ancient trees in woodlands are more than just plants: they reflect the landscape and tell stories about the culture of a place and the people around them. We have heard from fellow Members today about the various benefits of ancient woodlands and the real dangers that they face from construction and development. Green spaces such as forests, woodlands and ancient woodlands provide real social benefits and improve humans' physical and mental wellbeing. I will take a few moments to discuss that topic.

Cannock Chase attracts tourists from far and wide, as well as being enjoyed by locals. Whether you are a keen walker, cyclist, runner or horse rider, Mr Turner, there are plenty of activities on offer across the chase. Birches valley, just outside Rugeley, is home to Go Ape and Swinnerton Cycles. In the summer of this year, Cannock Chase hosted the cycling leg of the inaugural Staffordshire Ironman 70.3.

With tourism come challenges, however, as the team from the Cannock Chase AONB discussed with me on Friday. Although we must encourage people to enjoy our natural environment, whether it be forests, woodlands

or even ancient woodlands, it is imperative that we do so in a responsible way. In Birches valley, the Forestry Commission has worked hard to manage tourism by signposting visitors to trails and paths to ensure that they can enjoy the area without the natural habitat and its inhabitants, which include a herd of fallow deer, being unduly affected by tourism. I understand that the Forestry Commission has undertaken work on the dangers of tree and plant disease for the long-term sustainability of the woodland landscape, which will be all-important to protecting commercial forestry and the much-loved ancient woodlands of the chase. One of the key parts of protection from such diseases is ensuring that professionals and the public stick to some basic biosecurity measures such as washing boots when they come in after being out for a walk.

Like many of the residents of Cannock Chase, I am passionate about the chase. It is not surprising that the idea that Staffordshire County Council might sell off its land was met with a public outcry. I welcome the news that the current county council's consultation on the management of the Staffordshire countryside estate recognised that outcry, and that it is looking into maintaining the current management and ownership arrangements, which it sees as the most appropriate option. I encourage residents to take part in the ongoing consultation regarding the management of country parks to ensure that their voices are heard loud and clear.

Ancient woodland and areas of outstanding natural beauty are important national assets and hugely beneficial to our wellbeing. Although visitors and tourism to those areas provide real benefits to our local economies, we must ensure that we balance that with the need to protect and conserve the areas for future generations. We must ensure that our ancient trees live on.

2.41 pm

Dr Julian Lewis (New Forest East) (Con): Thank you, Mr Turner, for the opportunity to contribute briefly to the debate. I, as one of the last of the Back-Bench contributors, have the great pleasure of congratulating all those who have spoken before me, particularly my hon. Friend the Member for Taunton Deane (Rebecca Pow), who has done a wonderful job not only of securing the debate, but of alerting other right hon. and hon. Members to the fact that it was going to take place. It has certainly been very well attended so far.

I note that until very recently the Scottish National party was well represented in this debate. I understand that the party is not fully represented at the moment, for good reasons, and I know that it is the long-term aim of its Members to cease to be represented entirely at Westminster. All I can say is that, while they are here, their contributions to our debates are greatly appreciated.

My right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) managed to marry with the topic of this debate the relentless and gallant campaign that she has been waging to preserve so much of our precious rural heritage against the depredations of HS2. I am sure that this phase of her parliamentary career will be well remembered by future generations who benefit from the restrictions and reductions in the devastation that building HS2 along its original planned route would otherwise have inflicted. Those reductions are greatly to be welcomed, and I am sure that my right hon. Friend has many more in mind before she desists.

[*Dr Julian Lewis*]

My hon. Friends the Members for North West Hampshire (Kit Malthouse) and for Cannock Chase (Amanda Milling) embodied something that I have noticed about the whole debate. We are all used to having fraught debates and arguments in this Chamber and in the main Chamber of the House, but something seemed to come over every contributor to this debate as soon as they became involved and engrossed in the topic: a quality of content and delivery that was almost poetic. That speaks to the vital importance not only physically, but psychologically, of our valued, treasured and wonderful ancient woodlands to the people who have the privilege of enjoying them.

I understand that the definition that woodlands must meet to qualify as ancient is that the site must have existed since at least 1600 AD. Given that the New Forest dates from 1079, it clearly qualifies very easily, although it must be borne in mind that it is called the New Forest precisely because it was a creation by man to supply fresh meat to William the Conqueror and his entourage. Hence, the term “new” in our history means approaching merely 1,000 years old, which I suppose is new on some basis of terminology.

The networks of woodland in and around the New Forest collectively form one of the largest extents of lowland forest remaining in western Europe. I am indebted to the New Forest National Park Authority for providing me with a briefing on some of the main aspects of what I am about to say. There are 4,800 hectares of the ancient and ornamental woodlands in the Open Forest alone and there are many privately owned fragments within the New Forest national park boundary. While their communities of plants and animals, many now rare, are an echo of the prehistoric wildwoods that covered much of Britain, they have since been uniquely shaped by farmers, commoners, local people, livestock and wild animals, resulting in the complex landscape and ecological patterns that we see today.

About 1,500 ancient or veteran trees have been recorded so far in the New Forest, most within the ancient and ornamental woodlands in the heart of the New Forest, but many on private land. Those trees have a feeling of great age and character, with gnarled and twisted trunks, crevices and hollows and a large girth, some more than 8 metres around—hon. Members can tell that I did not draft those words myself, as I would have been most unlikely to have used metres rather than more traditional measures. Oaks and ash trees will be at least 400 years old, while yews can live for over 1,000 years.

The character of the New Forest has been well summed up by Mr Oliver Crosthwaite-Eyre, who is not only the current chairman of the New Forest National Park Authority, but a distinguished former official verderer of the New Forest. In connection with the topic we are debating, he said to me:

“The New Forest is believed to have one of the largest extents of Ancient Woodland in Western Europe. Immensely old, and full of character, some of the ancient trees within these woodlands are especially rare. Our Ancient Woodlands have been sculpted by man, revered by generations of local people and survived through remarkable changes in the world around them. They are unique and cannot be replaced. In the New Forest we are working

together to protect, enhance and manage our Ancient Woodlands; they are such an important part of our living, working landscape and we want them to remain so for future generations.”

For people in the modern age, ancient woodlands are a retreat from hustle and bustle—somewhere it is possible to find peace and inspiration, and to get closer to nature. There is strong evidence supporting the idea that the use and enjoyment of woodlands improves people’s overall health and wellbeing. Indeed, they have been described as a natural health service.

Although the UK was covered in woodland 10,000 years ago, after the last ice age, woodland now covers only about 2% of the land area of the UK. That is why it is so vital that it must be protected for future generations. There is not only the question of the physical destruction of ancient woodland, but a risk of tree pests and diseases entering the country from abroad, as well as non-native invasive plants that spread within woodlands and put native wildlife at risk. Natural England estimates that 15% of ancient woodland is located within national parks and 30% is located within areas of outstanding natural beauty. In national parks, 29% of the woodland has site of special scientific interest status, as does 13% of woodland in areas of outstanding natural beauty.

One thing I have found, as a city boy who was fortunate enough to be selected to represent a wonderful rural constituency, is that for all the peace, tranquillity and beauty of the gorgeous New Forest, it is not without controversy. There are many organisations and people with a long history of interest and participation in the activities of the New Forest. I think I am right in saying that, of all the national parks, the New Forest is the most densely populated.

Among the commentators with long experience and great reputation on matters concerning the New Forest is Mr Anthony Pasmore, who regularly writes an expert column in the local press on current affairs affecting the welfare of the forest environment. He has drawn to my attention the danger of trying to be what could almost be described as “too naturalistic” in the conservation of the forest. For example, when we have storms—as inevitably occur from time to time—that cause windfall destruction of parts of the forest, ancient and not so ancient, there is now a tendency to leave all the fallen trees where they lie. I understand that, traditionally, it has always been understood that some 20% of windfall trees should be left behind to create beneficial habitats for beetles and other wildlife. There is always a slight tension between trying to interfere to the minimum amount necessary and remembering that the New Forest is a living, working forest. He raised with me the fact that there is an almost blanket ban on the withdrawing and removal of tree debris following such destruction, which is actually making the forest less habitable and less accessible to human beings by overdoing the environment that one wishes to preserve for the beetles and other wildlife.

Rebecca Pow: My right hon. Friend is waxing so lyrical and making such a good point that I cannot resist joining in. Many of these ancient woods are not just old relics with rotting wood; they are managed landscapes, many of which have been coppiced over time so that man can use the wood for other purposes. These ancient woodlands are still valuable, and I am sure that large tracts of the New Forest are included in that.

[MR CHARLES WALKER *in the Chair*]

Dr Lewis: That is precisely the point that I was endeavouring to make, and my hon. Friend makes it with far greater fluency than my poor efforts.

Anthony Pasmore draws attention to the fact that the New Forest is just that: it is ancient, but it is also new. It is what it is because, as he puts it, there is a “question of balance”. There has to be a question of balance between letting nature take its course and managing the forest in such ways as go with the grain of beauty and accessibility, rather than always trying to take too rigid a stance, which might inhibit the ability of the community that lives and works there to enjoy the New Forest. Those are secondary issues; the most important fact is that we have this wonderful asset.

I shall conclude with a rather modern controversy, namely, the possibility of hydraulic fracturing taking place underneath a national park at some stage. We have heard from my right hon. Friend the Member for Chesham and Amersham about how it is possible to preserve and save woodlands by driving tunnels deep beneath them, and therefore, in principle, it might well be possible to extract valuable energy assets from a long way below the surface even of sensitive areas. We know that hydraulic fracturing may well yield great dividends for our country’s economy, but there are plenty of parts of the United Kingdom where we can master the technology long before we need to bring it anywhere near those particularly precious areas that have been designated as national parks. This is my appeal: the Government should by all means explore fracking technology, but they should make sure that they know what they are doing, by practice and by developing a successful industry based on hydraulic fracturing in less sensitive areas of the country, before approaching anywhere near our ancient woodlands and national parks.

2.55 pm

Calum Kerr (Berwickshire, Roxburgh and Selkirk) (SNP): Mr Walker, you have just missed a consensual and uplifting debate. Mr Turner and I sit on the European Scrutiny Committee, and if only that Committee were equally consensual and uplifting on occasion.

I congratulate the hon. Member for Taunton Deane (Rebecca Pow) and my hon. Friend the Member for Falkirk (John Mc Nally)—he has gone off to catch a train, and not of the high-speed variety—on securing this debate, which has been a most uplifting experience. The hon. Lady kicked us off with a truly evocative and passionate speech that drove home why we are having this debate: the power, beauty and importance of our natural environment. She outlined a powerful case for special recognition for ancient woodland and called for a much more sensible approach.

The good news is that we have an eminently sensible Minister before us today—as the Scottish National party’s DEFRA spokesman, I am used to standing up and making requests of him—although it is unfortunate that the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Penrith and The Border (Rory Stewart), who has responsibility for forests, could not be here today. He is my neighbouring MP, and he has a very valid reason for not being here, because of the level of flooding in his constituency, but

I am sure he would be delighted for the Minister, in his absence, to commit him heavily to far greater protection of our ancient woodland. I look forward to the Minister’s positive response.

My hon. Friend the Member for Falkirk told us a lot about his history and the role of woodland in his life and in his community. I sense that he has many a personal story of his courting days beneath the canopy that perhaps might be better exchanged in the Sports and Social than in Westminster Hall, but he made a number of excellent supportive points, including highlighting one or two things that we specifically do in Scotland.

The right hon. Member for Chesham and Amersham (Mrs Gillan) gave a wonderful overview of the central role that woodland can play in our communities when protected and fostered. She also highlighted the dangers of HS2 and the impact it could have on our landscape if we get our priorities wrong. She also put in a most excellent, yet shameless, plug for a community cause in her constituency, which is always a good way to end a week in Westminster.

The hon. Member for North West Hampshire (Kit Malthouse) did something that I would not have thought possible, which was to get Little Red Riding Hood and Snow White into a speech. That set the tone for another excellent, evocative and moving contribution. I apologise to the following two speakers because a different call of nature meant that I missed elements of their speeches. The hon. Member for Cannock Chase (Amanda Milling) made an important point about visiting a woodland site, and those of us who are involved in setting policy should always remember to go and understand the beauty and impact of such environments first hand—I thank her for making that point. I apologise to the right hon. Member for New Forest East (Dr Lewis) for missing the start of his speech, but he correctly reflected on the consensual nature of this debate and on the psychological benefits of the very woodland that we are discussing today, regardless of whether we measure it in feet, metres or yards.

Across the country, our ancient woodlands are more than just a component of our landscape; they are part of its very soul. They go beyond living history; as we have heard, their importance to biodiversity makes them part of our breathing history too. Our connection with them is long, deep and emotional. Writing in 1936, slightly before my time, the chronicler Arthur Mee talked of our old trees in the introductory volume to his great book series “The King’s England”:

“Silent sentinels of the simple pageant of our nation’s life, they saw the knight come back from the Holy Land...they gave their bows to the men who fought at Agincourt.”

Those words are of their time, but they convey the affection that we all still feel for our woodlands, which cover 500,000 hectares, or just 2% of the UK. Roughly half that coverage needs restoration to safeguard its cultural and natural heritage for future generations. In Scotland, the geographical area taken up is rather less—1% of the land is covered by native species—but the Scottish tree is just as important and loved as the English, Welsh or Northern Irish one. That reminds me: a Northern Ireland Member asked me to point out—if hon. Members will allow me a slight educational aside—that the wonderful ancient trees that we witness on “Game of Thrones” are in Northern Ireland.

[*Calum Kerr*]

Ancient woodland is just that: very old indeed. As we have heard, the Fortingall yew in Perthshire is perhaps the oldest tree in the UK. Modern experts estimate it to be between 2,000 and 3,000 years old, but some think it could be far older, possibly even 5,000 years old. I hope that we never decide to cut it to find out for sure. Our woodlands have been under threat for almost as long as humankind has populated Scotland, or indeed other parts of the UK. By the year 82, at the time of Scotland's invasion by the Roman legions, at least half had disappeared due to the demands of early agriculture. Since then, weather conditions have been cooler and wetter, meaning that much of the woodland has been replaced by peatland. During the 17th and 18th centuries, many of the remaining woods were heavily exploited for timber, charcoal and tanbark.

It is clear that our ancient woodlands have always faced a fragile and precarious existence. As speakers in this debate have pointed out, the risk of erosion of that valuable heritage continues, most particularly because of urban growth and transport schemes. New road developments and High Speed 2 pose ongoing threats, although the latter does not apply in Scotland. Future high-speed rail in particular may well be damaging; the Woodland Trust suggests that it will result in direct loss to 39 ancient woodlands and damage to 23 sites. Woodlands present remarkably diverse ecosystems, are hugely valued for their wildlife and are of significant cultural value. Plus, of course, they are integral parts of our landscapes and natural vistas of often compelling beauty. Their role in raising the human spirit cannot be underestimated.

It has been estimated that some 28,000 hectares of ancient woodland have been lost since the 1930s. That is a huge impoverishment in every way. The one bit of good news is that it is probably harder than ever for developers and farming interests to exploit our remaining assets. However, it is not impossible, and I sincerely hope that Government plans to allow developers to build in the green belt will not lead to cherry-picking of the best sites and new threats to our woodland heritage. It is also a matter of concern that there is no central Government database of ancient woodland, and that no recent analysis has been undertaken of how much has been lost. That needs to be addressed.

North of the border, forestry is devolved to the Scottish Parliament, and ancient woodland is defined as an area that has been wooded continuously since 1750. As in England, there is no statutory protection, but there is a clear intent to preserve if at all possible.

Richard Arkless: Therein lies the difference in approach between the UK and Scotland. In the jurisdiction of Scotland, which prefers statutory certainty to convention and presumption, it is actually a series of conventions and presumptions that give planning authorities more tools to resist the felling of ancient woodlands. The Scottish Government produce planning guidance and a whole range of other documents. Does my hon. Friend agree—I say this in a spirit of cross-party co-operation—that even if the Government are not minded to confer statutory protection on ancient woodlands, there are a series of other techniques that could be used?

Calum Kerr: I thank my hon. Friend for that excellent, long and valuable contribution. In fairness, he has earned the right to a long intervention, considering that the five-a-side football team belonging to the hon. Member for Taunton Deane left early. I congratulate my hon. Friend on that excellent addition to the debate. He is correct, of course, that in Scotland there is no statutory protection. However, Scottish planning policy does identify woodlands as an important and irreplaceable national resource that should be protected and enhanced.

Scottish Natural Heritage also seeks to use the planning system to protect those assets, and the Scottish Government operate a strong presumption against removing ancient semi-natural woodland or plantations on ancient woodland sites. In addition, the Scottish Government have produced a biodiversity route map, which has been presented to the Scottish Parliament's Rural Affairs, Climate Change and Environment Committee. It is an ambitious programme that aims to increase the amount of native woodland in good condition from the 46% notified by the native woodland survey of Scotland. It also plans to restore some 10,000 hectares of native woodland to satisfactory condition in partnership with private woodland owners through deer management planning, as well as improving the condition of designated sites. A good proportion of those locations and native woodlands will be ancient woodlands. The will is there, and much good has been done.

Rebecca Pow: I am fascinated by the biodiversity route map. Can the hon. Gentleman expand a tiny bit on that? Is it voluntary, or is it put upon the good people of Scotland, who must come up with it?

Calum Kerr: The hon. Lady raises a good question. In the tradition of a Minister, if she will indulge me, I will get back to her on that, because I cannot tell her. I will happily confer with the Scottish Government and get back to her. It is a good question.

It is important to remain vigilant and consider, as the Woodland Trust has urged, stronger and explicit protections for these precious areas of land that we value so dearly. That should include, as ConFor suggests, greater protection through the planning system.

As Arthur Mee reminded us 80 years ago, a number of our trees might have watched a millennium pass. Some, he told us, might have seen the men counting the acres for the Conqueror's Domesday Book. In Scotland, as we have heard, they could have reached their branches over William Wallace's betrayal, the Bruce's victory at Bannockburn and Bonnie Prince Charlie's flight from Culloden. Across these islands, they make our landscapes and cleave us to our history. Their forms and shadows are beautiful still, their value beyond price or measure. Let us cherish them and guard their futures, for in protecting them, we protect who we are too.

3.8 pm

Alex Cunningham (Stockton North) (Lab): It is a pleasure to be in Westminster Hall for a third time this week, and to serve under your chairmanship, Mr Walker. I apologise for leaving the room; my cough got the better of me.

I am pleased to see the Minister of State, Department for Environment, Food and Rural Affairs, the hon. Member for Camborne and Redruth (George Eustice) yet again; I had expected to welcome the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Penrith and The Border (Rory Stewart) back to his place after a challenging few days in his home county of Cumbria, devastated by recent floods. I visited on Monday to see what the Cumbrian people were facing. Although we will continue to challenge the Government on their response to and funding for flooding, we will also work with them in the best interests of the affected communities.

The issues that have been raised today are of considerable importance to our natural environment and the biodiversity it supports. That is not to mention the public interest in these issues, with more than 60,000 people responding to the Woodland Trust's Enough is Enough campaign to urge the Prime Minister to shore up protection for ancient woodland.

Before I offer my thoughts, I, too, would like to congratulate the hon. Members for Taunton Deane (Rebecca Pow) and for Falkirk (John Mc Nally) on securing the debate and on giving us the opportunity to discuss these matters fully. I am also grateful to the hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) for his summary of the debate and for reminding me yet again of my Scottish heritage. He remarked that this has been a consensual debate, and that is not going to change in the next 10 minutes.

Several Members eloquently told us of their favourite, treasured woodlands and of the need to save them. I think I will be looking at the *Hansard* record of our debate and planning my walking itinerary for the next two or three years, having been provided with such excellent suggestions. However, the hon. Member for Falkirk reminded me of the ancient woodlands and glens not so far from where I spent my childhood, so perhaps that will be well up the list of the places on my tour.

Mrs Gillan: The hon. Gentleman would be very welcome to visit some of our woods in the Chilterns, but he needs to hurry. If the construction of HS2 starts as planned in 2017, they will not be there much longer.

Alex Cunningham: Given that I return to the homeland regularly, I will perhaps need to take up the right hon. Lady's invitation a bit earlier than I might have planned.

The hon. Member for Taunton Deane tempted me into a false sense of relaxation. That was not because her speech was 28 minutes long, but because she took us on that walk through the wood to Enid Blyton's faraway tree. Then, of course, she brought me back to reality very quickly. Given that the Under-Secretary of State for Environment, Food and Rural Affairs confirmed to the Environment, Food and Rural Affairs Committee just weeks ago that

"ancient woodland, as a category, is not a protected category",

today's debate could not be more timely. This is the second debate in two days in which we will reach consensus—perhaps because we are working off some of the same briefing notes.

That ancient woodland is not a statutory designation in law sets it apart from many other precious habitats, and means that it is liable to suffer from a lack of protection. The hon. Member for Falkirk quoted paragraph 118 of the national planning policy framework, and it is worth quoting it again, because it actually allows for the loss or destruction, in England, of ancient woodland and aged or veteran trees in cases where

"the need for, and benefits of, the development in that location clearly outweigh the loss"—

a sad business.

It is important to be clear from the outset that if we lose the ancient woodlands we have left, they are gone forever, as others have said. Our varied climate and geology have gifted us a diversity of ancient woodland forms, whose composition is a product of environmental conditions and historical management that will simply not occur again. Our ancient woodlands cannot, therefore, by definition, be recreated.

As we have heard, the Woodland Trust has identified that, as a result of the planning loophole I mentioned, hundreds of ancient trees and woods are being lost or threatened in the planning system every year. To put that into context, more than 40 ancient woods have suffered loss or damage from development since the framework was introduced just three years ago, in March 2012. As others have mentioned, the Woodland Trust is dealing with more than 600 ancient woods that are under threat. That is the highest number in the trust's history, and it is increasing all the time.

The situation is not markedly better elsewhere in the UK. Scottish policy, for instance, recognises only somewhat loosely that the value of ancient woods should be considered in planning decisions, while Welsh policy affirms that ancient woods should be protected from development that would result in significant damage.

It is interesting to note that the Minister with responsibility for forests in the previous coalition Administration revealed in an answer to a parliamentary question that the Government do not collect data about the loss of trees and woods. A complete and precise picture of the scale of losses in any given year is therefore impossible, and the task of protection is made markedly more complicated. With areas of ancient woodland having originally been mapped to act as a proxy for areas of high biodiversity, rather than for their inherent value, it is difficult to conclusively identify and value ancient woodland. Although the modest protections currently available are undoubtedly well-intentioned, such inherent difficulties in conclusively identifying and valuing ancient woodlands make those safeguards almost impossible to implement coherently.

That highlights an important point. Although organisations such as the Woodland Trust are well attuned to up-to-date threats and to the latest developments, the Government are, sadly, lagging behind. Not only is there no central database of ancient woodlands, but no recent analysis has been undertaken of the amount of ancient woodland lost year on year to development, infrastructure projects and other causes, such as unapproved felling.

I therefore hope to hear the Minister confirm that his Department has a plan to take immediate steps to rectify these information gaps. I would be interested to hear what consideration he has given to compiling such

[Alex Cunningham]

figures—possibly as part of his Department’s 25-year plan. Addressing that information gap is of central importance if we are to protect our ancient woodlands and the rich biodiversity they support, not to mention the valuable environmental and social wellbeing they provide.

On that point, it is worth while highlighting the distinctive communities of plants and animals that populate many ancient woodlands, some of which, such as the lichen in some ancient Scottish pinewoods, are of international importance. At the same time, the soils in many ancient woodlands are relatively undisturbed and may preserve distinct species communities and natural ecological processes, such as decomposition and nutrient cycling, all of which it is important to protect.

For reasons such as those, the Communities and Local Government Committee called 12 months ago for ancient woodland to be awarded the same protection as designated heritage assets in the built environment. That proposal would have seen the national planning policy framework amended to require any loss of ancient woodland to be wholly exceptional. The Committee also called for work to be undertaken to increase the number of ancient woodlands with statutory designations, such as site of special scientific interest designation, to further boost the protection of these important habitats. However, in response to the Committee’s report, the Government rejected any change to the framework’s wording, giving the opinion that the protections already in place for ancient woodlands under the framework are strong and make it clear that development should be avoided in such areas.

When the Under-Secretary of State for Environment, Food and Rural Affairs gave evidence to the Environment, Food and Rural Affairs Committee, he suggested that “an enormous amount” of ancient woodland in the UK is

“already protected within our national parks and within AONBs”, with much covered by Natura sites under European legislation and even more falling under regulations that protect sites of special scientific interest. However, in response to a parliamentary question just last month, he confirmed that evaluations from Natural England estimated that only 15% of ancient woodland is located in national parks, and 30% in areas of outstanding natural beauty.

Despite statutory designation offering the strongest legal protection from loss and deterioration in condition, only 20% of ancient woods in the UK are designated as sites of special scientific interest. In addition, there is no equivalent for woods deemed to be culturally important, potentially leaving sites with high historic—but low ecological—value with less protection. Furthermore, within national parks, only 29% of woodland has site of special scientific interest status, although even that compares favourably with the 13% of woodland in areas of outstanding natural beauty that is similarly designated.

With those figures in mind, I hope that the Minister will look again at the Communities and Local Government Committee recommendation to designate more ancient woodlands as sites of special scientific interest and that he will support such action to strengthen the legal protection of ancient woodland. Doing so is important,

not least because the evidence highlights that even those ancient woodlands located in a national park or an area of outstanding natural beauty are not wholly protected against the threat of being impacted by, or lost to, development.

To take HS2 as an example—and we have heard plenty about it today—phase 1 of that significant project, as it is currently planned, directly threatens 39 ancient woods, with a further 23 at risk of secondary effects such as disturbance, noise and pollution, including woods within the Chilterns area of outstanding natural beauty. We might perhaps also consider the hydroelectric scheme proposed at Fairy Glen in north Wales, which threatens ancient woodland within Snowdonia national park. The Cairngorms national park local development plan expressly backs potential development sites that could cause damage to ancient woodland, including at An Camas Mòr, Carrbridge and Nethy Bridge. Indeed, I understand the installation of a micro-hydroelectric turbine within the Cairngorms, for which approval was granted in 2014, will damage ancient woodland, while neither Snowdonia national park authority nor Natural Resources Wales highlighted concerns about the impact on ancient woodland of the Fairy Glen scheme.

As I mentioned at the outset, the risk of allowing such damage is that if we lose the ancient woodlands that we have left they are gone forever. They cannot be replaced. However, that is not to say that we cannot do more to protect vulnerable ancient woodlands and wildlife by creating new woodland and other habitats around the remaining fragments of ancient woodland, thereby shielding them from the effects of neighbouring land use. Members have already mentioned that small ancient woods are particularly vulnerable to impacts from surrounding land uses—chemical pollutants from development, agriculture and the like. Research shows us that fertiliser from cropland can alter the soil chemistry, plant species presence and plant growth as much as 100 metres into an adjacent ancient wood. I would be interested to hear what thought the Minister has given to the potential for utilising such buffer zones around ancient woodlands to help mitigate any such damage, and whether his Department intends to look into that option further to determine its viability.

A number of organisations do important work in restoring, managing and conserving ancient woodland to help it survive, but that work will ultimately prove futile while those habitats remain insufficiently protected in the planning system. I am sure that the recommendations of the Select Committee on Communities and Local Government were appropriately considered, but I would welcome hearing from the Minister what steps the Government are willing to take so that the loss of ancient woodland becomes wholly exceptional. In the light of this week’s events, we should not forget that the loss of tree and plant coverage, along with changes in land use in rural and urban areas, has been a significant contributing factor in the increased risk of flooding, particularly in rural areas.

I know that I am asking the Minister to do more with fewer resources, particularly after the comprehensive spending review made further huge cuts to DEFRA’s budgets, but I would be pleased to hear that his Department will work alongside DCLG colleagues to bolster the protection available to ancient woodland as part of the planning framework and ensure that planning departments

are required to protect existing woodland while working with developers to include trees as part of sustainable urban drainage proposals.

3.22 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): I congratulate my hon. Friend the Member for Taunton Deane (Rebecca Pow) on securing the debate. As the shadow Minister, the hon. Member for Stockton North (Alex Cunningham), said, this is the third time I have faced him in this role in Westminster Hall—but it is my fourth time if I include another debate when a colleague of his stepped in.

I should begin by apologising for the fact that the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Penrith and The Border (Rory Stewart), cannot respond to the debate. He has responsibility for the relevant part of the portfolio, but he has been drawn back to Cumbria because of the flooding there, for reasons that I am sure hon. Members will understand. I have had to step into his place at quite short notice, but no one should think that he has no passion for the subject of the debate. I was shown a draft of his speech a little earlier today, and there were some characteristically poetic passages about trees and the passion that he feels for them.

I, too, am passionate about trees. I studied horticulture, and my thesis was on the physiology of deciduous trees in the temperate zone—particularly the issue of how they regulate dormancy. That is an important point: trees define our seasons. They have a remarkable ability accurately to measure day length so that at the same time of the year—every year, whether it is cold or hot—they decide to drop their leaves. They also have a remarkable ability to measure the length of the winter and know when it is safe to burst bud again and start spring. Trees do not get tricked by false springs. No warm snap in January will cause a tree to break dormancy early. They have a remarkable ability to measure the seasons accurately, and they define them.

As we have heard today, our ancient woodlands are highly valued and cherished. We have heard heartfelt contributions from, among others, my hon. Friends the Members for North West Hampshire (Kit Malthouse) and for Cannock Chase (Amanda Milling), the hon. Member for Falkirk (John Mc Nally) and my right hon. Friend the Member for New Forest East (Dr Lewis) about ancient woodlands and habitats in their areas. Those woodlands are a resource rich in life, providing homes and food for animals, birds and insects. They store carbon, produce oxygen and filter out pollution. Of course, they also provide some of the most fantastic places for us to enjoy.

England's woodland coverage is as high as it has been since the 14th century, totalling a little more than 1.3 million hectares, which equates to 41% of the UK total or 10% of England's land area. Of course, we must not forget the position we were left with after the second world war, when, sadly, much of our ancient woodland was felled and replaced with non-native conifers.

That conifer planting was carried out on a large scale by the public and private sectors as a result of a policy drive to replenish the national timber reserve and to improve the economics of ancient woodlands. Since then we have made huge strides, and throughout the

1970s and 1980s we established the concept of ancient woodland, rich in plant diversity and managed through traditional practices. We now know, of course, that ancient woodlands are an irreplaceable habitat, which is why we recognise their special status in the national planning policy framework, which was last updated in 2012.

Since the last war, great efforts have been made to restore and actively manage our ancient woodlands. Estimates of ancient woodland coverage vary, but the ancient woodland inventory identifies approximately 340,000 hectares of woodland in England that is ancient. Nearly 200,000 hectares of that is semi-natural and 140,000 hectares is in plantations on ancient woodland sites. Subsequent estimates suggest that there are about 210,000 hectares of native woodland not on ancient woodland sites. Taken together, those three categories of woodland comprise just over half of England's woodlands, at about 550,000 hectares.

We continue to work to restore our native and ancient woodlands on the public forest estate and many private woodland owners are motivated and incentivised to do likewise. We are committed to ensuring that our ancient woodlands are adequately protected and sustainably managed to provide a wide range of social, environmental and economic benefits to society. An example is the Government's contribution to Grown in Britain, which includes helping owners of small woodland businesses who develop products such as high-end wood furniture from woodlands managed to the UK forestry standard. The value to society of the 40 million recreational visits to forests and woodlands is put at about £484 million per year; 65% of the population visited English woodland in 2013.

We are all aware, however, that there are many competing demands on our resources. We are a small island, more densely populated than India, and there are competing pressures on how we use the land that is our most precious resource. We have ambitions to increase woodland cover and improve the quality of our woodland management, but we must be mindful that those ambitions sit alongside a need to increase food production, create renewable energy and capture carbon, while also maintaining the mosaic of habitats that our wildlife depends on, such as our ancient woodlands. As my hon. Friend the Member for Taunton Deane pointed out, we recognise that to compete globally we need to update and upgrade our ageing infrastructure, and foster development that enables our economic growth to be sustained.

We have, however, always made a special case for our ancient woodlands—and rightly so. That is why, as I said earlier, they are protected in the NPPF. The passage that deals with them states clearly and unambiguously that

“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and...veteran trees...unless the need for, and benefits of, the development in that location clearly outweigh the loss”.

The position is very clear—there is protection—and I am not certain what more could be done; the Government certainly have no plans to undermine or change that position. However, I am aware that a number of hon. Members have made some suggestions about how things could be improved and I will return to those suggestions later.

[George Eustice]

We do not believe that we should simply look to protect our woodlands; we also want to invest in them. Sensitive management of our ancient woodlands can contribute to the challenges I have just mentioned—both capturing carbon and, through wood fuel, biomass-based renewable energy. Effective management can ensure protection against more subtle threats, such as shading of ancient woodland ground flora resulting from lack of management, in order to build resilience to climate change.

Our management continues to promote greater biological and structural diversity in England's woodlands. In total, 75% of the public forest estate was identified in the Lawton review in 2010 as being critical to supporting the wildlife network and biodiversity in England. That is why the Government have invested more than £60 million in forestry during the past five years.

Private woodland owners continue to be motivated to bring unmanaged and under-managed woodlands back into management, reacting to demand-side initiatives such as Grown in Britain and the renewable heat incentive. Now, 58% of England's woodlands are in active management, and to support our manifesto commitment we will continue to invest £31 million per annum during the new rural development programme for England, which will see a further 11 million trees planted during this Parliament.

As part of that commitment, we are working with the Woodland Trust to provide more opportunities for schoolchildren to plant, care for and learn about trees. That will give young children the chance to understand and connect with nature, and play a role in making their school grounds and local communities cleaner and greener, helping them to grow the ancient woodlands of the future.

Rebecca Pow: My hon. Friend makes that point about education extremely eloquently, and it is important. Will these children be educated about the immense benefits of ancient woodlands in particular, because, as we have heard today, there is so much involved in them that children could learn from?

George Eustice: My hon. Friend makes a very good point. I certainly hope that schoolchildren learn about ancient woodlands because, as a number of hon. Members have said, those trees have seen major chapters of our history during their lifetime.

I will also point out that when it comes to the rural development programme, we are doing some direct work on ancient woodlands. More than 4,200 hectares of planted ancient woodland sites owned by the private sector were restored on ancient semi-natural woodlands between 2011 and 2014, and more than 6,500 hectares of plantations on ancient woodland sites have been worked on since April 2011 on the public forest estate.

I turn now to some of the points made by hon. Members in their contributions. The hon. Member for Taunton Deane talked about the importance of urban trees, and I agree. They are very important, and the Natural Capital Committee has noted that in its own

report. It is also important to recognise that the NPPF covers both urban and rural areas, so the same protections apply whether trees are in rural or urban areas.

My hon. Friend and a number of other hon. Members talked about databases. We are interested in databases, so I would be interested to see the evidence about how one defines a “threat”, if one is identifying trees that might be under threat. We also recognise that local planning authorities, which ultimately take these decisions, do not report or collate data on ancient woodlands. As far as we are aware, there is no reporting or collating of information, and the shadow Minister raised that issue, too. We are certainly happy to look at it.

Of course, we have the ancient woodland inventory, which was developed in the 1980s. As my hon. Friend the Member for Cannock Chase pointed out, we also have the Tree Register, a registered charity that updates a register on notable trees. That is very important, providing information on the size and growth of trees, as well as details of historical, rare or unusually significant trees. It, too, makes an important contribution.

My hon. Friend the Member for Taunton Deane and others also mentioned sites of special scientific interest and asked whether there could be designations of ancient woodlands as “triple SIs”. As a number of Members have already noted, many of our ancient woodlands are already designated as SSSIs, and Natural England is constantly looking for additional areas that should be so designated. Its work at the moment includes looking at additional ancient woodlands to be designated as SSSIs.

One point to note is that although designating an area as an SSSI is a stronger form of protection, in that there is a statutory role for Natural England if there is to be any development on those sites, the test is still quite similar: if the benefits of development outweigh any damage they can be considered. The test itself is broadly the same, but I accept that the level of protection is higher.

My hon. Friend also talked about strengthening the presumption to “wholly exceptional” when development is considered. I know that the Government have considered the issue before; they have taken the view that that change is not necessary because the existing protections are adequate. Nevertheless, I take on board the points she has made today and I am sure my hon. Friend the Under-Secretary of State for Environment, Food and Rural Affairs will read a transcript of this debate. He may want to look further at the arguments that she has so forcefully made about that issue.

I agree with my hon. Friend the Member for Taunton Deane that we should accept that although planting new trees is important, and we will plant 11 million new trees during the course of this Parliament, it does not fully mitigate the loss of trees. In fact, as my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) pointed out, even though we are doing lots of planting and mitigation work—that work is important, particularly when it comes to High Speed 2—it cannot replace our ancient woodlands, which are irreplaceable. I accept that.

I move on to the comments made by my right hon. Friend. I know that she has been a tireless campaigner on the issue of HS2 and has many deep concerns about its impact on her constituency. I am pleased that some

of the woodlands that she mentioned, such as Mantles wood, have been protected as a result of the decision to put a tunnel underneath the woodlands rather than through them. However, she has made a point today about the areas of outstanding natural beauty sites and other sites affected by that tunnel. I will take her concerns back to my hon. Friend the Under-Secretary of State for Environment, Food and Rural Affairs and we will raise those concerns with colleagues in other Departments, notably the Department for Transport, which is making these decisions. We will write to her with our feedback on that process.

Mrs Gillan: The Minister may not be the woodland Minister, but given the position that he occupies in the Department, I am very grateful that he will discuss that matter with his colleague and take it up with the DFT. It is not as if I am asking for the world; I am just asking to save a little bit of it, which is so important.

George Eustice: I am sure—and it is the little bit of it in my right hon. Friend's constituency that is especially important, as all hon. Members will understand all too well. Of course, my right hon. Friend will be aware that a hybrid Bill is also going through Parliament at the moment in a very long-drawn-out process, as is often the case with such Bills. A number of these matters will be considered by that Bill Committee.

On HS2, I will summarise by saying that the company has stated that it will plant 7 million trees, as a mixture of landscaping and screening and to compensate for the loss of some trees. There has also been a survey. Natural England reviewed the ancient woodland inventory last spring and determined that 16 woodland sites along the phase 1 route of the proposed rail scheme should be added to the inventory. Although they are small sites—there are 10 woods of less than 2 hectares—they have been added to the inventory in order to address some of the concerns that exist. That is a good example of where the Government continue to look sensitively and carefully at these issues, to make sure that we get a decision right.

Finally, a number of hon. Members mentioned the issue of pests and disease, which is a challenge we take very seriously. The Animal and Plant Health Agency monitors diseases such as ash dieback, or chalara, which is of particular concern at the moment. It is true that older trees can often survive infection for a number of years; in some cases older trees are more resilient to disease, particularly when it comes to diseases such as ash dieback.

Fighting disease is a very important part of what the Department for Environment, Food and Rural Affairs does. We have committed more than £21 million to tree health research, which includes £3.5 million for studies that are being undertaken to identify what can make trees tolerant to ash dieback, for instance.

In conclusion, we are continually striving to improve things in this area, but we acknowledge that this issue is complex. The challenge for us today is totally different from the challenges of the 1920s. That is why we need to balance forestry interests with our global responsibilities and our wider needs on UK land use. The Government consider that the existing protection for ancient woodland in the NPPF is strong and is protecting our ancient woodlands and veteran trees, but as I said earlier, Members have made some powerful points today. I am sure that

my colleague, my hon. Friend the Under-Secretary of State for Environment, Food and Rural Affairs, will read the transcript of the debate carefully, and I will relay some of the concerns expressed and proposals made in that spirit.

Mr Charles Walker (in the Chair): I understand that the opening 28 minutes by the hon. Member for Taunton Deane (Rebecca Pow) were brilliant, and I am sure her closing two minutes will be equally excellent.

3.40 pm

Rebecca Pow: I am sorry you missed it, Mr Walker. There was such eloquence and passion in the room. I had lots of interventions, so it was not just me talking for 28 minutes. I honestly and genuinely thank all the Chairs who have sat through the debate. I also thank the Backbench Business Committee, to which we had to make representations to secure the debate. When I went there, I had 76 MPs supporting me. Sadly, there is a one-line Whip on a Thursday, and there are floods and all sorts of other reasons why lots of them are not here, but I genuinely had loads of texts and emails from them saying, "I wish I could be there," and, "Can you say this and can you say that?" I thank them.

I also thank my hon. Friends and other Members who have spoken today. My football team has left, but they did a grand job earlier. What passion and poetry we have had! How lovely! It showed the strength of feeling about the issue. We have had stories and images. We have had my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) in her Dingle and the hon. Member for Falkirk (John Mc Nally) swimming in his glen. We had Red Riding Hood with my hon. Friend the Member for North West Hampshire (Kit Malthouse) and so much more. We had my hon. Friend the Member for Cannock Chase (Amanda Milling) walking through the woods, and I am so pleased that she got out to the area of outstanding natural beauty to find out what it is really about. We have waxed lyrical, but it has been obvious that we have great cross-party consensus on this issue. My hon. Friends from Wales could not come, but I had a big Welsh contingent who truly support a lot of the ideas.

I thank the Farming Minister in particular. I am not sorry that he was the Minister who responded today. We would have loved to have had the Forestry Minister, my hon. Friend the Member for Penrith and The Border (Rory Stewart), but the Farming Minister has embraced the debate in a masterly fashion. I have learned something new about him. As my right hon. Friend the Member for Chesham and Amersham said, we learn something new every day: I did not realise that the Minister had studied horticulture. That was interesting.

I am heartened that there are a few chinks of light—possibly they are splinters—that we can work away at. The Minister is not saying no to everything, and I like the fact that he will look at the "wholly exceptional" wording and that he might look at the database and the collection of data, which we all mentioned. I urge him to continue with that work. Let us harness the passion and improve the protection. If we want not only our children, but our children's children to experience some of the wonderful things that we have all talked about today, we have to save the 2% of ancient woodland that is left.

Mr Charles Walker (in the Chair): Having heard the hon. Lady's generous winding-up speech, I am genuinely sorry that I missed the first 28 minutes.

Question put and agreed to.

Resolved,

That this House has considered protection of ancient woodland and trees.

3.43 pm

Sitting adjourned.

Written Statements

Thursday 10 December 2015

BUSINESS, INNOVATION AND SKILLS

Foreign Affairs Council (Trade)

The Minister for Small Business, Industry and Enterprise (Anna Soubry): My noble Friend the Minister of State for Trade and Investment (Lord Maude of Horsham) has today made the following statement.

The EU Foreign Affairs Council (Trade) will meet in Nairobi during the 10th ministerial conference of the World Trade Organisation (WTO).

The Council will meet on the 15 December before the formal opening of the ministerial conference. I will represent the UK.

We expect the Council to meet again during the ministerial conference, at least once, possibly more, but the date of subsequent meetings of Council has not yet been set.

The only substantive item on the agenda for the Council in Nairobi is the 10th ministerial conference of the WTO.

The Nairobi ministerial will be the first WTO ministerial conference in Africa. WTO members meeting in Nairobi will reflect on the achievements of the WTO in the twenty years since its founding in 1995, will discuss potential outcomes on export competition in agriculture, on development and on transparency, and consider how the WTO organises its negotiations going forward. WTO members will also welcome the accessions of Afghanistan and Liberia.

The UK wants to see substantive outcomes on export competition, development and transparency to promote flexibility in the way the WTO organises its negotiations following Nairobi and will welcome the accessions of Afghanistan and Liberia.

[HCWS376]

CABINET OFFICE

Consultant Lobbyists Regulation

The Parliamentary Secretary, Cabinet Office (John Penrose): Part 1 of the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act provides for a statutory register of consultant lobbyists. The statutory register came into force on 1 April 2015 and has increased transparency by requiring those who lobby on behalf of a third party to publicly disclose the names of their clients.

Section 22 of the Transparency Act provides that the costs of the register may be recovered from registrants via a charge. Today I have laid the Registration of Consultant Lobbyists (Amendment) (No.2) Regulations 2015 which amend regulation 5 of the Registration of Consultant Lobbyists 2015 (SI 2015/379) to increase the annual charge per registered consultant lobbyist in connection with the maintenance of the register from £700 to £950.

[HCWS385]

CULTURE, MEDIA AND SPORT

Telecommunications Council

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): The Telecommunications Council will take place in Brussels on 11 December 2015. The UK's Deputy Permanent Representative to the EU, Shan Morgan, will represent the UK. Below are the agenda items and the positions we intend to adopt.

The first item is a progress report from the presidency on state of play on the proposal for a directive of the European Parliament and of the Council on the accessibility to public sector bodies' websites (First reading—EM16006/11). We do not expect a debate on this item. However, if there is a debate, the intervention will outline the UK's support for this directive in general, but state our concerns about the European Parliament's and some member states' desire to increase the scope of the directive beyond the Commission's stated aims of creating a harmonised minimum EU standard.

The second item is a report from the presidency on the state of play on the negotiation in trilogues of the proposal for a directive of the European Parliament and of the Council concerning measures to ensure a high level of network and information security across the Union (this is sometimes referred to as the cyber security directive—First reading—EM6342/13). We do not expect a debate on this item.

These items will be followed by a debate on the review of the European electronic communications framework. The framework's aim is to harmonise the regulation of electronic communications services across all EU member states. The UK's intervention will say that the UK places high priority on access to high-quality fixed and mobile connectivity for consumers and business; and the framework must also continue to encourage competition as the main driver for private investment in infrastructure, but the limits of competition need to be understood.

We will also advocate a principled proportionate approach to ensuring consumers are protected from harm when using communications services. This is important to avoid stifling innovation and unnecessary regulatory burdens. We will also outline the UK priorities for the framework review, including investment and competition, innovation and consumer protection; and note that it is also important that we work together to conclude the review as soon as possible and ensure coherency with the other digital single market work strands.

This will be followed by two items under AOB led by the Commission, the first being information from the Commission on current internet governance issues and the second an update on the telecommunication and ICT aspects of the negotiation of the Transatlantic Trade and Investment Partnership (TTIP). We do not intend to intervene on either of these items.

Finally, the Dutch delegation will inform the Council of their priorities for their forthcoming presidency before Council adjourns until the next meeting in May 2016.

[HCWS384]

DEFENCE

Armed Forces Covenant

The Secretary of State for Defence (Michael Fallon): I am today laying before both Houses the 2015 Armed Forces Covenant annual report. The covenant is a promise by the nation to ensure that those who serve, or have served, and their families are treated fairly. They protect the nation with honour, courage and commitment, and deserve to be treated with fairness and respect.

The report sets out what the Government have done to uphold the principles of the covenant. The Armed Forces Act 2011 enshrined the covenant into law, setting out the requirement for the Defence Secretary to report progress annually to Parliament.

Last year we reported that every local authority in mainland Great Britain had signed the covenant, and I can confirm that over 750 employers have also now signed up.

This year particular emphasis has been given to supporting armed forces families. The Department of Health has embedded the principles of the covenant into the NHS constitution to ensure service families access healthcare where and when they need it. The schools admissions code has been amended to prioritise service children, and service families can now apply for, and be allocated a school place before they move to the area. Over 5,000 personnel have also been helped into homeownership through the forces help to buy scheme. We will aim to double this number to 10,000 by next year.

A further significant change is the inclusion of veterans from the merchant navy and Royal Fleet Auxiliary as core members of the armed forces community.

The report has been compiled in consultation with other Government Departments, representatives from the devolved Governments in Wales, Scotland and Northern Ireland, and the external members of the Covenant Reference Group, which includes the three Service Families Federations, the Confederation of Service Charities, the Royal British Legion, the Soldiers Sailors Airman's and Families Association, the War Widows Association and Professor Hugh Strachan.

[HCWS381]

Defence Infrastructure Organisation

The Parliamentary Under-Secretary of State for Defence (Mark Lancaster): On 9 June 2014, *Official Report*, column 23WS, the then Secretary of State for Defence, my right hon. Friend the Member for Runnymede and Weybridge (Mr Hammond), announced the intention to examine whether the Defence Infrastructure Organisation (DIO), currently part of the Ministry of Defence, should incorporate into a Government-owned company in 2016.

We have completed this assessment and concluded that, at the present time, the MOD'S business interests are best served by the DIO retaining its current status within the Department. We assess that this will achieve further transformation by delivering rationalisation and improvements to the way the DIO delivers infrastructure

to support defence capability, without the risks and costs associated with incorporation. We shall, therefore, not be pursuing incorporation.

[HCWS379]

FOREIGN AND COMMONWEALTH OFFICE

Victims of Terrorist Incidents Overseas

The Secretary of State for Foreign and Commonwealth Affairs (Mr Philip Hammond): For just over 10 years the Foreign and Commonwealth Office (FCO) has offered special assistance, on a case-by-case basis, to British nationals involved in a terrorist incident overseas. Since 2008, this type of assistance has been known as "Exceptional Assistance Measures" (EAM). It allows Ministers to activate special measures which go above our normal level of consular support which vary according to the circumstances of each situation. It is only activated in extremis and once other financial avenues have been exhausted.

In 2010, the policy was updated by the then Minister of State at the Foreign and Commonwealth Office to include those British nationals who had not taken out travel insurance prior to travelling. In line with standard consular policy, EAM has been applied in cases only when a British national has been directly affected, often injured or killed, in a terrorist incident. It has not been offered to British relatives of a foreign national directly involved in a terrorist incident overseas.

We have applied EAM in 2015 for a number of terrorist incidents, including the attack in Sousse in June in which 30 British nationals were killed, and most recently for the response to the attacks in Paris on 13 November. For the Sousse attack, EAM was used to repatriate the bodies of British nationals killed and to arrange medical evacuations for British nationals injured in the incident.

The FCO conducted a review of the EAM policy in 2015 involving interested parties and stakeholders. We concluded that, while there would be no changes to the overall policy, the FCO should improve the information we provide internally and externally on EAM. We will update FCO consular public advice on EAM accordingly through future publications.

[HCWS380]

Child Safeguarding: St Helena and Ascension Island

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): Last year the Secretary of State for Foreign and Commonwealth Affairs announced the establishment of an independent inquiry into alleged child abuse and associated cover up on the British Overseas Territory of St Helena and Ascension Island, *Official Report*, column 13-14WS, 20 November 2014, to be led by Sasha Wass QC. Today, the UK Government have published her report. I would like to thank Sasha Wass QC and her inquiry team for producing this detailed and comprehensive report.

I welcome this independent, comprehensive report and the inquiry's finding that there is no evidence of corruption or cover up in the St Helena Police Service, the St Helena and Ascension Island Governments, the FCO or Department for International Development. The inquiry also found that there is no evidence that child abuse is either endemic or routine in St Helena or Ascension Island. These are the key issues that the inquiry was constituted to investigate and it is an important milestone for the people of St Helena and Ascension, and for those with whom the inquiry engaged that these serious allegations have been found to be without any basis.

But we cannot be complacent. The inquiry found evidence of systemic failings by social services and police in the past, although noted the significant progress in safeguarding in general, and social services provision in particular, since May 2014. The inquiry makes a number of recommendations in relation to child safeguarding institutions and procedures; the recruitment and induction of key staff; and the implementation of specialist advice on child safeguarding.

Protecting children from abuse is an absolute priority. We will continue to build on the progress that has been achieved in recent years. DFID has allocated an additional £1.2 million for safeguarding in 2015-16 on top of its contribution (£4.0 million) to the funding of the St Helena Government health and social care, leading to: the creation of a new safeguarding directorate; a reinvigorated child safeguarding board; more police officers, social workers, family centres for victims; and training for all St Helena Government employees who work with children.

The Government accept all the recommendations in this report. We intend to appoint a senior UK official, to be based in St Helena, specifically to oversee the implementation of the recommendations in the report. We will announce the details shortly, and expect the appointee to be on island in early 2016. We will update the House on implementation of these recommendations within six months.

More broadly, we are determined to build on the foundations already in place to address issues raised by the report, and to continue to meet the reasonable assistance needs of the population of the island.

I want to underscore the UK Government's commitment to working in partnership with all territories to build vibrant and flourishing communities. I convened a joint ministerial Council last week of the elected leaders of the overseas territory Governments, where we reiterated our shared commitment to a zero-tolerance approach to child abuse in all its forms, and to ensuring a child-centred and co-ordinated approach to safeguarding based on multi-agency working, information sharing and robust risk assessment.

There are ongoing police investigations relating to issues addressed in the report. There is also the possibility of further police investigations into serious criminal offences in the future. In order to avoid prejudice to current and future investigations, the published version of the report has been redacted to remove much of the contents of Chapter 9 and associated references in the body of the report. The report will be re-published with the redactions related to Chapter 9 removed as soon as circumstances permit.

[HCWS378]

HOME DEPARTMENT

Justice and Home Affairs Council

The Secretary of State for the Home Department (Mrs Theresa May): A meeting of the Justice and Home Affairs (JHA) Council was held on 3 and 4 December: 3 December was the justice day, and the Minister for Immigration, my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire) and my noble Friend Lord Faulks QC, Minister for Civil Justice, attended; 4 December was the interior day, and I attended on behalf of the UK.

The justice day began with the Council reaching political agreement on a regulation on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the EU, a successful outcome for the UK. The regulation covers a number of civil status documents and will reduce the bureaucratic and financial burden on citizens who need to show such documents issued by one member state to the authorities of another member state. The Commission urged swift implementation and a future review to consider including business documents.

On the directive for the protection of the Union's financial interests, the presidency updated Ministers on progress since the October JHA Council. Negotiations on this directive will now be taken up by the Dutch presidency, with the issue of VAT fraud remaining the main area of contention.

Ministers reached agreement in principle on articles of the proposed regulation to establish the European Public Prosecutor's Office (EPPO), covering the EPPO's competence and related matters. The UK is clear that it will not participate in an EPPO.

During lunch, the presidency facilitated a discussion on the fight against online hate speech which was broadly welcomed by the UK, in particular the voluntary notice and take-down procedures. The UK maintained that the EU should consider this work stream within its broader extremism strategy to avoid separate discussions and duplication of work. The UK also spoke against moving towards common European standards on hate speech, and reminded others of the continuum between illegal and simply unpleasant behaviour. The UK suggested that the take-down procedure should be speeded up, and that the EU should provide support in maintaining pressure on the IT industry to continue to improve the process.

The Council discussed the proposed regulations on matrimonial property and the property consequences of registered partnerships. The UK has not opted in to either proposal. Two member states made it clear that they could not accept the latter proposal because, in their view, it would require indirect recognition of same-sex relationships that are not provided for under their national laws. Given that unanimity was required, and the desire for the proposals to be agreed as a package, the presidency concluded that agreement was not possible. Other members states expressed their profound disappointment at this negative outcome to such a long and difficult negotiation. A significant number of member states confirmed that they would be willing to pursue enhanced co-operation, work on which will be taken forward under the Dutch presidency.

The presidency put a number of questions to Ministers about the situation across member states on the collection and retention of communications data, in the wake of the invalidation of the data retention directive by the Court of Justice of the European Union (CJEU) ruling in the case of Digital Rights Ireland (C-293/12). The presidency noted that the picture was fragmented across the EU, with some member states maintaining their domestic legislation, some introducing new measures, and a few finding their frameworks struck down by their domestic courts. Ministers were asked several questions including whether an EU or member state response was the best approach, and whether the Commission should be invited to present new legislation. The Commission stated that it had no intention of coming forward with a new proposal.

The UK, supported by four member states, urged caution, noting that access to communications data was of utmost importance and we should not rush to implement a measure if this risked ultimately reducing our operational capabilities. A number of member states supported new EU legislation, but many stressed the need to at least await the outcome of cases pending before the CJEU before proceeding. The presidency concluded that member states agreed on the legality of bulk data retention itself and that while many supported an EU measure, there was also a desire among many to await the outcome of those cases currently before the CJEU.

The presidency presented a paper on the challenges of evidence in the digital age, an issue to which the Dutch presidency will return at the informal Justice and Home Affairs Council in January. The Commission reminded member states of the importance in this context of implementing the European investigation order in full and to time. The Commission expressed concern about direct approaches to internet service providers, arguing that it could be outside a legal framework and could violate EU rules and undermine the new data protection regime. There was consensus on the need to address the challenges posed by e-evidence. The UK intervened to support looking at alternatives to formal mutual legal assistance where appropriate, acknowledging the importance of safeguards and oversight.

The presidency presented a paper on the migration crisis: judicial co-operation and the fight against xenophobia, updating Ministers on actions discussed at the October JHA Council.

The presidency and Commission provided an update on current legislative proposals. The Commission highlighted in particular the importance of reaching agreement swiftly on the data protection regulation and directive, and its optimism that this was possible before the end of the year.

The presidency noted that the western Balkans conference on 7 and 8 December will focus on migratory flows, terrorism, trafficking, firearms and judicial co-operation.

Finally, the Netherlands presented their three justice priorities: criminal co-operation on cybercrime, victims' rights and a European forensic science area. Regarding the legislative agenda, the focus of the Dutch presidency will be the consolidation and implementation of existing instruments.

The interior day began with a discussion on passenger name records where I urged member states to take the opportunity to conclude the proposed directive. The Council

agreed the compromise text negotiated with the European Parliament. Over lunch, Ministers agreed a Council declaration that all member states would make use of the option to collect data on internal EU flights and allow collection from non-carrier economic operators such as travel agencies and tour operators, with the aim of sending a strong message about the necessity of processing PNR, in advance of a vote in the European Parliament, scheduled for 10 December.

The Council approved the compromise text agreed with the European Parliament on a draft regulation on Europol. Formal adoption of the regulation is expected in the coming months. The UK has not opted in to this regulation, but will consider opting in post adoption.

Denmark updated the Council on the outcome of their referendum on moving from a block opt out of all EU Justice and Home Affairs measures to the UK and Irish opt-in model. Denmark expressed regret at the "no" vote and noted that this would make it very difficult for Denmark to participate in important EU initiatives, in particular co-operation with Europol. Denmark explained that the referendum had been heavily influenced by the uncertainty created by the situation at the borders.

The presidency updated Council on the implementation of the internal security strategy.

The presidency reminded Ministers of the strong commitments made in the 20 November Council conclusions in response to the terrorist attacks in Paris and called for rapid implementation. I noted the positive progress made, citing the Syria strategic communications advisory team, Europol's internet referral unit and stronger standards for deactivation of firearms, but stressed that further work was required on a number of fronts: first, to reduce terrorists' access to weapons, particularly through improving our collective understanding of firearms trafficking through better exchange of information, including on ballistics. Secondly, it was necessary to make enhanced use of existing systems; in particular the Schengen information system, and to improve the interoperability of the various EU databases, including SISII and Eurodac. Thirdly, member states needed to step up co-operation with middle east and north African states to improve their capabilities, especially on aviation security. Finally, I stressed that all of this had to be underpinned by strong strategies to challenge extremist ideologies and prevent people from turning to terrorism in the first place.

Ministers were briefed on the EU-US dialogue which took place in Washington on 13 November.

The Council received an update on the migration situation, with the Commission calling for implementation of measures already agreed, and the EU agencies (EASO; Frontex; EU-Lisa) providing updates on their efforts regarding the external borders. Some progress was reported on hotspots but as there had been over 800,000 arrivals this year the situation remained critical.

There was broad support for the need to strengthen the external borders of the EU, with some member states advocating the development of a proposal for a European border guard.

I joined others in pressing for further, immediate progress on hotspots, reiterating the UK's willingness to provide practical assistance. I stressed that it was critical for member states to tackle abuse of the asylum system

by economic migrants, and that the principles underlying the Dublin regulation remained sound and should be retained. I set out that we are making good progress in our national resettlement scheme; but stressed that any further expansion of resettlement activity should be linked to actions by third countries to reduce illegal migration flows and avoid unintended “pull factors”.

The presidency provided an update on the negotiations on the permanent crisis relocation mechanism. Three meetings had taken place at technical level. However, several member states were against such a mechanism and wanted to wait to evaluate and draw lessons from the temporary mechanism. The Government do not support relocation as it is the wrong response to the migratory pressures the EU faces. It undermines the important principle that asylum should be claimed in the first safe country and does not address the causes of illegal migration.

The presidency said it would continue to progress proposals for a common EU list of safe countries of origin. Three areas for discussion were fundamental rights assessments, the interaction with national lists and the nature of implementing acts.

The Council reached political agreement on a directive on the admission of third country student and researchers, which is aimed at harmonising member states’ requirements governing the entry and stay of these groups. The United Kingdom has not opted in to the measure.

Under AOB, the presidency noted the outcomes from the Valletta conference and the EU-US ministerial meeting. The presidency also noted the upcoming EU-western Balkans forum meeting in Sarajevo on 13 December.

[HCWS386]

Terrorism Prevention and Investigation Measures

The Secretary of State for the Home Department (Mrs Theresa May): Section 19(1) of the Terrorism Prevention and Investigation Measures Act 2011 (the Act) requires the Secretary of State to report to Parliament as soon as reasonably practicable after the end of every relevant three-month period on the exercise of her TPIM powers under the Act during that period.

The level of information provided will always be subject to slight variations based on operational advice.

TPIM notices in force (as of 30 November 2015)	2
TPIM notices in respect of British citizens (as of 30 November 2015)	2
TPIM notices extended (during the reporting period)	0
TPIM notices revoked (during the reporting period)	0
TPIM notices revived (during the reporting period)	0
Variations made to measures specified in TPIM notices (during the reporting period)	15
Applications to vary measures specified in TPIM notices refused (during the reporting period)	8
The number of subjects relocated under TPIM legislation	2

The TPIM Review Group (TRG) keeps every TPIM notice under regular and formal review. The TRG met on 14 September 2015. The next TRG meetings will take place on 14 and 15 December 2015.

[HCWS382]

INTERNATIONAL DEVELOPMENT

Tackling Violence Against Women and Girls Overseas

The Minister of State, Department for International Development (Mr Desmond Swayne): My Friend the Parliamentary Under-Secretary of State for International Development (Baroness Verma) has today made the following statement:

I am pleased to take this opportunity to update the House on my plans following my appointment as Ministerial Champion for Tackling Violence Against Women and Girls Overseas.

It is an honour to be appointed to this position. I have been personally committed to tackling violence against women and girls for a long time and given my role as Parliamentary Under-Secretary of State for the Department for International Development (DFID), I have identified some significant opportunities for pushing forwards this agenda.

I have chosen to issue this statement today because the 10 December marks the end of the formal 16 days of activism that the UN leads, to address the human rights abuse that is violence against women and girls. It also formally marks the beginning of an even more concerted effort from myself to lead work to tackle this issue.

Violence against women and girls is a systematic, widespread human rights violation, faced by one in three women worldwide in their lifetime. Tackling violence is essential: to women and girls, their families and communities. It is critical to sustained poverty reduction and the achievement of the new Global Goals. Furthermore, it is a top priority for the UK Government and DFID.

The 25 November marked the international day to eliminate violence against women and girls, followed by 16 days of activism that culminate today, on international human rights day. Ministers across the UK Government, myself included, have done a number of things to mark this period, including pushing for change through a number of events. On 25 November, I spoke at a Parliamentary panel discussion hosted by ActionAid UK, outlining the importance of empowering women’s organisations in order to tackle violence against women and girls. I was delighted to see such a large and engaged audience at this event, reflecting the huge strides we have taken in raising awareness of violence against women and girls. We heard first-hand accounts from women who have experienced and witnessed such violence. I was proud to share the important work that DFID and the UK have done to empower and protect women and girls in these situations.

I have been championing the White Ribbon Campaign within DFID during the 16 days of activism, an international campaign that mobilises men to stand up to violence against women and girls. I have spread the message in DFID and on social media, shown solidarity for this by wearing a white ribbon, and encouraged pledging to never to commit, excuse or remain silent about violence against women and girls. I encourage parliamentarians to do the same. You can do so here:
<http://www.whiteribboncampaign.co.uk/>.

This period of focused activities provides a strong foundation from which to begin my role as Ministerial Champion and I have every intention to build on the momentum that we have created here in the UK and across the world.

Looking forward, I would like to take this opportunity to announce my new objectives for the Ministerial Champion role, which build on the work done by my predecessors. My objectives are:

1. Securing and defending the rights of women and girls to live free from violence, through international frameworks;
2. Further linking and ensuring policy coherence across the entire UK efforts to end violence against women and girls overseas;

3. Forging strategic partnerships and influencing the international system to increase financial, political and technical commitment for tackling all forms of violence against women and girls in all contexts;

4. Leading step change in galvanising the use of evidence of what we know works to prevent violence against women and girls;

5. Eliminating FGM and child, early and forced marriage (CEFM) within a generation;

6. Driving forward a new and significant push on all forms of domestic and intimate partner violence as a policy and programme priority for the international community;

7. Stepping up global leadership on tackling violence and abuse against adolescent girls overseas.

I look forward to driving forward work on this agenda, and working with Ministers and parliamentarians to achieve our ambitious, but ultimately achievable goal of eradicating violence against women and girls for good.

[HCWS383]

WORK AND PENSIONS

Universal Credit: Local Authorities

The Secretary of State for Work and Pensions (Mr Iain Duncan Smith): The full universal credit service will be rolled out nationally for all types of claimants from May 2016, completing in June 2018. At this point we will start to move the people receiving legacy benefits to universal credit. This carefully managed process will finish by early 2021.

This means the need for local authorities to administer housing benefit for working age people will progressively reduce. Local authorities need to plan for the future and have sought clarity about implications for their staff currently administering housing benefit.

Today I can confirm that my Department does not propose to make any staff transfer arrangements for local authority staff who currently work on housing benefit for people of working age.

There has been extensive consideration of this issue and engagement with the local authority associations. As universal credit is a new benefit, delivered in a new and fundamentally different way, my Department has concluded that there will be no “relevant transfer” within the meaning of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended). Any such transfer would anyway be exempt as a transfer of administrative functions between public administrative

authorities. My Department has also considered the requirements of the Cabinet Office statement of practice (COSOP). My Department has concluded that COSOP does not apply where, as here, there is no “relevant transfer” for the purposes of TUPE; and that the new and fundamentally different delivery model for universal credit makes staff transfers inappropriate.

The phased nature of this process means that the impact on local authorities can be managed in a way which minimises the need for any redundancies. Where this does not prove possible, after the exercise of all reasonable efforts to redeploy people, the Department has given local authorities a commitment that we will meet their costs of any residual redundancies.

[HCWS377]

Welfare Reform

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): Later today I will be launching a consultation on how the use of aids and appliances is taken into account when determining eligibility for the daily living component of PIP.

This is in light of concerns that the current policy in this area may not be working as intended, as was highlighted by the first independent review of the PIP assessment undertaken by Paul Gray. Evidence suggests that significant numbers of people who are likely to have low or minimal additional costs are being awarded the daily living component of the benefit solely because they may benefit from aids and appliances across a number of the activities. There have also been a number of recent judicial decisions, based on the current legislation, that have broadened the scope of aids and appliances to include articles, such as beds and chairs, that are unlikely to be a reliable indicator of extra costs.

These developments are inconsistent with the original policy intent of awarding the benefit to claimants with the greatest need to help them meet the extra costs arising from their disability or long-term health condition.

The consultation will therefore seek views on whether we should make changes to the current policy on aids and appliances in relation to the daily living component and, if we do, what these should be. The consultation document outlines five broad options for making changes but also welcomes other suggestions.

The consultation is available at: <https://www.gov.uk>.

[HCWS387]

Petition

Thursday 10 December 2015

OBSERVATIONS

HOME DEPARTMENT

Anti-social behaviour in Rushey Fields Park (Leicester)

The petition of residents of Leicester,

Declares that urgent steps need to be taken to stop anti-social behaviour, attacks and robberies by groups of young people on users and nearby residents of Rushey Fields Park in Leicester and further that it is the only green space in the area and this kind of behaviour is discouraging people who are concerned for their safety and welfare from using the park.

The petitioners therefore request that the House of Commons urges Leicester City Council to put CCTV security measures in place and increase police patrols to discourage anti-social behaviour, robberies and attacks on park users and nearby residents.

And the petitioners remain, etc.—[Presented by Keith Vaz, *Official Report*, 25 November 2015; Vol. 602, c. 1458.]

[P001572]

Observations from the Parliamentary Under-Secretary of State for the Home Department (Karen Bradley):

The Government recognise that anti-social behaviour and associated criminality can have a significant impact on the quality of life in communities affected by it, and that left unchecked, it can make people's lives a misery.

The Anti-social Behaviour, Crime and Policing Act 2014 introduced new and flexible powers to enable the police, local authorities and other partners to take effective action to stop such behaviour and to protect our communities. A number of areas are making good use of these powers to address anti-social behaviour within their communities.

It must, however, be for the local authority and the police, using their professional expertise, knowledge and judgement, to determine whether to make use of the new powers to tackle the problems being experienced in Rushey Fields Park, and whether other responses, including the use of police patrols may be appropriate.

The possible use of CCTV in the area will be one of a number of competing priorities and demands upon the budget of Leicester City Council. CCTV systems are one of the tools available to the local authority and its partners to fulfil its statutory responsibilities under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in its area. It is, however, a matter for local partners to determine whether and how best to deploy and operate CCTV systems, taking into account the resources available and guidance in the surveillance camera code of practice.

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Thursday 10 December 2015

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