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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Thursday 25 February 2016

House of Commons

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

ATTORNEY GENERAL

The Attorney General was asked—

Vulnerable Witnesses

1. **Robert Jenrick** (Newark) (Con): What recent steps the Crown Prosecution Service has taken to ensure that there is adequate support for vulnerable witnesses giving evidence in criminal proceedings. [903719]

The Attorney General (Jeremy Wright): In September last year the Crown Prosecution Service published guidance for advocates on better communication with all witnesses. Advocates receive mandatory training for cases involving vulnerable witnesses, and special measures for those witnesses are regularly used at court, including pre-recorded evidence, intermediaries, screens or the use of a video link.

Robert Jenrick: Does my right hon. and learned Friend agree that, in my experience as a former solicitor, witnesses, particularly the most vulnerable witnesses, want to be kept better informed of the process of their case, to hear updates in a timely fashion, to be able to give evidence as quickly as possible without losing their right to be heard, and to be treated in the least intimidating way possible within the court process?

The Attorney General: Indeed. It is important that we ensure that witnesses who are engaged in criminal trials, which will be difficult experiences for them at the best of times, understand what is happening in the case around them. I hope that my hon. Friend will be as encouraged as I am by the trials that have been run in three different Crown courts for pre-recorded cross-examination. That will enable vulnerable and young witnesses in particular to get their part in the trial out of the way and any further delays in that trial will not affect them. That is a huge step forward.

Mr David Hanson (Delyn) (Lab): I remind the Attorney General that the Conservative party manifesto promised a victims law. We are quite some time now from the election. Will he enlighten the House as to when that will be forthcoming?

The Attorney General: The right hon. Gentleman will know that manifestos are for Parliaments, not just for the first year of Parliaments, so we have a little time left. When we do bring forward proposals I am sure he will be encouraged to see ways in which we can help victims understand better what is happening in the cases in

which they are involved, and help them have a less difficult experience within the criminal justice system. Having held ministerial responsibility for the system, the right hon. Gentleman knows full well that we will never be able to get to a place where giving evidence and being involved in criminal trials is easy for victims and witnesses, but we can make it less hard and we will bring forward proposals to do so.

Andrew Stephenson (Pendle) (Con): I welcome what the Attorney General has said about the new victims code. What discussions has he had with the CPS regarding implementation of that code by prosecutors?

The Attorney General: The Solicitor General and I have regular conversations with the CPS about how we make sure that what prosecutors do assists victims and witnesses. My hon. Friend will understand that it is a prosecutor's responsibility to prosecute a case on behalf of the state, not solely on behalf of a victim, but it is none the less important that victims are spoken to regularly and sensitively by those who are involved in the prosecution.

Andrew Gwynne (Denton and Reddish) (Lab): May I, through the Attorney General, thank the Government for deciding to reverse their decision to close Stockport courthouse, which has excellent facilities for victims and witnesses? Given that Her Majesty's inspectorate has said that services to victims and witnesses require improvement, can the right hon. and learned Gentleman set out precisely what the Government will do to provide that?

The Attorney General: The hon. Gentleman will know that the court estate is not part of my responsibilities, but I congratulate him on the success of his representations. In relation to victims and witnesses, there are a number of things that need to be done. Some will come from the Ministry of Justice; some, as I have indicated, come from encouraging prosecutors to do their job of interacting with victims and witnesses in a more effective way. We are making progress on that. Better communication, as I said, is important. Better training for prosecutors in dealing with cases, particularly where vulnerable witnesses or children are involved, is important and we are doing that too. Some of the measures that we are taking, which I referred to earlier, in respect of ways in which victims give evidence can also help in ensuring that the experience is distressing as little as possible.

Ian C. Lucas (Wrexham) (Lab): Judges and legal advisers play a crucial role in assisting vulnerable witnesses in court. Is the Attorney General aware of the profound distress and demoralisation among legal advisers about the increased pressure that they are under because of the imposition of continued legal aid cuts and the effect on courts?

The Attorney General: The hon. Gentleman will appreciate that legal aid is not part of my responsibilities, but I will say that in my experience—and, I am sure, in his—those who act in our courts on behalf of defendants and on behalf of the Crown do the very best they can to present the evidence clearly and give people the best possible experience of the trial process, and I have no doubt that they will continue to do so. He makes an important point that when it comes to the cross-examination

of young or vulnerable witnesses, both advocates and the judiciary have a role in ensuring that it is conducted in the right way. I hope and expect that they will continue to play their part in doing so.

Constitutional Legislation

2. **Callum McCaig** (Aberdeen South) (SNP): What discussions he has had with the Scottish Government on the potential effect of a British Bill of Rights on Scotland. [903720]

8. **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): What discussions he has had with the Scottish Government on repeal of the Human Rights Act 1998. [903729]

10. **Ms Tasmina Ahmed-Sheikh** (Ochil and South Perthshire) (SNP): What discussions he has had with the Scottish Government on repeal of the Human Rights Act 1998. [903731]

The Attorney General (Jeremy Wright): The Government are considering the devolution implications of the Bill of Rights carefully. That will of course include engaging fully with the devolved Administrations in Scotland, Wales and Northern Ireland.

Callum McCaig: It emerged during an evidence session to the House of Lords Constitution Committee that the UK Supreme Court may be given a new role as a UK constitutional court. Given that the UK Supreme Court is the final court of appeal for Scottish civil cases and has a role in the devolution aspects of Scottish criminal cases, will the Attorney General commit to consulting with the Scottish Government before any such proposals are included in a consultation?

The Attorney General: If the hon. Gentleman is referring to the Lord Chancellor's evidence to that Committee, which I have read, he is not quite right; the Lord Chancellor was talking about the prospects for considering how the Supreme Court might fulfil a different role, and he was referring to the German example of how that is done. The hon. Gentleman will also know that no proposals have yet been brought forward; he will see them when they are. As I, the Lord Chancellor and others have said, we will ensure that there is proper consultation on any proposals.

Gavin Newlands: As the Attorney General will be aware, both the Joint Committee on Human Rights and the Council of Europe's Commissioner for Human Rights have independently commented on the undesirability of any overlap between the proposed consultation on the Bill of Rights and pre-election periods, including for the Scottish Parliament elections in May. What discussions has he had with the Justice Secretary regarding publication of the consultation?

The Attorney General: Again, the hon. Gentleman will have to wait to see the proposals when they are brought forward. On timing, he will know that the Cabinet Office has very clear guidelines on respect for purdah periods before elections, and I know that my right hon. Friend the Lord Chancellor is keen that all due regard is paid to them.

Ms Ahmed-Sheikh: The Attorney General might not be aware that the Scottish Government's Cabinet Secretary for Social Justice, Communities and Pensioners' Rights, Alex Neil MSP, recently wrote to the Secretary of State for Justice to express concern that he has not sought to discuss the proposal to repeal the Human Rights Act with the Scottish Government. Given the wide implications of any repeal of the Act on Scotland, does the Attorney General agree that the Secretary of State for Justice must formally engage with the Scottish Government to discuss their concerns?

The Attorney General: The hon. Lady is right; I have not seen that letter. But I do know that Mr Neil, and indeed other Scottish Government Ministers, have had contact with UK Government Ministers to discuss these matters. I can reassure her that when the proposals are brought forward, there will be proper consultation with the devolved Administrations.

Richard Arkless (Dumfries and Galloway) (SNP): The impending imposition of the British Bill of Rights could have the effect of curtailing the jurisdiction of the Court of Justice in Luxembourg as well as the Court in Strasbourg. Is it not the case that that will require further renegotiation with our EU partners and, therefore, should it not have formed a crucial part of the recent so-called renegotiation?

The Attorney General: I am not sure that there is much appetite anywhere in Europe for re-opening those negotiations. The hon. Gentleman might find that there are proposals coming from this Government to make our relationship with the charter of fundamental rights clearer, based on protocol 30 of the treaties, which, as he will be aware, was negotiated by a previous Government. The protocol makes it clear that the charter does not extend rights in this country. We will bring forward further proposals on clarifying that, and again he will have a good opportunity to discuss them when he sees them.

Investigatory Powers

3. **Alan Brown** (Kilmarnock and Loudoun) (SNP): What discussions he has had with his Cabinet colleagues on the compatibility of Government proposals on investigatory powers with EU law. [903721]

The Solicitor General (Robert Buckland): I regularly meet ministerial colleagues to discuss important issues of common interest, including on EU law matters. I am unable to talk about any legal content of those discussions, because whether or not the Law Officers have given advice, by convention, is not disclosed outside Government.

Alan Brown: Recent judgments from the European Court of Human Rights, such as in *Zakharov v. Russia*, strongly suggest that the powers in the United Kingdom's draft Investigatory Powers Bill could violate the European convention on human rights. What discussions has he had with his colleagues in the Home Office to ensure that powers provided for in the Bill are compatible with the convention?

The Solicitor General: I can assure the hon. Gentleman that in the most recent case in the Court of Appeal, in November last year, the provisional view was that the Data Retention and Investigatory Powers Act 2014 was

not inconsistent with EU law. A reference has been made to the Court of Justice of the European Union. I will not comment on that particular case, but I can assure him that when it comes to issues of compatibility, anxious consideration is always given to ensure that legislation here is in accord with the rule of law.

Mark Pritchard (The Wrekin) (Con): In an unsafe world, we need to keep the United Kingdom, and indeed our European partners, safe. With the security charter for the draft Investigatory Powers Bill, how will the Government get the balance right between civil liberties on the one hand and national security on the other?

The Solicitor General: My hon. Friend asks probably the most important question about that balance. I can reassure him that the draft Bill, and indeed the legislation that will come forward shortly, strikes that balance, most notably in involving judicial authorisation for the granting of warrants. That double-lock process, which involves the Secretary of State and the judiciary, strikes the right balance.

Keir Starmer (Holborn and St Pancras) (Lab): The case involving the right hon. Member for Haltemprice and Howden (Mr Davis) and my hon. Friend the Member for West Bromwich East (Mr Watson), which the Solicitor General has referred to, and which is before the Court of Appeal, but with a reference to the European Court of Justice, could have implications for the draft Investigatory Powers Bill. The case is being heard in April. How does the Solicitor General see that impacting on the timetable for the Bill going through this House?

The Solicitor General: While we understand that the case will be heard in April, it is still very much an unknown factor as to when a judgment will come. What I can say is that the outcome of any case will, of course, be carefully considered. However, I do not anticipate that causing a delay to the introduction of that important Bill, bearing in mind the sunset provisions in DRIPA.

Human Rights Obligations

4. **Nic Dakin** (Scunthorpe) (Lab): What discussions he has had with his Cabinet colleagues on the UK's domestic and international human rights obligations. [903723]

7. **Cat Smith** (Lancaster and Fleetwood) (Lab): What discussions he has had with his Cabinet colleagues on the UK's domestic and international human rights obligations. [903728]

The Attorney General (Jeremy Wright): With permission, Mr Speaker, I will answer Question 4 alongside Questions 7 and 9. I regularly meet ministerial colleagues to discuss important issues of common interest, including on domestic and international human rights law. As the House knows, not least because the Solicitor General has said this once already today, I am not able to talk about any legal content of those discussions, because, by convention, whether the Law Officers have given advice or not is not disclosed outside Government.

Mr Speaker: Order. Question 9 has just been withdrawn, although the Attorney General was not to know that, and I thank him for announcing the grouping.

Nic Dakin: Will the Attorney General list which of the convention rights currently enshrined in the Human Rights Act he plans to repeal?

The Attorney General: I have no plans to repeal any of them. As the hon. Gentleman may have heard me say in this place before, I do not think any of us has any serious argument with the content of the European convention on human rights, which is an admirable document. The difficulty we have is with the interpretation of that document by the European Court of Human Rights. This is not a matter of repealing rights; it is a matter of bringing some common sense back into the ambit of human rights law, and the Government are committed to doing that.

Cat Smith: Does the Minister think it causes any legal or constitutional problem that the Lord Chancellor will no longer be able to ask his Department's officials for advice on the powers of the European Court of Justice?

The Attorney General: I do not think that is the position at all. The Lord Chancellor will continue to do the excellent job he is doing of running the justice system. He will be able to ask for advice from his equally excellent Government lawyers.

Michael Ellis (Northampton North) (Con): Part of the UK's human rights obligations is to ensure that minority communities are not subjected to harassment and distress. Does my right hon. and learned Friend agree that allegations of rabid anti-Semitic behaviour from the Oxford University Labour club are a disgrace to Oxford and no doubt an embarrassment to the Labour party, and that they should be dealt with robustly by the University, if not by other authorities?

The Attorney General: I agree with my hon. Friend: these are very troubling allegations, and I hope they are dealt with swiftly and effectively. However, he makes the important point that all of us, on both sides of the House, believe in the protection of human rights and in rules and laws that allow that protection to happen. What we are not in favour of is the perversion of human rights law by the introduction of silly cases that should not be before the courts at all. That obscures the important work my hon. Friend is referring to.

Mr Christopher Chope (Christchurch) (Con): Under the Lisbon treaty, the European Union has a treaty obligation to join the European convention on human rights. However, the European Court of Justice has said that that would be incompatible with EU law. Does that not demonstrate that the European Court of Justice is, indeed, supreme?

The Attorney General: I am sure you, Mr Speaker, were as worried as I was that this session was going to pass without mention of the European Union, so I am grateful to my hon. Friend for putting that matter right. As he knows, the decision on whether the European Union accedes to the convention on human rights is for

the European Union, and it is therefore not unnatural that the Court of Justice of the European Union should express its opinion. All member states, and indeed the institutions of the European Union, now need to consider carefully what action they take next, and I am sure that is what they will do.

Mr Dennis Skinner (Bolsover) (Lab): I am sure the Attorney General will recall that the Attorney General played an important role during the Iraq war, and that it continued right up until the various inquiries, including the Chilcot inquiry. I think he ought to declare now, in order to get rid of any doubts, whose side he is on—the Justice Minister or the Prime Minister. It is a fairly easy question: which side is it?

The Attorney General: I am on the Government's side; I think I made my position quite clear yesterday. In relation to the role of the Attorney General in inquiries, the hon. Gentleman is of course right that the Attorney General, and the Law Officers more broadly, have an important part to play in ensuring that the Government actions stay within the law, domestic and international, and previous and current Law Officers take that responsibility very seriously.

Karl Turner (Kingston upon Hull East) (Lab): Yesterday, Amnesty International published its annual report, which rightly criticises the Government's plan to scrap Labour's excellent Human Rights Act. Amnesty's UK director, Kate Allen, commented that the behaviour of the UK towards China, Saudi Arabia and Egypt shows that the Government have lost their passion to promote human rights. Does not the Government kow-towing to countries like China and Saudi Arabia, without challenging their dodgy human rights records, and the Prime Minister's phoney plan to water down the Human Rights Act, send the wrong message to dictators and rogue states?

The Attorney General: No. The position is this: Government Members, I am sure in common with the hon. Gentleman and his colleagues, will continue passionately to advocate the case for the protection of human rights both in this country and abroad. He is quite wrong to say that this Government, in common with their predecessors, do not challenge other states that have a doubtful human rights record—we continue to do that.

In relation to the Amnesty International report, I have a huge amount of respect for what Amnesty International does, but in this report it has, in my view, overstated its case just a little. It is not the case, as I have said before and as the hon. Gentleman knows, that human rights and the Human Rights Act are the same thing. It is possible to protect human rights without the Human Rights Act—in fact better to do so—and that is what this Government intend to do.

Mr Speaker: Can we please speed up? I want to get to the hon. Member for Filton and Bradley Stoke (Jack Lopresti), who is the last questioner, and progress is frankly too slow.

Sexual Offences: Conviction Rates

5. **Paul Blomfield** (Sheffield Central) (Lab): What steps the Government have taken to improve the conviction rate for rape and serious sexual offences. [903726]

The Solicitor General (Robert Buckland): The CPS has undertaken a considerable amount of work to place priority on the improvement of rape prosecutions.

Paul Blomfield: I thank the Solicitor General for his admirably brief reply. He will know that despite claims of the highest number of convictions ever, convictions for rape, domestic abuse and other sexual offences have fallen. I work closely with Sheffield Rape Crisis, which tells me that there is a real postcode lottery in support for victims, and if victims are not supported they are less likely to come forward. What discussions has the Solicitor General had with the Home Secretary to ensure adequate funding for sexual violence advisers?

The Solicitor General: With regard to the hon. Gentleman's specific question, I work regularly with colleagues in the Home Office to look at a wide range of measures that need to be put in place to give support to victims of sexual offences. I remind him that in terms of absolute volumes, conviction rates continue to rise and are the highest ever. I assure him that the CPS has now engaged 102 specialist prosecutors in its RASO—rape and sexual offences—units to place proper priority on the swift and effective prosecution of these serious cases.

Crispin Blunt (Reigate) (Con): In our enthusiasm to get convictions where they are deserved, can the Solicitor General make sure in his discussions with the Home Office that other parts of the system, particularly the police, do not lose their commitment to justice, and that, while they must owe a proper duty to the complainant, they should not simply ignore potential exculpatory evidence in their investigations?

The Solicitor General: I reiterate that the police should follow the evidence wherever it leads. There should be no presumptions of truth or otherwise and they should objectively and fairly investigate cases before presenting them to the Crown Prosecution Service.

Joanna Cherry (Edinburgh South West) (SNP): Is the Solicitor General aware that Scotland's conviction rate for rape and sexual offences has increased significantly over the past few years as a result of setting up a centralised national sexual crimes unit in Edinburgh, in which the specialist prosecutors oversee the prosecution of all sexual crime across Scotland? I am sure that Scotland's Law Officers would be very happy if England's Law Officers wanted to visit and learn more about it.

The Solicitor General: I am grateful to the hon. and learned Lady for raising that matter. The scale involved in England and Wales is slightly bigger, so they have taken the regional unit approach, but I entirely agree with her about the need to standardise practice. The Attorney General and I are always very conscious of that in our conversations with the Director of Public Prosecutions and the chief executive of the Crown Prosecution Service, and work is being done to improve that standardisation.

Jo Stevens (Cardiff Central) (Lab): In the latest thematic review of rape and serious sexual offence units, the CPS inspector found that the care given to victims of rape and sexual assault "fell well short of what is expected".

Is the Solicitor General concerned by Kevin McGinty's findings that in some areas the CPS has stopped giving early investigative advice to the police because resources are overstretched?

The Solicitor General: I remind the hon. Lady that that report related to a particular period from a year to 18 months ago, and since then the CPS has taken huge strides both in increasing the number of prosecutors and in improving the methods by which cases are assessed and managed.

Criminal Sentencing: Leniency

6. **Rebecca Harris** (Castle Point) (Con): How many times the Law Officers referred a criminal sentence to the Court of Appeal for review on the grounds that it was unduly lenient in the last year. [903727]

The Attorney General (Jeremy Wright): In the calendar year to 31 December 2015, the Law Officers considered 467 sentences and referred 150 offenders to the Court of Appeal.

Rebecca Harris: Can the Attorney General confirm that he is fulfilling our manifesto commitment to review the unduly lenient sentences scheme, and will he comment specifically on whether that review will take into account family courts, where it is currently at the discretion of the presiding judge whether to refer up sentences of serious cases of sexual crimes and rape?

The Attorney General: The answer to the first part of my hon. Friend's question is yes, we will fulfil that commitment and, as she knows, we are looking carefully at how best to do so. I will also consider what she has said in relation to matters considered by the youth courts. There are difficulties with including all youth court cases, but we will consider carefully what she has said and see whether there is a way of accommodating it.

Legal Framework: Social Media

11. **Jack Lopresti** (Filton and Bradley Stoke) (Con): What steps he plans to take to improve the level of public understanding of the legal framework applicable to social media. [903734]

The Solicitor General (Robert Buckland): There is clearly some awareness of the legal framework applicable to social media, but I publish warnings online reminding people of their responsibilities wherever appropriate. My office also sends tweets warning social media users of the risk of being in contempt, where a particular problem has been identified. I assure my hon. Friend that I am always looking at ways of raising awareness in this area.

Jack Lopresti: Can my hon. and learned Friend explain what steps are being taken to prevent media coverage of ongoing cases?

The Solicitor General: The media quite properly play a role in reporting cases, but any lack of responsibility allows my office and, indeed, criminal law to intervene, particularly in respect of the Contempt of Court Act 1981. Detailed guidelines on the prosecution of such cases are available on the CPS website.

WOMEN AND EQUALITIES

The Minister for Women and Equalities was asked—

Race Inequality

1. **Steven Paterson** (Stirling) (SNP): What steps the Government are taking to tackle race inequality. [903735]

12. **Roger Mullin** (Kirkcaldy and Cowdenbeath) (SNP): What steps the Government are taking to tackle race inequality. [903747]

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): The Prime Minister has set out challenging Government targets to increase black, Asian and minority ethnic opportunities by 2020, including take-up of apprenticeships, employment and recruitment to the police and armed services.

Steven Paterson: The Scottish Government have launched a programme entitled, "New Scots: Integrating Refugees in Scottish Communities", in order to ensure that refugees have every opportunity and support to rebuild their lives in Scotland. What similar initiatives are the UK Government taking to support refugees and fight racism?

Mr Jones: The Under-Secretary of State for Refugees, my hon. Friend the Member for Watford (Richard Harrington), who works across the Department for Communities and Local Government and the Home Office, is working extremely hard to support refugees in a way similar to the programme that the hon. Gentleman mentions.

Roger Mullin: Research suggests that people with ethnic-sounding names have to make twice as many job applications as do white Britons to get job interviews. Will the Minister therefore discuss with the Business Secretary and others how to strengthen guidance to companies on their recruitment practices?

Mr Jones: I agree with the hon. Gentleman, and my right hon. Friend the Prime Minister has made a significant commitment in that area. Many of the country's top employers, including the civil service, are committing to name blind recruitment processes, and UCAS will be making university applications name blind from 2017.

Andrew Stephenson (Pendle) (Con): I join my hon. Friend in congratulating the Government on introducing name blind recruitment in the civil service, the NHS, and other large graduate employers. Will he join me in encouraging other large companies across the UK to follow suit?

Mr Jones: My hon. Friend is absolutely right. We should certainly encourage companies across the country—not just FTSE 100 companies, which seem to be making significant efforts, but companies large and small—to look at diversity and how they can use it to improve their business.

Andrew Gwynne (Denton and Reddish) (Lab): People from black and minority ethnic backgrounds make up 26% of apprenticeship applications but only 9.6% of the apprenticeships that are taken up. What is the Minister doing to improve those disappointing statistics?

Mr Jones: Apprenticeships are an extremely important part of the Government's agenda. We have a target of 3 million apprenticeship starts during this Parliament. Within that, the Prime Minister has clearly set out the Government's commitment to ensure that 20% of those apprenticeship starts are for BME young people, which I think is a great step forward.

Mr Speaker: I call Jess Phillips. Not here.

Universities: BME Students

3. **Matthew Pennycook** (Greenwich and Woolwich) (Lab): What steps the Government are taking to increase the number of BME young people receiving a university education. [903737]

The Minister for Small Business, Industry and Enterprise (Anna Soubry): The Prime Minister, as we have just heard in respect of apprenticeships, has set a goal of increasing by 20% the number of BME students in higher education. In our new guidelines to the director of fair access, which we published on 11 February, we ask him to maximise the contribution of access agreements towards that ambition. The share of BME enrolments at the United Kingdom's institutions has already risen by just over 20% to 23% between 2009 and 2015. Expenditure to widen access through agreements is expected to reach £746 million in 2016-17, up from £444 million in 2011.

Matthew Pennycook: Many gifted BME young people in my constituency and across the country who have lived here all their lives and are lawfully and legally resident in the UK, and who have made their way through the UK education system, are effectively prohibited from accessing the student finance support that would allow them to progress to higher education because they do not have settled immigration status. Will the Minister take steps to ensure that the Government introduce new eligibility criteria as a matter of urgency, to ensure that all our young people have the opportunity to make the most of their talents this academic year?

Anna Soubry: The hon. Gentleman seems to be making a very good point, which I am more than happy to discuss with the Home Office. I see that one of the relevant Ministers is already here, and we will have those conversations.

Lucy Frazer (South East Cambridgeshire) (Con): I welcome what the Minister has said about the figures for university applications. Does she agree that we must not take our eye off the ball when it comes to other routes, and that we must also encourage BME students to take courses such as apprenticeships and ensure that they have equal status in those routes?

Anna Soubry: I absolutely agree with my hon. Friend. In the city of Nottingham, I have also seen the great success of mentors and the hugely important role that they can play not only for BME youngsters but for women. Mentors do excellent work, and there is good evidence of their importance. I encourage all Members of this place to go out and make sure that in our schools everything possible is being done to make sure that there is fairness and equality.

Ruth Cadbury (Brentford and Isleworth) (Lab): Research shows that while BME students are over-represented in university entrance figures, they tend to go to the new, post-92 universities. The Women and Equalities Committee heard this week that the Russell Group universities are poor at doing outreach to encourage students from disadvantaged and BME backgrounds to apply to their universities compared with the Ivy League universities in the US, which have a far better record on that. Will the Minister join me in seeking to address this issue?

Anna Soubry: The hon. Lady makes a very good point, if I may say so. I am grateful to my right hon. Friend the Secretary of State for Education and Minister for Women and Equalities, who makes the point that the London Academy of Excellence is a very good example. I must say that my nearest university, the University of Nottingham is—like Nottingham Trent University and many other universities—making a really positive effort to get into all our schools to make sure that all our pupils have every opportunity and that they, if I may put it this way, aim high.

Kate Osamor (Edmonton) (Lab/Co-op): The Government talk the talk of encouraging more black and minority ethnic students into university; yet, according to the Government's own impact assessment, their recent decision to scrap maintenance grants will disproportionately affect those very same students. Does the Minister believe that this disproportionate impact is acceptable?

Anna Soubry: I am not familiar with the impact assessment, but I have to say that I am quite surprised by it. I reiterate the point: it is absolutely imperative that we make it very clear that everybody should aim high. That is what we want to do and that is what we are seeking to do.

Gender Economic Inequality

4. **Susan Elan Jones** (Clwyd South) (Lab): What steps she is taking to tackle gender economic inequality. [903739]

The Economic Secretary to the Treasury (Harriett Baldwin): The employment for women is at a record high, and the gender pay gap is at a record low. The Government are committed to enabling women and men to fulfil their economic potential.

Susan Elan Jones: That all sounds very nice, but with women being over-represented in sectors in which low pay is prominent and persistent, what is the Government's strategy for tackling extended occupational segregation?

Harriett Baldwin: I am sure the hon. Lady will welcome the fact that 65% of the people who will benefit from the new national living wage in a couple of months will be women. This Government are taking that very important step to raise pay for the lowest-paid in our country.

Mrs Maria Miller (Basingstoke) (Con): I do not doubt my hon. Friend's commitment to reducing the gender pay gap further, and I commend the Prime Minister for his position, but the reality is that women in my constituency of Basingstoke face a gender pay

gap of 30%. Should this not be on the agenda of every single company throughout the country, as well as on that of our local enterprise partnerships?

Harriett Baldwin: As my right hon. Friend will be aware, given her interest in this matter, not only are we taking steps to publish this information for companies with more than 250 people on the payroll, but for financial services—the sector I, as Economic Secretary, engage with most—which has the highest pay and the biggest pay gap, we have appointed Jayne-Anne Gadhia to review pay in the sector and see what further steps we can take. As my right hon. Friend the Prime Minister said last July:

“Transparency, skills, representation, affordable childcare—these things can end the gender pay gap in a generation.”

Nick Smith (Blaenau Gwent) (Lab): The WASPI—Women Against State Pension Inequality—campaigners are not going away, so will the Minister raise the issue of better transitional state pension arrangements with her Department for Work and Pensions counterpart? These women deserve fair play.

Harriett Baldwin: As a woman whose state pension age has gone up by six years during her working lifetime, I welcome the changes that will equalise the state pension age for men and women. That will end the discrimination of women in their late 50s, which has prevented far too many of them from reaching higher-paid roles in our society.

Mr Christopher Chope (Christchurch) (Con): What are the Government doing to reduce the economic inequality caused by gender differences in life expectancy?

Harriett Baldwin: We are putting more money into the NHS to ensure that everyone benefits from the good healthcare that has resulted in one of the remarkable features of our age—the fact that people of both genders are living much longer, which we should welcome.

Kate Green (Stretford and Urmston) (Lab): Women’s under-participation in the labour market costs the UK economy £600 billion in lost productivity, according to the Government’s own analysis. Will the Minister guarantee that the forthcoming Budget will reverse the universal credit cuts that reduce work incentives and guarantee a childcare place to every working mum who needs one, and will she ask her colleague the Chancellor finally to change course and stop introducing a series of measures that disproportionately penalise women?

Harriett Baldwin: I am afraid that the hon. Lady, who is my twin, is completely wrong on this. The facts are that we are extending the free childcare offer to many people and bringing in tax-free childcare for many, many people. I share her aspiration to unleash the economic potential of women in our economy. The OECD has said that if the participation rates of men and women were equalised, the economy would be 10% larger. We are therefore taking a range of steps to encourage that to happen.

Ben Howlett (Bath) (Con): I welcome the draft gender pay gap reporting regulations that the Government published last week. Although I understand why the

Government would not want to bring in enforcement procedures for non-compliance, will the Minister assure the House that the matter will be kept under constant review? Does she agree that it would be counter-productive for companies not to comply with the new regulations, as it would deter the most talented women from applying for their jobs?

Harriett Baldwin: My hon. Friend makes a very good point and I welcome his support for the initiative. It is a voluntary scheme. We are trying to change the culture, and transparency is part of that. It will allow women to make a choice. If they are thinking of working for a company, they will be able to ask, “Am I able to see how this company treats men and women?” And at a time of record employment for women in this country, women have more choices.

Domestic Violence Services: Funding

5. **Keir Starmer** (Holborn and St Pancras) (Lab): What steps the Government are taking to secure long-term funding for domestic violence services. [903740]

The Parliamentary Under-Secretary of State for the Home Department (Karen Bradley): The Government have already announced £40 million of funding for domestic abuse services between 2016 and 2020, as well as a £2 million grant to Women’s Aid and SafeLives to support early intervention. We will shortly publish a refreshed cross-governmental violence against women and girls strategy, which will set out how we will do more still to secure long-term funding for domestic violence services and support for all victims.

Keir Starmer: I return to the question of long-term funding for domestic violence services, which is so important, having raised it in January, when the Minister said she was holding discussions with service providers. How are those discussions progressing, and when will we see an outcome? Can we know at some stage, if not now, who is involved in those discussions?

Karen Bradley: I should make it clear that central Government funding for domestic abuse services has not been cut. I want to make that clear so that there is no confusion. The issue is about locally commissioned services. The hon. and learned Gentleman is right that I have been having discussions with local commissioners and service providers, and I will issue the refreshed VAWG strategy shortly.

Angela Crawley (Lanark and Hamilton East) (SNP): The Prime Minister said in January 2014 that he would ratify the Istanbul convention as soon as the UK banned forced marriages. The relevant legislation came into force in June 2014. Will the Minister explain what is now delaying the process?

Karen Bradley: There is an issue with article 44 of the Istanbul convention, which is about extraterritoriality. It is an issue regarding the devolved Administrations, of which there is more than one, as the hon. Lady will be aware. When we have clarified that point and passed the relevant primary legislation, we will ratify the Istanbul convention.

Welfare Reform: Gender Equality

6. **Chris Law** (Dundee West) (SNP): What assessment she has made of the effect on gender equality of the Government's welfare reforms. [903741]

The Minister for Employment (Priti Patel): The Government set out their assessment of the impacts of the policies in the Welfare Reform and Work Bill on 20 July. Every Government policy change is carefully considered, in line with the legal obligations.

Chris Law: The Institute for Fiscal Studies has found that working lone parents with assets or unearned income are more likely to lose out under universal credit. With single parents overwhelmingly being female, it appears to me that the Government's austerity programme is once again targeting women. What representations has the Minister made to the Secretary of State for Work and Pensions about the impact of universal credit on women's equality?

Priti Patel: I come back to my opening comment: we fully assessed the impact of the Bill's equality measures, and we are meeting our wider obligations. As the hon. Gentleman will recognise, universal credit supports people in employment, and that applies equally to women. That is alongside all the additional measures that we are now implementing, such as the national living wage, increased childcare and tax-free childcare.

18. [903754] **Deidre Brock** (Edinburgh North and Leith) (SNP): The Minister will be aware that women's aid groups have expressed serious concerns that changes to housing benefit could force the closure of many refuges. Will she challenge her colleagues in the Department for Work and Pensions to exempt refuges from those changes, to protect vulnerable women and children who are fleeing domestic violence?

Priti Patel: The hon. Lady will know that there are measures in the Welfare Reform and Work Bill, and they are in conjunction with the many discussions that we have with stakeholders, and we take on board all considerations. That is exactly what the Department will do in its dialogue with third-party organisations.

Retirement Age

7. **Fiona Mactaggart** (Slough) (Lab): What recent meetings she has had with women who have been affected by changes to the retirement age; and if she will make a statement. [903742]

The Minister for Employment (Priti Patel): We all know that women are affected by changes to the retirement age, and Ministers and their officials have met and corresponded with hundreds of women about pensions reform. The changes have been subject to many recent parliamentary debates, and the Government's position has been made clear.

Fiona Mactaggart: Indeed the Government's position has been made clear, and they are cloth-eared in listening to women who are affected by these pension changes. If the Minister had been present yesterday in the debate on providing transitional protection for women affected

by the pensions changes, she would have heard Conservative Members—indeed, Members from every party in the House—cite individual women who have been degraded and impoverished by these changes. When will the Government begin to listen to them?

Priti Patel: I did listen to that debate, while I was also in another debate in Westminster Hall. Let us be clear: the Government have listened to extensive concerns that have been raised in the House, and concessions worth more than £1 billion were introduced to lessen the impact of the changes for those worst affected. The previous Government introduced future changes to the state pension age for women and men, following extensive debates in both Houses of Parliament. Importantly, the Government have made difficult but necessary decisions when it comes to speeding up the timetable for the equalisation of the pension age.

Nic Dakin (Scunthorpe) (Lab): Women born in 1953 and 1954 are particularly badly affected by these changes. Many of them went into work at the age of 15, and will have to work more than 50 years before they can access their pension. Will the Government have another look at this? There are things that can be done if the political will is there.

Priti Patel: The Government have listened extensively to the concerns raised, and they have also worked with pensions organisations. To reiterate, the Government have made concessions of £1 billion, which have been introduced to lessen the impact of the changes on those affected.

Apprenticeships

8. **Naz Shah** (Bradford West) (Lab): What steps she is taking to improve the pay for and quality of apprenticeships for women. [903743]

The Minister for Small Business, Industry and Enterprise (Anna Soubry): The apprentice national minimum wage applies equally to all apprentices, and from October last year that rate was increased by 21% to £3.30 per hour. We continue to focus on improving the quality of all apprenticeships, and we are putting that into statute. We all go into schools, and one great thing we can do is not only to act as role models, especially if we are female, but to sing out about things such as the apprenticeship scheme, and make clear that it is not confined to boys.

Naz Shah: I thank the Minister for her response, but the reality is very different to what is on paper. Results from ComRes commissioned by the Young Women's Trust in September found that female apprentices earn £4.82 per hour, compared with £5.85 for men. Another survey stated that there is an £8,400 difference in those areas of work where women figure highly, such as social care, childcare and hairdressing, in comparison with men, so actually, it is not correct.

Anna Soubry: I am not quite sure what is not correct, but, in any event, I know what the minimum wage is and it is for all apprentices. If there is evidence that women doing apprenticeships are being in some way discriminated against in their pay, we want to know

about it, and we look forward to the hon. Lady coming forward, meeting the Minister for Women and Equalities, and between us we will sort it out.

Mims Davies (Eastleigh) (Con): Will the Minister assure me that older women are getting a fair deal when it comes to apprenticeships, and especially that they are able to return to work after caring responsibilities? Will she look carefully at the engineering and construction sectors to ensure that they are truly open to all?

Anna Soubry: My hon. Friend makes a really important point. When it comes to those sectors, the Minister for Women and Equalities and I—in fact, all of us—are extremely keen to make sure that we use every opportunity and anything available to us to make the case that younger women in particular must go into these excellent work streams. We know we need to do more. We all have a part to play and that, of course, includes Government.

Cat Smith (Lancaster and Fleetwood) (Lab): Given that the apprenticeship gender pay gap for women stands at about £2,000 a year, does the Minister share my concerns that this is where the gender pay gap begins? Will she explain why the Government's new institute for apprenticeships does not include provision or targets for women? What message does she think that sends to women seeking apprenticeships?

Anna Soubry: The institute, with which I am familiar, will comprise all the sorts of people it should have on it—primarily employers, but it will look to work with providers—to make absolutely sure not only that the quality of apprenticeships is good, but that we get everybody and anybody applying for apprenticeships. Whatever someone's background might be—sex, colour of skin or ethnicity—absolutely does not matter at all. In certain areas, I do not have a problem at all in making a positive case to make sure that more women or more people from black and minority ethnic backgrounds go into apprenticeships, especially the high-quality ones. There should be no barrier.

Older Women: Caring Support

9. **Sir Henry Bellingham** (North West Norfolk) (Con): What steps the Government are taking to support older women with caring responsibilities; and if she will make a statement. [903744]

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): Unpaid carers are the backbone of our society. That is why the Care Act 2014 gave carers new rights that focus on their wellbeing and give them properly targeted support. We have also invested £1.6 million in a series of pilots to look at the best ways to support those who have caring responsibilities.

Sir Henry Bellingham: I have been visiting care homes and care companies in my constituency that are currently facing unprecedented challenges. Does the Minister agree that this places an even greater onus on older carers, who do invaluable and compassionate work? What measures will she put in place to help older carers get back into employment when their care duties come to an end?

Caroline Dinenage: I absolutely agree with my hon. Friend. Unpaid carers are the unsung heroes of our economy. The value of informal care is about £62 billion a year. For many carers it is literally a labour of love, which is why we have extended the right to request flexible working. A pilot project is considering the best way to support carers, through investment in technology and professional support, to stay in employment.

Kirsten Oswald (East Renfrewshire) (SNP): A constituent visited my surgery last week to seek help. She had planned to retire and care for her elderly mother, but she now finds, unexpectedly, that her retirement date will be significantly later than planned. Does the Minister understand the wide implications of the issue raised by the Women Against State Pension Inequality campaign and the real difficulties that problems with notification of pension date changes are causing for 1950s-born women with caring responsibilities?

Caroline Dinenage: The hon. Lady makes a valid point. I understand the concerns, but she must remember that the new state pension will give 650,000 women an average increase of £416 a year on their pension and, in addition, support those who take time out of employment, for example for caring roles, by crediting this very important work.

Entrepreneurs: Government Support

10. **David Rutley** (Macclesfield) (Con): What steps the Government are taking to support women in setting up their own businesses. [903745]

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): We are absolutely committed to supporting women to start and grow their own businesses. I am really proud that Britain has been named the best place in Europe for female entrepreneurs. Our £1 million women and broadband programme enables them to take advantage of technology to start or grow their own business. We are running nationwide “meet and mentor” sessions to help give female entrepreneurs access to the right support and encouragement.

David Rutley: Self-employment is at record levels. Since 2009, women have accounted for more than 50% of that increase. Will my hon. Friend join me in welcoming Julie Deane's new review into self-employment, and will she work with colleagues to take forward recommendations that will help more women to set up businesses successfully and to thrive?

Caroline Dinenage: Julie Deane is an incredibly inspiring example of the great female entrepreneurs we have here in the UK, and about a million of our small and medium-sized enterprises are indeed led by women, contributing an incredible £85 billion to the British economy. Julie has made some wide-ranging recommendations as part of her review into self-employment. I know that my hon. Friend has been involved in those recommendations, and they will be considered very carefully by the Government.

Mr Speaker: I ask the Minister to face the House. I understand that her questioner is behind her, but she should face the House.

Diana Johnson (Kingston upon Hull North) (Lab): More generally for women who choose a career in business, I understand that Ministers in the Department for Business, Innovation and Skills have recently appointed Sir Philip Hampton to lead a review into increasing the number of women in UK boardrooms. I just wondered why the Minister thought that appointing that man was the right thing to do for this particular job.

Caroline Dinagen: I think we have to get away from the supposition that this is just a women's problem. The fact that women are not as fully engaged as they should be on boards or indeed all the way through the business pipeline is a problem for everybody, and all businesses need to address this issue. That is why we need excellent people to lead this investigation, ensuring that it is all done as properly and fully as possible.

Homophobic Bullying

11. **Mr Douglas Carswell** (Clacton) (UKIP): What steps the Government are taking to reduce homophobic bullying of young people. [903746]

The Minister for Women and Equalities (Nicky Morgan): Whether online or offline, all forms of bullying, including homophobic bullying, are completely unacceptable. That is why we are investing £2 million to support schools to address homophobic, biphobic and transphobic bullying more effectively. In fact, my Department is funding Stonewall's Train the Trainers project in the hon. Gentleman's constituency, at the Great Clacton Church of England School, to build skills and confidence to address this form of bullying.

Mr Carswell: On which note, does the right hon. Lady agree that Stonewall's Education Champions programme offers an excellent model for local authorities, academies and free schools to follow?

Nicky Morgan: I wonder whether the hon. Gentleman saw sight of my answer, because I think we can firmly agree on that. I mentioned the £2 million project that we are funding. Stonewall is very much one of the bodies delivering on this, as are the Anne Frank Trust, Barnardo's, Diversity Role Models, EACH—Educational Action Challenging Homophobia—Educate and Celebrate, the National Children's Bureau and Show Racism the Red Card. They are all doing an excellent job.

Gender Pay Gap

13. **Callum McCaig** (Aberdeen South) (SNP): What steps she is taking to reduce the gender pay gap. [903749]

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinagen): We are committed to closing the gender pay gap within a generation. This is important not only for women, but for business, prosperity and the health of the UK economy. That is why from next April we are requiring large employers to publish their gender pay gap, and why we have been working very closely with business to help deliver this.

Callum McCaig: I thank the Minister for that answer and welcome the steps that are being made, but will she join me in commending the Scottish Government for laying regulations in Holyrood to extend the requirement

on public authorities with more than 20 employees to publish information on their gender pay gap and equal pay statements?

Caroline Dinagen: Yes, we are always keen to take on board any information we can gather from anywhere that tackles the gender pay gap. We are consulting on the issue and we will shortly announce what we intend to do in respect of the public sector.

Robert Jenrick (Newark) (Con): As the father of a growing number of daughters, it is important to me that women can enjoy exactly the same level of career advancement as men, which they clearly do not. Many experts and leading female CEOs of international companies believe that the lead indicator is not the gender pay gap, but the level of career advancement for women. Will the Government consider looking in future into whether major companies could report the percentage of men and women at every stage within their organisation to help change the culture?

Caroline Dinagen: This legislation will require businesses to show how many people are employed at the different sectors of their organisations. However, my hon. Friend is right that this starts right from the beginning when girls are given careers advice about which businesses and sectors they should aim to get into. We need to get away from the idea that there are "girls' jobs" and "boys' jobs." There are just "jobs."

Mr David Hanson (Delyn) (Lab): I have recently put a series of parliamentary questions to every Government Department on the gender pay gap, and every Government Department that has answered to date has shown that there is a gender pay gap. What is the Minister going to do about the situation on her own watch?

Caroline Dinagen: Public sector employers will also be required to publish their gender pay gap statistics. It is a subject that we take very seriously. Nobody will be left unaffected by the legislation.

Mr Dennis Skinner (Bolsover) (Lab): I wonder whether this legislation will be broad enough to help a constituent of mine who recently separated from her boyfriend. She now has a "To Let" sign outside her house at 102 Church Drive, Shirebrook because she works for Mike Ashley at Sports Direct on a zero-hours contract. I think that is disgraceful, and I would like to see legislation that ensures that employers who operate zero-hours contracts cannot put women such as my constituent in jeopardy so that they lose the roof over their heads.

Caroline Dinagen: Unlike the last Labour Government, we have taken steps to address the issue of zero-hours contracts, and those who apply them will be included in the legislation.

STEM Subjects: A-level

14. **Andrea Jenkyns** (Morley and Outwood) (Con): What steps the Government are taking to encourage more girls to take science, technology, engineering and mathematics at A-level. [903750]

The Minister for Women and Equalities (Nicky Morgan):

The number of science and maths A-level entries among girls has increased by 12,000 in the last five years, but the Government are determined to encourage even more girls to study those subjects to help them to secure rewarding jobs in the future. I recently announced that, by 2020, we want to see a 20% increase in the number of girls applying to study science and maths. To achieve that, we will build on an extensive range of Government-funded support for schools.

Andrea Jenkyns: There are some fantastic STEM schools in my constituency, including Outwood Grange Academy, where I attended a brilliant STEM skills workshop a couple of weeks ago, and Woodkirk Academy, which I visited with the Minister for Women and Equalities last year. Will she join me in praising those schools, which are helping more pupils to consider STEM careers by finding imaginative ways to show them the possibilities that those subjects hold? Pupils have even participated in a LEGO minecraft workshop at Woodkirk.

Nicky Morgan: I welcome the opportunity to join my hon. Friend in praising the work of Outwood Grange and Woodkirk Academies for their excellent work in this regard. During my visits I was impressed to see at first hand how the academies engage pupils in STEM subjects, demonstrating the application of science and maths and promoting STEM careers.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I am sure the whole House agrees that STEM subjects provide exciting, rewarding, fantastic career opportunities for women and girls, but studies show that without some personal experience of STEM careers, girls are unlikely to consider them fully. Why have the Government abolished face-to-face careers advice and made work experience something that girls have to organise for themselves? Will the Secretary of State bring back mandatory work experience?

Nicky Morgan: Actually, we are going to go much further. We have introduced, and are funding, the Careers & Enterprise Company. We shall be investing more than £70 million in careers work during the current Parliament to enable young men and women to be inspired by people who visit schools, by work experience opportunities, by finding out more, and by the Your Daughter's Future programme. We discussed the gender pay gap earlier. I think it worth noting that those working in careers in science or technology are paid, on average, 19% more than those in other professions, and I think we can all agree that we want more girls to go into such careers.

Affordable Childcare

15. **Andrew Griffiths (Burton) (Con):** What steps the Government are taking to help parents find affordable childcare. [903751]

The Minister for Women and Equalities (Nicky Morgan):

The Government will have invested an extra £1 billion per annum by 2019-20 to help hard-working families with the cost of childcare. We are doubling the amount of free childcare to 30 hours for working parents of three and four-year-olds, and from early 2017 tax-free childcare will benefit about 2 million families by up to £2,000 per child. Many families will also be able to claim 85% of childcare costs through universal credit.

Andrew Griffiths: I thank the Minister for that, and especially for the extra £13 million that is being made available to councils such as mine in Staffordshire so that they can roll out the childcare plan sooner. That will help thousands of hard-working families throughout the country. However, will she give particular consideration to what can be done to help families with disabled children and children with special needs?

Nicky Morgan: My hon. Friend is absolutely right to say that we are investing more in childcare. Those with disabled children receive £4,000 of tax-free childcare per child. During the last and current Parliaments, we have been rolling out education and healthcare plans for children, including those aged nought to 25 who have more complex needs. We are clear about the fact that our childcare policies must require providers to cater properly for children with disabilities.

Sanitary Products: VAT

17. **Paula Sherriff (Dewsbury) (Lab):** What progress the Government are making in negotiating the removal of VAT on women's sanitary products. [903753]

The Economic Secretary to the Treasury (Harriett Baldwin): The Financial Secretary to the Treasury has written to the European Commission and to other member states setting out our strong view that member states should have full discretion in regard to the rate of VAT that they can apply to these products, and that that should be considered in the context of the Commission's action plan on VAT, which we expect to be published in March.

Paula Sherriff: Frankly, I think that many women throughout the country will be rather disappointed by the Minister's response. Will she guarantee that the Prime Minister or the Chancellor will come to the House and make a statement once the Commission has responded to our request, so that the public know where we stand before the referendum?

Harriett Baldwin: Of course, the Government do believe that this is something on which we want to take action. I am sure the hon. Lady will welcome the fact that the Chancellor has already announced a new £15 million annual fund to support women's charities in the interim period before we can tackle this on a unanimous basis across Europe.

EU Solidarity Fund: Flooding

10.35 am

Alex Cunningham (Stockton North) (Lab) (*Urgent Question*): To ask the Minister to make a statement about assistance from the EU solidarity fund for flood-hit communities.

The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton):

First, I want to pay tribute to all those who have supported the many places that were flooded in December and early January; the local authorities, the emergency services, the Environment Agency staff, the community volunteers, the military and many others made a significant contribution to supporting communities affected by the terrible events that we saw over Christmas, in December and in early January. The whole House will want to recognise the enormous effort that has gone into supporting households and businesses, not just the initial response to the floods, but the ongoing work to get residents back into homes and businesses open.

The responsibility for recovery, including matters relating to the European Union solidarity fund, lies with the Department for Communities and Local Government, and officials in DCLG worked hard throughout that period and continue to work hard to support those communities and those affected by those events. The Government recognise that the immediate priority is to respond to the urgent needs of those affected, which is why we have already provided more than £200 million to help those affected by the floods to support recovery and repair. A key feature of our package of support is the communities and business recovery scheme, which is designed to provide ready support to local authorities affected by Storm Desmond and Storm Eva and, in turn, to help individuals, small and medium-sized businesses and communities return to normality. Additionally, it provides property-level resilience grants of up to £5,000, so that people can protect their homes and businesses against future floods by putting in place resilient repairs. To date, under the communities and business recovery scheme, government has paid out a total of £21 million for Storm Desmond and £26 million for Storm Eva. Further payments will follow, and we are also supporting farmers with grants of up to £20,000 to help restore damaged agricultural land and farm vehicles and access and repair boundaries and to address field drainage.

Having set out what the Government have already done, I want now to turn to what more we can do. I am today announcing that the UK Government will make an application to the EU solidarity fund. The EUSF was set up to respond to major natural disasters. The fund was created as a reaction to the severe floods in central Europe in the summer of 2002. Since then, it has been used for 70 disasters covering a range of different catastrophic events, including floods, forest fires, earthquakes, storms and drought. The only time the UK has applied to the fund was following the flooding of 2007, which saw widespread and significant damage across large swathes of England. Member states have 12 weeks from the start of an incident to register their intent to claim. Once we have confirmed our intent, there is time to consider, with the Commission, the elements of assessment. Following this process, the Commission

assesses the application and, if it is accepted, proposes an amount of aid to the European Parliament. Once the appropriations become available in the EU budget, the Commission adopts a decision, awarding the aid to the affected state. It is then paid out in a single instalment. When aid is paid out, the affected state is responsible for the implementation, including the selection of operations, and their audit and control. Emergency measures may be financed retrospectively from day one of the disaster, but the EUSF is not, and nor is it designed to be, a rapid response instrument for dealing with the effects of a natural disaster. Financial aid can be granted to the applying state only following an application and budgetary process, which can take several months to complete.

Alex Cunningham: I thank the Minister, my fellow Stockton MP, for his response, which is extremely welcome today. It has taken an urgent question to get the information from the Government, so I am delighted that you granted it, Mr Speaker. I know there has been considerable confusion in government about which Department was responsible for making the application, and I, for one, am delighted at today's news. I was pleased when the Environment Secretary told the House last month that she was considering an application, only to have one of her civil servants answer my letter to her by telling me it was a DCLG responsibility. We now know the answer today—it is a DCLG responsibility, and I am glad that that Department has actually taken it on.

What we have always known is that it is a Government responsibility to apply to the solidarity fund, and a failure to do so would have deprived our communities of much-needed additional funding to get their homes, lives and businesses back on track. The whole House knows of the devastation that was caused across the country over the Christmas period and into the first months of this year. Recovery costs in Cumbria alone are estimated at £650 million. Other estimates of the total cost suggest that the clean-up bill will exceed £5 billion. It is therefore imperative that the Government do everything possible to maximise resources from all possible areas to support that operation.

I was pleased that, in her statement to the House on 5 January, the Secretary of State said:

“The Government will continue to do what it takes to get those areas up and running and prepare for future events.”—[*Official Report*, 5 January 2016; Vol. 604, c. 70.]

However, for nearly three months, while gesturing a willingness to provide support and assistance, she and the Government have been shy about promoting an application. Members and their constituents have been left totally in the dark, as it appeared that the Government would fail to make an application for help from the EU solidarity fund, which was established precisely to respond to such natural disasters as those experienced in Cumbria, Lancashire, north Yorkshire and Scotland.

The fund has been used by states across the EU in response to 70 disasters, ranging from flooding and forest fires to earthquakes and storms. Just last year, Italy, Bulgaria and Romania received more than £40 million in similar circumstances. You will know, Mr Speaker, that we on the Labour Benches have been extremely anxious that this opportunity could be lost. To be clear, the first floods for which an application could be made in Cumbria were some 11 and a half weeks ago, yet it

has taken the Government to within a single working day of the deadline to confirm that an application is being made. We all know that there are those who quite wrongly believe that we get little from the EU. I am clear that the UK should be embracing the offer of additional support, particularly as we have paid £300 million into the fund since it was set up.

I have a number of questions for the Minister. Will he outline what discussions he has had across Government and with local authorities in the affected areas in the preparation of the application? Why have Members and communities been left in the dark for so long when it would have been a boost to them to know that more help could soon be on the way? What is the final estimate of the cost of the devastation suffered by our communities, and how much are the Government bidding for? Is there just one application, or will there be multiple applications to reflect the fact that a number of communities were affected and that each could qualify due to the level of devastation they have suffered?

Finally, I am aware that my Stockton neighbour and I will be on opposite sides in another debate—that of whether we remain in the European Union. Does the Minister not agree that it is funds such as this that can, and I hope will, bring great benefits not just to communities hit by natural disasters, but to constituencies such as his and mine where there are large numbers of people suffering considerable deprivation?

James Wharton: There seems to be a fundamental misunderstanding on the part of the hon. Gentleman. The Department has been working on this application for some time. We had to draw together a range of information across Government Departments, talk to local areas, and assess the cost and impact of events that have taken place. That is what we have been doing, and what we will continue to do. As more information comes through and we go through the process of supporting those communities, we will ensure that the application is thorough, and that it accounts for all opportunities to add to it and to recognise the damage that has been done. Those discussions have been taking place across Government in the right way and in the right timeframe, so that we were able to make our announcement.

I congratulate the officials in my Department and in others who have been working hard to bring all the information together so that we can announce that this application will be made. The application will continue to evolve as more information comes through. As I said in my earlier comments, the European Union solidarity fund is not designed to be a rapid response to events of this kind. It is a longer-term fund to provide compensation to communities. Even though an application is now being made, it will take months for that money to be paid. However, we will continue in our commitment to supporting those communities, providing the funding and the backing that they need. That is what we have done so far and what we will continue to do to ensure that the communities affected by the terrible weather events get the support they need to recover as quickly as possible.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): I gently say to the Minister and the House, that, in 2011, Somerset suffered from disastrous floods. The Prime Minister and my local area looked at this fund

very closely indeed. We made the decision that we would not apply for it at that time, because it was too complicated, too difficult and the benefit to the communities was not there. *[Interruption.]* Those on the Labour Benches can chunter as much as they want, but we have now made the area in Somerset that was flooded safe through UK funding. The proof of the pudding is evident this year—we have not had to switch on the main pumps. The system has worked. We do not need this funding to do what we have to do to secure our communities.

James Wharton: My hon. Friend has demonstrated an understanding of the European Union solidarity fund that is absent among those on the Opposition Front Bench. It is a complex fund that requires a number of facts to be taken into consideration. There is an administration process that will take a long time and cost a significant amount. That is why we had to carry out a proper assessment to understand whether it would be of net benefit to the UK taxpayer to make an application before we got to the place where we could make the announcement that I have been able to confirm today. That is the right process, and my hon. Friend has demonstrated from his own constituency experience his deep understanding of the issue and the complexities of the matters before the House.

Calum Kerr (Berwickshire, Roxburgh and Selkirk) (SNP): I welcome the statement. The Minister talks about the rapid response. Where was the rapid decision-making process on the Government's part? I welcome the announcement, but it was not a difficult question. If we have an insurance policy, of course we are going to cash it in. Why would we not do so? That is logical and sensible. I welcome it. In relation to Scotland, have the Minister and his Department calculated how much money will be coming to Scotland, owing to Barnett consequential? Can he say anything about the timescale and when that might be expected?

James Wharton: The rapid response that I was talking about was the money that the Government immediately made available, the hard work that was done, particularly by my colleagues and officials in DEFRA, the Environment Agency and emergency responders—the work that was done straight away to support the communities affected by flooding. I can confirm that one of the factors that has delayed the process and made it more difficult to carry out the very complicated assessment that underpins the application to the EU solidarity fund has been the slowness of getting the information that we needed out of the Scottish Government. Had they responded more quickly, perhaps we would have been better informed earlier and able to announce with more clarity what would be done.

Mr Nigel Evans (Ribble Valley) (Con): Hallelujah! Hallelujah! Three weeks ago I asked the Prime Minister why we were not applying for these funds. I am delighted that we are now doing so. More than 300 of my households were hit by the floods. A third of them were not covered by insurance because of the high premiums and eye-watering excesses. Perhaps some of this extra money can help them. In one case a business, the Ribchester Arms, has been closed since Boxing day. It has lost tens of thousands of pounds and still has ongoing costs.

[Mr Nigel Evans]

It hopes to be open by Easter. Can my hon. Friend make sure that Ministers look again at the number of businesses that were hit during the floods to see how much extra assistance, thanks to this money—our money; we are only bidding for our money—we can give them to help them get back into business?

James Wharton: There are thresholds that have to be met, there is an assessment of damage that has to be done, and there is no guarantee that an application to the fund would yield more money than the cost of applying and delivering it. None the less, we have made that assessment and have come to this decision. I am delighted that it pleases my hon. Friend. I would be happy to have discussions with him about individual businesses in his constituency, but I remind him that regardless of what happens with this fund, the Government have made significant funding available to support local businesses and communities affected by flooding. That funding is available now. We do not have to wait for this fund to come through to support the communities affected.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): My constituency was not damaged in the most recent floods, but I know from previous flooding that speed is of the essence. I have known people in my constituency wait not just months, but years, to get their home back to a decent standard. It is all very well for the Minister to be uncharitable and find himself unable to say anything nice about the European Union, which provides the fund. People do not want just the wellies on the day; they want the action after the flooding.

James Wharton: The hon. Gentleman is right—speed is of the essence, which is why the Government have made more than £200 million available to areas affected and made it available as quickly as possible—immediately—for the communities that needed support, so that support is there. This fund will take time to pay out. That is the way the process works. It will take months from the date of application to come to conclusion. We have decided to apply because we have assessed it to be of net benefit to the UK to do so, but the funding that communities needed was provided by this Government straight away.

Mr Christopher Chope (Christchurch) (Con): My hon. Friend says that this is an important application, but will he put it in context? Every day British taxpayers pay £50 million to the European Union. How much does he think we are going to get back: three or four days' worth of contributions?

James Wharton: My hon. Friend makes his point better than I would endeavour to do from the Dispatch Box today.

Norman Lamb (North Norfolk) (LD): The Minister has indicated that all that is required at this stage is a notification of intent to apply. If that is the case, surely he could have got the process under way weeks ago. When did he actually apply? Was it today, or yesterday? How much does he think he will actually recover? The Government have done the assessment, so what do they

expect to recover from the European Union? Is he aware that the closure of the A591 in Cumbria is having a massive impact on the local economy—it is costing it £1 million a day—and on local families and businesses? The Government seem to lack a sense of urgency. Will he just get on with it?

James Wharton: I have to make it clear that there was no guarantee that the fund would bring a net benefit to the UK, or that it would be possible to apply, until a proper assessment had been done of the level of damage, the regional thresholds and whether we qualified to make an application. That assessment has now been done and we have announced our intention to apply before the deadline, which is the right thing to do. We will then work through the process to ensure that the UK gets the maximum benefit that can be delivered. Separately from that, the Government are already doing what needs to be done to support communities. The Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Penrith and The Border (Rory Stewart), has been doing a huge amount of work in Cumbria, as I am sure the right hon. Gentleman knows, to ensure that communities get the support they need, regardless of the progress made with this fund. It will take time, but we are now committed to applying to the fund.

Andrew Bridgen (North West Leicestershire) (Con): Can the Minister confirm that the UK paid £36.5 million into the EU solidarity fund last year, making us the second largest net contributor, and that we have only ever claimed once, in 2007, when we received £130 million? Is not the reason we have been reluctant to claim that we get very little out of the scheme because of our rebate? Effectively, we are paying into an insurance scheme that we cannot claim from.

James Wharton: My hon. Friend is absolutely right that there is an interplay between the application for funds, the funds being paid out and the rebate. The reality is that this is a complex process and there are restrictions on how money that is released can be spent. We have made the assessment and believe that the fund will be of net benefit to the UK, which is why we have today announced our intention to apply.

Stuart Blair Donaldson (West Aberdeenshire and Kincardine) (SNP): Today's announcement is welcome, but it is long overdue. What specific discussions have the Government had with local authorities in Scotland to ensure that the appropriate amount of support is sought for flood-affected communities?

James Wharton: The hon. Gentleman asks an important question. Much of this, as a devolved matter, is dealt with by the Scottish Government, but we have had ongoing discussions with them, including, in the context of the application I have announced today, on the information we need from them to underpin the parts of the application that apply to Scotland.

Craig Whittaker (Calder Valley) (Con): This is excellent news. I accept that there are complexities in the EU solidarity fund, but what is unpalatable, and a horrendous burden for the people of Calder Valley, is the £32 million

of infrastructure damage and the shortfall of £15 million for future flood defences. Now that we have applied to the fund, can my hon. Friend assure the people of Calder Valley that the cost of infrastructure repairs and shortfalls in any future flood defences will be met either by the fund or by the Government?

James Wharton: My hon. Friend has been one of the most diligent and passionate advocates for his area; since the storms in December and January, scarcely a day has gone by when we have not discussed matters pertaining to Calder Valley. The Government are absolutely committed to supporting the affected communities, and we continue to work with the local authority to ensure that is done. His representations have been incredibly helpful in informing the process of recovery already, as I am sure they will continue to be.

Holly Lynch (Halifax) (Lab): May I, too, welcome this announcement, having outlined in my Westminster Hall debate last month the cost of the damage in my constituency and the neighbouring Calder Valley? The Minister has not been quite clear about exactly how much the Government hope to secure from the fund. Following the assessment he has done, can he indicate exactly what value of funding will be available?

James Wharton: I thank the hon. Lady for her question, and I wish to put on the record on the Floor of the House my appreciation for the constructive nature of the debate we had in Westminster Hall—I think it brings out the best in this place when we pull together to do what we can to support the communities we all represent. As I am sure she will appreciate, we are at the stage of having identified that applying will be of net benefit to the UK. We still have a lot of work to do to finalise the costs and figures that we will submit to the Commission, so I am not in a position to confirm what the entire net benefit will be at the end of the process, but we will of course keep the House updated as progress is made.

Chris Heaton-Harris (Daventry) (Con): To not give false hope to the communities everyone is talking about today, the Minister must say at the Dispatch Box that there is no guarantee of our ever receiving this money. Domestically, the process is complicated enough, but when we get to the European process, whereby we apply for some of our own money to come back to this country, it becomes even more complicated, and the timeline is extremely long. Will he give us a rough idea of how long the timeline was in 2007? Will he also assure communities that the Government are spending money now that is helping them, and that we will do well in the future even if this money from Europe does not come?

James Wharton: My hon. Friend is absolutely right. As I have said, this is not a rapid response fund; the money takes a long time to come through. The Government therefore made more than £200 million available straightaway to provide the support that communities need. My hon. Friend understands Europe better than most, given his experiences and history of working there. What he says is valid, and Opposition Front-Bench Members should perhaps listen to it carefully and take it into account.

Margaret Greenwood (Wirral West) (Lab): We all welcome today's announcement, and we all really felt the misery of the people affected when we watched the news on our TV screens. My constituents, particularly those in the West Kirby area, which is vulnerable to flooding, will be pleased to hear this news, but they will be a little baffled about why things have taken so long. I appreciate that work has been going on in the background, as the Minister said, but given what a miserable experience people have gone through, it would have been helpful if the Government had communicated their intention earlier. Will the Minister give an assurance that, should these things happen again, the Government will be prepared to apply to the fund?

James Wharton: I cannot give an assurance that the Government will always apply to the fund, because we may not always meet the threshold criteria to apply. We will always have to assess the cost-benefit to ensure that the cost of managing and delivering the fund does not outweigh the benefit that could come from it, and that includes, of course, the impact on the rebate. However, regardless of the fund, we have provided more than £200 million up front to ensure that communities such as those of which the hon. Lady speaks get the support they need.

Martin Vickers (Cleethorpes) (Con): I welcome the Minister's decision. Will he give an assurance that, if the application is successful, it will not be used to offset funding already allocated from other resources and that it will actually make more resources available to improve defences along the Humber estuary and elsewhere?

James Wharton: We do not yet know what the final quantum will be, or how long the money will take to be paid. What matters is ensuring that communities get the support they need now. The Government have made, and are making, that support available, and we continue to work with local authorities to deliver it. That is our priority, but we are confirming that this fund will be applied for, and we will, of course, keep hon. Members updated as we progress through the process.

Liz McInnes (Heywood and Middleton) (Lab): Businesses in my constituency, and in the borough of Rochdale, are absolutely baffled about why the Government have left it until the eleventh hour to apply for this vital funding. Will the Minister please assure me that he will get the application in by Sunday? Does he not also agree that the fund is a great argument for remaining in the European Union?

James Wharton: I am disappointed that the hon. Lady's local businesses are baffled, but I am sure that, on leaving the House today, she will wait not a moment to explain to them the reality of the process. As I have said, this is not a rapid reaction fund. We have to ensure that we meet thresholds, and we have to assess damage. There is still a lot of work to be done to ensure that we fully understand and apply for every bit of applicable damage, and we have announced that we will undertake that process. In the meantime, we have ensured that we have made funding available. It will still take many months for the fund to pay out, but we are pursuing that process.

Dr Matthew Offord (Hendon) (Con): Further to the point made by my hon. Friend the Member for Bridgwater and West Somerset (Mr Liddell-Grainger), will the Minister please advise the House what support the Government can give small businesses and homeowners to improve resilience against future flooding and to prevent these things from happening again?

James Wharton: I thank my hon. Friend for his question, which provides a timely opportunity to remind hon. Members, and indeed local authorities, that the Government are making up to £5,000 available for flooded properties through the property-level resilience grant. We are encouraging owners to apply for that funding to improve resilience. We are being flexible so that grants can be pooled, allowing multiple properties to invest in joint flood defence schemes. We have provided more than £200 million, and that is one aspect of this, but it is important to improve resilience for the future.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): If this were not so serious, the antics of the British nationalists on the Government Benches would be quite funny; perhaps they should learn something from lastminute.com. The Minister said that the Scottish Government took a long time to respond. The reality is this that the Cabinet Secretary for Infrastructure, Investment and Cities wrote to the Department, and the Deputy First Minister raised the issue on the floor of the Scottish Parliament. Is this the Minister's long-winded, long-awaited response?

James Wharton: I am not sure what the hon. Gentleman's question was, but the reality is that the UK Government responded immediately to the weather events that we saw over December and January. We made funding available, and we gave local authorities freedom and control over how it was to be spent and delivered to support people affected by flooding. That is the right thing to do. There is still work to be done on the recovery. We are doing that work and will continue to do it until all communities feel that they can get back to normal and back open for business, as so many places already are, and we can move on from what has been a very difficult period for so many.

Robert Jenrick (Newark) (Con): Hundreds of my constituents in Nottinghamshire have benefited from the repair and renew grants, or resilience grants, which are operated by the Minister's Department and seem to be operating well in getting money to people very quickly. In my constituency, a number of constituents did something very altruistic and chose to pool their repair and renew grants, not just for small community projects but to put towards whole-village or whole-town flood defence schemes. Thanks to the valiant efforts of the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Penrith and The Border (Rory Stewart), we managed to find a work-around so that that was achieved. Will the Minister assure me and other Members that elsewhere in the country such community-wide altruistic schemes can be a way of using the £5,000 repair and renew grants?

James Wharton: My hon. Friend makes a very important point. Absolutely: the £5,000 resilience grant for each property can be pooled as long as the properties concerned benefit from that pooling. We have designed the schemes

to be as flexible as possible in responding to different circumstances in different places, but most importantly to respond quickly, unlike the fund that we are discussing, which, important as it is, will take several months from this date until it is seen to pay out.

Diana Johnson (Kingston upon Hull North) (Lab): My constituents in Hull who were badly flooded in 2007 would have been aghast if the Labour Government at that time had not immediately said they would apply for the solidarity fund. When exactly was the decision made to make the application? The Minister is not offering much reassurance when he says that there is still much work to do if the deadline is this Sunday.

James Wharton: The intention, in accordance with the process that exists, is to indicate our intention to apply. I would be staggered had any Government immediately announced an intention to apply for the fund, because we cannot do so. We have to assess the impact on regional GDP and assess the costs to know whether we qualify. It might be easy to announce an application but then find that we do not qualify to apply. The responsible thing to do is to assess the costs and the potential benefit and then make a decision to apply, in time, if it is appropriate to do so. That is what this Government have done.

Andrew Stephenson (Pendle) (Con): I welcome what the Minister has said today and his recent visit to Pendle. I thank him for the Government's decisive action to address flood risk, including the Environment Agency's commitment to spend more than £500,000 this year on addressing flood risk in the village of Earby in my constituency. Will he join me in encouraging the many tourists and visitors who regularly visit flood-affected parts of the UK to show their support by visiting this Easter or this summer?

James Wharton: I thank my hon. Friend. Many of the areas that were affected by flooding in December and January are some of the most beautiful parts of our country and of the north of England, and there are businesses across those communities that are very much open for business. We are encouraging people to continue to visit, or to consider visiting, those wonderful places to support their economies and communities. Many of them are open almost as though nothing had happened, working through what has been a trying period that has none the less shown the very best of the community spirit that exists right across the north.

Andrew Gwynne (Denton and Reddish) (Lab): Given that large parts of Greater Manchester were flooded, I welcome the Government signalling their intention to apply for these funds. The Minister implied that they have been working on the detail of the bid for some time, so will he clarify the detail of what they intend to use the funds for? Will it be to assist local authorities with the ongoing reconstruction work after the floods, or will it be to future-proof our flood defences?

James Wharton: The Government's priority is to support the affected communities today. We have ensured that funding is available immediately to do that. We are still working through the process of the fund application, and we will continue to do that for as long as it looks

like it will produce a net benefit to the UK. We will pursue it and ensure it is delivered, because we can see its benefit to communities. What matters to communities such as those that the hon. Gentleman represents is the quick response, the funding that is made available and the support that is given to local authorities to deliver immediately on their immediate needs and for their recovery thereafter. That is what we have done, and we continue to make funds available to do it. We have made that commitment and will stick to it.

Business of the House

11.5 am

Chris Bryant (Rhondda) (Lab): Will the Leader of the House give us the future business?

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

MONDAY 29 FEBRUARY—Motion to approve a statutory instrument relating to the European Union referendum, followed by Opposition day (un-allotted half day). There will be a half-day debate on the UK steel industry on an Opposition motion.

TUESDAY 1 MARCH—Estimates (1st allotted day). There will be a debate on the Foreign and Commonwealth Office and the 2015 spending review, followed by a debate on the reform of the police funding formula.

[The details are as follows: First Report from the Foreign Affairs Committee, The FCO and the 2015 Spending Review, HC 467, and the Government response, HC 816; and Fourth Report from the Home Affairs Committee, Reform of the Police Funding Formula, HC 476.]

WEDNESDAY 2 MARCH—Estimates (2nd allotted day). There will be a debate on the science budget, followed by a debate on end of life care. At 7 pm the House will be asked to agree all outstanding estimates, followed by proceedings on the Supply and Appropriation (Anticipation and Adjustments) Bill. Further details will be given in the *Official Report*, followed by, if necessary, consideration of Lords amendments.

[The details are as follows: First Report from the Science and Technology Committee, The Science Budget, HC 340, and the Government response, HC 729; and Fifth Report from the Health Committee, Session 2014-15, HC 805, and the Government response, Cm 9143; First Report from the Public Administration and Constitutional Affairs Committee, Follow-up to PHSO Report: Dying without dignity, HC 432; Sixth Report from the Public Administration Committee, Session 2014-15, Investigating clinical incidents in the NHS, HC 886.]

THURSDAY 3 MARCH—Debate on a motion on gangs and serious youth violence, followed by general debate on Welsh affairs. The subjects for both debates were determined by the Backbench Business Committee.

FRIDAY 4 MARCH—Private Members' Bills.

The provisional business for the week commencing 7 March will include:

MONDAY 7 MARCH—Second Reading of the Policing and Crime Bill.

TUESDAY 8 MARCH—Remaining stages of the Enterprise Bill [*Lords*] (day 1), followed by a debate on a motion on International Women's Day. The subject for this debate was determined by the Backbench Business Committee.

WEDNESDAY 9 MARCH—Conclusion of remaining stages of the Enterprise Bill [*Lords*] (day 2), followed by, if necessary, consideration of Lords amendments.

THURSDAY 10 MARCH—Consideration in Committee and remaining stages of the Northern Ireland (Stormont Agreement and Implementation Plan) Bill, followed by business to be nominated by the Backbench Business Committee.

FRIDAY 11 MARCH—Private Members' Bills.

[Chris Grayling]

I should also like to inform the House that the business in Westminster Hall for 3 March and 7 March will be:

THURSDAY 3 MARCH—Debate on the offshore oil and gas industry.

MONDAY 7 MARCH—Debate on an e-petition relating to the income threshold for non EU citizens settling in the UK.

Chris Bryant: Mr Speaker, as I am sure you are away—[*Laughter.*] It hasn't started very well, has it? As I am sure you are aware, today is St Æthelbert's day. I hope you are not confusing him with the other St Æthelbert, who was king of East Anglia, or any of the other Anglo-Saxon saints, like St Athwulf, St Bertha, St Congar or, of course, Sexwulf, who was the bishop of Mercia who founded Peterborough Abbey. Today's St Æthelbert was king of Kent and died in 616. It is particularly relevant that we commemorate Æthelbert today, as he was the first king to establish laws in these lands banning blood feuds. I suspect that the out campaign and the Conservative party have need of him.

After all, when George Galloway turned up at an out campaign the other day, half the room left; Nigel Farage thinks that Gove, Cummings and Johnson are too clever by half and has sacked all his deputies; the Prime Minister is furious with the Justice Secretary for saying that his deal on the European Union is not legally binding; the Johnsons are engaged in a full-blown family bust-up; and the Mayor of London seems to be feuding with himself. Only this month, he wrote that leaving would mean

“diverting energy from the real problems of this country”,

but now he wants to do precisely that. He is not so much veering around like a shopping trolley as off his trolley, if you ask me.

The Prime Minister and the Mayor maintain that they are still friends. As St Æthelbert might have said, greater love hath no man for himself than this, that a man lay down his friend for a chance of getting his job.

Talking of mothers' advice, my mother told me three things. First, if it is free, take two. Secondly, never take home a man who is wearing a hat until you have seen him without the hat. I can see that the Leader of the House agrees with that one. Thirdly, and more importantly, never trust a man who is wearing slip-on shoes. I merely point out that the Prime Minister was wearing slip-on shoes yesterday.

Now we know that the referendum period will run from 15 April until 23 June—[*Interruption.*] Do keep calm. Would it not make sense for the Queen's speech to be delayed until after the referendum in late June or early July? The House did not sit in the immediate run-up to the referendums in 1975 and 2014 because they coincided with normal recess dates. Should we not do the same in relation to this referendum in June: rise on 16 June and return on 27 June?

I know what you are thinking, Mr Speaker. The Government's business is so threadbare, how on earth can we keep the Session going until July? I have a suggestion for the Government. They could simply hand the rest of the business over to us. We could, first, abolish the bedroom tax; secondly, save our steel; thirdly,

repeal the gerrymandering of parliamentary boundaries; and, fourthly, force Google to pay its fair share of tax, just as the French Socialist Government did. They are charging Google £1.3 billion in tax, as opposed to this shabby little Tory Government, who are letting Google get away with just a tenth of that: £130 million.

I welcome the nearly St David's day debate on Welsh affairs. It will give Members a chance to welcome the 750 new jobs that have just been announced by Aston Martin, thanks to the work of the Labour Government in the National Assembly; to point out that cancer survival rates have improved faster in Wales than anywhere else in the UK; and, most importantly, to congratulate Subzero, whose new ice cream parlour in the Rhondda has served 10,000 customers in just 11 days, proving that all those blasted migrants who came to the valleys from Italy in the 19th century did us a big favour by giving us frothy coffee and the best ice cream in the country. Is it not time you made sure that we had Subzero here in Westminster, Mr Speaker?

I welcome the International Women's Day debate on 8 March, when I hope we will be able to raise important questions, such as the horrifying statistic that violent crime, including domestic violence, has risen by 23% in south Wales in recent years. However, may we have a statement from the Secretary of State for Culture, Media and Sport on the Dame Janet Smith review into sexual abuse by Jimmy Savile? Something was terribly wrong at the BBC for a long time. Staff knew what was going on but were terrified to say anything. Auntie lost her way, children were abused and the victims were badly let down. We must, surely, make sure that that never happens again.

Finally, private Acts of Parliament have been published on archival paper rather than vellum since 1956, and now the House of Lords has recommended that public Acts follow suit to save money. As you will recall, Mr Speaker, our Administration Committee published a report in which it agreed with the Lords, and the Leader of the House agreed with that report at the Members Estimate Committee that you chaired on 2 November. During the recess, for some bizarre reason, the Minister for the Cabinet Office stuck his oar in, and said that he was going to pay to keep on using vellum. That is a parliamentary decision, and it has absolutely nothing to do with the Government or the Cabinet Office. Will the Leader of the House please tell the Cabinet Office to butt out, and will he allow a vote on the matter so that all Members can make their views known?

Chris Grayling: I must say that if I was the shadow Leader of the House I would not have picked today to bring up the issue of the European Union referendum. You may not know this, Mr Speaker, but all Labour MPs have apparently been asked to take to the streets on Saturday to campaign to keep Britain in the European Union. You may not be surprised to learn that one or two Conservative Members may be on the streets to campaign for Britain to leave the European Union, but what about the Leader of the Opposition? He is going on a CND anti-nuclear march, even though his deputy said yesterday that he would vote to keep Trident. You really could not make it up.

Another two weeks have passed, and the shadow Leader of the House is still in his place and still a

paid-up member of the Corbyn fan club. I knew his party leader was a disciple of Marx, but I did not realise that the hon. Gentleman was—a disciple not of Karl Marx, but of Groucho Marx, who famously said:

“Those are my principles, and if you don’t like them...well, I have others.”

The hon. Gentleman asked about the Queen’s Speech and the flow of business. I can assure him that this House will continue to consider the Government’s extremely important agenda, which is making and will continue to make a real difference to this country. In 10 days’ time, we will have another Second Reading debate, on the important reforms in the Policing and Crime Bill, and we will shortly bring forward the Investigatory Powers Bill. He need have no fears: this Government have a strong and continuing agenda for this country, which we will continue to pursue.

The hon. Gentleman mentioned Aston Martin. May I say how delighted I am about Aston Martin’s decision for Wales? It is good news for the people of Wales and good news for the United Kingdom. It is a tribute to the way in which this country is being run and to the favourable economic climate that exists under this Government, which is why big and small businesses are investing in this country.

I echo what the hon. Gentleman said about the report on the BBC and what has been said this morning. What took place is clearly absolutely shocking. Lessons need to be learned not just in the BBC, but in institutions across this country. It is inexplicable to our generation how these things could have been allowed to happen over all those years, but we must not think such things could not happen today and we must make sure they never happen today. My right hon. Friend the Secretary of State for Culture, Media and Sport will be in the Chamber next Thursday, and I have no doubt that he will want to discuss the issue then.

The question of vellum is a matter for the House of Lords. The House of Lords will reach a decision, and that decision will be final.

There is exciting news for beer drinkers around the country. For the princely sum of £6, people can now drink their favourite pint out of their own Jeremy Corbyn pint glass. I think there will be a stampede. I do not know whether the shadow Leader of the House has one yet, but I am sure he will rush to the Labour website to buy one.

Surprisingly, the hon. Gentleman did not ask for a debate on public spending and the economy. That may be because he agrees with the former shadow Chancellor, the hon. Member for Nottingham East (Chris Leslie), who has said that the Labour party’s current approach to public spending is to place all its faith in what he called a “magic money tree”, by promising to reverse every cut and to spend, spend, spend. I think we should wish the previous shadow Chancellor, Ed Balls, a happy birthday today. I never imagined that the Labour party would miss him so much.

Perhaps the Scottish nationalists can be excluded from this, but may I ask the shadow Leader of the House to join me in congratulating Wales on its victory over Scotland in the Six Nations during the recess? I did, however, still hear the tones of “Delilah” coming from the crowd, as usual, at that match. Welsh rugby

fans obviously pay no more attention to what he says than anyone in this House does.

Mr Christopher Chope (Christchurch) (Con): On Monday, the Prime Minister said that the Government would publish a lot more documents relating to the European Union. Will my right hon. Friend tell the House what those documents are likely to be and when they will be published? Will he guarantee that the documents will be subject to independent audit and scrutiny by this House?

Chris Grayling: This House will of course have plenty of opportunity, including in its Committees and indeed in the debate today, to discuss what has already been published and what will be published. Anything that is published by the Government will of course have to go through appropriate checking by the civil service and will be subject to all the rules set out in the European Union Referendum Act 2015.

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

I think it would be appropriate to congratulate Adele on her four Brit awards yesterday evening and Coldplay on becoming the British act with the most Brit awards. The deputy Leader of the House and I enjoyed the ceremony last night, I think it would be fair to say.

We are being a bit short-changed today. We have heard a business statement from the “out” side of the Cabinet, but there is no business statement from the “in” side of the Cabinet. The Leader of the House, who is the leader of the no campaign too, has the opportunity to spread his pernicious “no” agenda for the next hour or hour and a half. When will we get to hear the business statement from the “in” side of the Cabinet, because this week marked the end of collective Cabinet responsibility, particularly for the next few months?

The nasty civil war in the Tory party is starting to get serious. It looks like the poor old Justice Secretary will be first for the boot. I do not know whether the Leader of the House will rush to his defence and man the barricades to try to save him. Even friendships that go right back to the playing fields of Eton look like the remnants of a Bullingdon night out. For my colleagues on these Benches, it is popcorn time as we observe not just a civil war in the Tory party, but the ongoing civil war within the Labour party.

I am going to do something very radical on Tuesday. It is not to declare a unilateral declaration of independence for Scotland or announce MP4’s Eurovision participation—I am going to do something much more radical. In the debate on the estimates, I am going to attempt to debate the estimates. Apparently, that has never been done. I say “attempt” because I have had conversations with the Clerks and it is more than likely that I will be ruled out of order for attempting to debate the estimates on estimates day, because the one thing we are not to debate on estimates day is the estimates. Where in the world, other than in this absurd House, could that possibly be the case?

I just want to remind the House what the estimates are. They are the consolidated spending of the Departments of this nation, but we have no opportunity to debate them. The Leader of the House will remember very

[Pete Wishart]

clearly that during the debate on English votes for English laws, he made it very clear to us that all issues of Barnett consequentials were to be bound up in the debates about the estimates, yet we have no opportunity to debate them. It will be right and proper of you, Mr Speaker, to rule me out of order if I attempt to debate the estimates—that is the natural consequence—but we have to end the absurd notion that we cannot even start to debate departmental spending in this House.

We got a deal on the fiscal framework this week and I think that everybody is absolutely delighted. I congratulate the First Minister and the Deputy First Minister on stopping the Treasury trying to diddle Scotland out of £7 billion. However, I want to ask what happens next, because the Chief Secretary to the Treasury said in front of the Scottish Affairs Committee that the fiscal framework would come back to this House for further scrutiny.

Mr Chope *indicated assent.*

Pete Wishart: I can see that the hon. Gentleman is agreeing. I do not mind scrutiny of the fiscal framework—it is right and proper that this House looks at it—but will the Leader of the House today rule out this House having a veto on the fiscal framework that was agreed between the UK and Scottish Governments?

Lastly, I do not know whether the Leader of the House is on speaking terms with his no longer good friend the Prime Minister, but, if he is, will he tell him to please stay away from Scotland for the next few months? We value our European membership in Scotland, so will the Prime Minister please stay away? In the meantime, there is a warm invitation to the Leader of the House, the Justice Secretary and the Mayor of London to come to Scotland any time.

Chris Grayling: That is very generous of the hon. Gentleman. I am coming to Scotland in about 10 days' time and I look forward to whipping up support for the Conservative campaign, which has a really good chance of consigning the Labour party to third place in the Scottish elections. That would give us enormous pleasure and I have a sneaking suspicion that it might give him enormous pleasure as well.

This may surprise the hon. Gentleman, but he and I have the same view on Europe: I want him to succeed in the Eurovision song contest. Whether it is this year or next year, I want to see MP4 go all the way. There is even a new scoring system that might give the British entry a better chance. So I say to him, if at first you don't succeed, keep on, keep on. We are all with him all the way.

I hate to disappoint the hon. Gentleman on the European referendum, but he will not find any nastiness because we are all friends and we all get on with each other. [*Laughter.*] Labour Members laugh, but the difference is that they all hate each other. They are split down the middle, fighting like ferrets in a sack. That is the Labour party today. We are going to have a grown-up, sensible debate. The country will decide and then we will work together to implement what the country has decided. In the meantime, Labour Members will run around like headless chickens, trying to work out what on earth they should do about the mess they are in.

I remind the hon. Gentleman that he is a member of the Liaison Committee, which has estimates days at its disposal and can decide what subjects should be debated and considered. I fear he may have lost the argument in that Committee, or perhaps he did not raise it in the first place. The Government delegate to the Liaison Committee the decision on what to debate on those two days, and if it does not choose to debate a particular area, that is a matter for the Committee. The hon. Gentleman will have plenty of opportunities during the year to raise and discuss issues related to public spending in the Budget debate and following the autumn statement, and I am sure he will do so.

We are all delighted that agreement has been reached on the fiscal framework. The Scotland Bill continues to progress through the other place, and if there are any amendments it will return to this place. We all want to get it into statute so that we are clearly seen to have fulfilled the promises we made at the time of the referendum in implementing all elements of the Smith commission report. I am sure that the Prime Minister will spend time in Scotland campaigning for a Conservative victory in the Scottish elections in May.

Mark Pritchard (The Wrekin) (Con): Since 2010 it has been a criminal offence to shine a laser at an aircraft, yet over the past five and a half years there have been nearly 9,000 incidents of lasers being shone on to military and civilian—albeit it mostly civilian—aircraft. May we have a debate on what more the Government can do to protect civilian and military aircraft, so as to protect pilots and passengers and ensure that the skies above this country are safe to fly in?

Chris Grayling: My hon. Friend raises an important point, and it is a matter of great concern, particularly with the recent incident of a plane having had to turn back after a laser attack. None of us would wish there to be danger of a serious aviation disaster as a result of that completely inappropriate behaviour. The Transport Secretary will be in the House on Thursday week. I will ensure that he is aware of concerns that have been raised, and my hon. Friend might also like to raise them with him.

Kelvin Hopkins (Luton North) (Lab): Lord Adonis made most interesting comments on the radio yesterday afternoon, suggesting that the Government should prioritise a number of early and less expensive investments in our railway infrastructure. I have proposed detailed schemes for—among others—the west coast main line, east coast main line, and the Birmingham to London line. I put those suggestions in a formal submission to the House of Lords, which has been referred to in this House. Others will no doubt have their own proposals, so will the Leader of the House make time for an early, full debate on railway investment?

Chris Grayling: I have a lot of sympathy with what the hon. Gentleman and Lord Adonis have been saying, and one thing that has characterised this Government's approach, as well as that of the rail industry since privatisation, is the opening of new stations and the re-opening of lines. A second route has recently been opened from London to Oxford—a sign of a flourishing industry that we want to grow and develop with large

projects and small. As I said, the Transport Secretary will be in the House in 10 days' time, so perhaps the hon. Gentleman could make his point to him. We believe in the future of our railways, and they are an essential part of the transport system of this country.

Mr Andrew Turner (Isle of Wight) (Con): Is the Leader of the House aware that the renegotiation package for the EU referendum is based on an international agreement and lacks the enforcement mechanisms of EU and domestic law? Is it correct that any such agreement must conform to EU law and, to the extent that it does not, that EU law will prevail?

Chris Grayling: That matter will be subject to lively debate this afternoon in the House and over the coming weeks. The view of the Attorney General, the Government's senior law officer, is that the agreement reached in Brussels last week is legally binding on all members of the European Union.

Ian Mearns (Gateshead) (Lab): The Leader of the House will be aware—I have written to him about this—that earlier this week an important debate on knife and gang crime was bumped by Government business, urgent questions and a statement. We have rescheduled that debate for Thursday 3 March. On 8 March we have International Women's Day, and a debate sponsored by the Backbench Businesses Committee. Will the Leader of the House allow us protected time so that such an eventuality does not occur again, particularly since that debate has been scheduled specifically because 8 March is International Women's Day?

Many hundreds of thousands of people are now missing from electoral registers around the country. Yesterday, we had the initial findings of the Office for National Statistics on what size constituencies should be by population. We now have something that might drive people to register: the European Union referendum. Will the Leader of the House take back to the Cabinet the question of whether the Boundary Commission's work should be put on hold to see whether the hundreds of thousands of people who have not registered can register in time for the referendum? Boundaries could then be drawn up on the basis of the real electorate, rather than the electorate back in December.

Chris Grayling: I will take away the hon. Gentleman's point about International Women's Day, which I absolutely understand is time-sensitive to that day, and I will continue to bear in mind what he asks for regarding protected time. At the moment, however, it does not feel as if there is a long pipeline of delayed debates. What happened this week was unfortunate, but it was better that the debate was moved rather than severely curtailed.

On constituency boundaries, the Boundary Commission process takes place over two years. There will be plenty of time for the Boundary Commission to adapt and for individual Members to make representations for changes if they do not believe that a recommendation is correct. *[Interruption.]* I hear the shadow Leader of the House chuntering from his place as usual. I just hope, from his point of view, that his constituents in the Rhondda like him as much as his colleagues on the Back Benches do when it comes to determining whether he gets a new seat following the boundary changes.

Huw Merriman (Bexhill and Battle) (Con): I was perturbed to hear today that BBC Radio 5 Live could be moved to online content only. While this would relieve the nation from the embarrassment of colleagues in this House playing—to give it a more tasteful title—kiss, marry or avoid on “Pienaar's Politics”, it could deprive the nation of an outstanding sports and news radio broadcaster. May we therefore hold a debate in this place to address the need for the BBC to continue to be funded, as befits the nation's broadcaster?

Chris Grayling: The subject of the BBC charter renewal is a very live one. I suspect that many of us have had emails about it. The Government's view is that we want to preserve the BBC as a high quality public service broadcaster. It will, of course, be a matter for the BBC to decide how best to deploy its resources. We have to ensure, given that it is a levy on households of all different backgrounds and circumstances up and down the country, that the BBC operates cost-effectively and keeps the licence fee as low as possible.

Angela Smith (Penistone and Stocksbridge) (Lab): I notice that the Leader of the House failed to respond to the shadow Leader's very sensible suggestion that the recess and the Queen's Speech be scheduled to take account of the EU referendum. Will the Leader of the House give a proper response, especially given that the outcome of the referendum itself could have a major impact on the legislative programme?

Chris Grayling: The point I made in my remarks was that the Government have a full programme and will continue to have a full programme. It is really important that we do not allow the EU referendum to divert us from the very important task of governing the country. We will continue to deliver the right solutions for the country, and we will continue to bring forward the right legislation for the country. We will, of course, consider how best to ensure that hon. Members have the right opportunities to participate in the referendum, but we need to ensure that the governing of the country is not diverted by what is happening.

John Glen (Salisbury) (Con): My constituents, Mr and Mrs Vaughan, have been waiting four years for an assessment of their continuing healthcare costs for a deceased relative, despite an assurance that the clinical commissioning group had made attempts, with extra resources, to clear a backlog. Will the Leader of the House make time for a statement from the Secretary of State for Health on the delays to retrospective continuing healthcare costs assessments, because it is causing enormous distress to my constituents and, I am sure, to many others?

Chris Grayling: My hon. Friend speaks with his customary effectiveness on behalf of his constituents. This issue affects a number of Members and constituents up and down the country. I will make sure the Health Secretary is aware of the concerns he has raised and ask the Department of Health to respond to him.

Alex Salmond (Gordon) (SNP): What is the view of the Leader of the House on the legal status of the Prime Minister's European agreement? Does he agree with his successor as Justice Secretary or does he agree with the

[Alex Salmond]

Attorney General, whose view he mentioned earlier? The Leader of the House was the only Lord Chancellor not to be a lawyer. He therefore has an advantage in terms of plain speaking, so who does he agree with: the Justice Secretary or the Attorney General?

Chris Grayling: Fortunately, I am not a lawyer, so I am not going to give the right hon. Gentleman legal advice. I would say what I said earlier—that the view of the Attorney General on behalf of the Government is that it has legal force, but I am sure that this is going to be a matter of lively debate in the weeks ahead.

Byron Davies (Gower) (Con): The Leader of the House will no doubt be aware that, over a short time span, two separate debates took place in Westminster Hall on serious allegations of collusion between banks and valuers in order deliberately to undervalue and then seize assets. Numerous other cases have now come to light, and more than 10 MPs of different parties have written to the Chairman of the Select Committee on Business, Innovation and Skills to ask him to investigate. A particular situation, which involved Barclays bank and Lambert Smith Hampton, has led to my constituent Bryan Evans losing everything he has worked for over many years, including, recently, his house. Is it not time for a debate on the Floor of the House on these matters so that we can decide whether the Government need to act to ensure that the law is upheld?

Chris Grayling: My hon. Friend is working hard and effectively on behalf of his constituents. He will understand that I cannot comment on the detail of the allegations. I know that the Solicitor General addressed a Westminster Hall debate on this specific case and on the role of the Serious Fraud Office earlier this month. Of course, the SFO, in conjunction with others, has considered these allegations from the outset, and my hon. Friend is well aware of the conclusions that have been reached. If he takes the view that the SFO's remit should be broader to take matters such as this one further, I would encourage him to bring the matter to the attention of Treasury Ministers when they are before the House next week and perhaps look to bringing back to the Floor of this House a debate on the broader remit of the SFO and the ability of that organisation and others to investigate such matters.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Is the Leader of the House aware that if the clinical commissioning group and the Government have their way, Huddersfield, a large university town, is likely to be one of the only such large towns to have no A&E facility within five miles? Does he agree that we need an early debate on what is going on with these CCGs? Why are we seeing all this pressure on the health service when the Prime Minister said during the general election that he would preserve A&E in the towns and cities of this country?

Chris Grayling: This issue has, of course, affected my own constituency, where it has led to a lively debate for a while. We have entrusted local doctors with decision making about the configuration of services. In my own area, it was certainly the view of local doctors that

prevailed over plans for reconfiguration 18 months ago. It is really down to the hon. Gentleman's local GPs and those who control commissioning in the area to decide on the configuration of services. My advice, having been through this myself, is to make sure that he discusses the issue with them and brings their views forward. That is what made the big difference in my area.

Oliver Colvile (Plymouth, Sutton and Devonport) (Con): You may like to know, Mr Speaker, that my petition to save the hedgehog has now reached over 19,000 signatures since it was launched two weeks ago. I am fully aware that that is about 80,000 short of meeting the requirement for a parliamentary debate, but will my right hon. Friend confirm that because it has more than 10,000 signatures the Government must write to me to clarify what they might actually do?

Chris Grayling: I congratulate my hon. Friend, as always, on his assiduousness on this issue. I can confirm that he will receive a proper response from the Government. I have a sneaking suspicion that he may make his way to that 100,000 point in order to secure a debate in this House. This week, of course, we have had a cautionary tale, linking some of the themes that sometimes appear in business questions. We talk about superfoods, and we talk about black puddings from Stornoway and Bury. We learned this week that if we feed meat to hedgehogs, it can have a rather adverse effect on them, as we saw in the tragic case of the hedgehog that has become so fat on eating meat that it cannot even roll itself up.

Mr Speaker: We are all better informed than we were.

Greg Mulholland (Leeds North West) (LD): My constituent Lance Bombardier James Simpson sadly lost both legs in Afghanistan, but he has since inspired people by becoming the first double amputee to do an obstacle challenge. He and other brave injured servicemen, however, have found that the NHS cannot cope with their artificial limbs. May we have a statement from the Secretary of State for Health on how the NHS can solve the problem and come up with a better plan to help our brave servicemen and women?

Chris Grayling: I was not aware of this. Those who have served this country and lost limbs in its service are people whom we should admire without reserve. Some of the achievements of those injured servicemen after their return from the front line have been simply awe-inspiring. I was not aware of the problem that the hon. Gentleman has raised today. The Secretary of State for Defence will be here on Monday, but I shall also ensure that the Department of Health is made aware of the hon. Gentleman's concerns and responds to him.

Andrew Bridgen (North West Leicestershire) (Con): I hope that the whole House will join me in congratulating the Mayor of London, my hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson), on his wise decision—much publicised this week—to name Crossrail the Elizabeth line in order to commemorate the Queen's 90th birthday. My patriotic constituents in the village of Worthington would also like to commemorate that event, but they have been hit by the county council with a £400 bill for road closure. May we have a statement

from the Government on the issuing of guidance to county councils proposing that they waive such charges, as was done during the Jubilee celebrations?

Chris Grayling: I, too, was delighted by the decision to name Crossrail the Elizabeth line, which is a fitting tribute to a magnificent monarch as she approaches her 90th birthday. We should all celebrate all that she has done for this country. I hope that local authorities will be wise and sensible, and will encourage communities to come together to take part in the celebrations that will take place this summer. Let me add that I think this has been a week in which my hon. Friend the Mayor of London has shown great wisdom.

Joan Ryan (Enfield North) (Lab): On 19 February, at North Middlesex hospital, more than 100 patients were told over the tannoy, "Please go home unless you have a life-threatening illness." Of course, they would have to self-diagnose to be able to make that decision. Some patients had been waiting on trolleys for more than five hours with no cubicle space and no ward beds to go to, while dozens were in a waiting room facing a wait of more than eight hours to be seen.

This is a crisis in A & E provision, certainly for Enfield and Haringey and, I think, more widely, and it was entirely predictable, particularly given that the Government closed the A & E department at Chase Farm hospital in 2013. Many of my constituents sat waiting that night, and they are outraged at this situation. May we have an early debate, in Government time, about the A & E crisis that is affecting Enfield and Haringey and other areas?

Chris Grayling: I do not know about that particular circumstance, but pressures on A & E obviously ebb and flow depending on local circumstances, especially at this time of year, and that this is one reason why we continue to put additional funding into the national health service. I seem to recall that, some while back, the former Health Secretary argued that putting more money into the NHS was not the right thing to do.

Mr Nigel Evans (Ribble Valley) (Con): I am sure Members agree that we do not discuss Europe enough in this place. May I make the helpful suggestion that we alter the business of the House in order to hold a weekly European Union Question Time? According to my prejudice, the Leader of the House himself would answer the questions. I would then have an opportunity to ask, for instance, "Should the British people, in their wisdom, leave the European Union, would it be this Government who decided such matters as VAT rates on sanitary towels?"

Chris Grayling: It is certainly true that VAT on sanitary towels is currently imposed by the European Union, and I suspect that it would not be imposed by the House of Commons. As for the subject of debates on Europe, the one debate that I am unfortunately unable to have, although I would love to have it, is with the shadow Leader of the House, because he bitterly regretted that we did not join the euro. I would love to be able to debate whether he got that one right or wrong.

Richard Burden (Birmingham, Northfield) (Lab): If the Leader of the House casts his mind back to business questions on 28 January, he may recall that on that

occasion he failed to answer a request from the shadow Leader of the House for details of how he would arrange for parliamentary scrutiny of the changes that the Cabinet Office was intending to introduce to local government pension rules and procurement guidelines for public institutions. He may also know that the Minister for the Cabinet Office decided to announce the second of those changes last week, not in the House but in Israel, during a joint press conference with Prime Minister Netanyahu.

Given that there is now real uncertainty about what those changes mean, and the apparent conflict between what the Minister for the Cabinet Office considers to be the target of the guidelines and official Foreign Office advice warning of the risks to business of becoming financially involved with illegal actions by Israel in the occupied territories, we are still waiting to hear how all this can be scrutinised. Will the Leader of the House arrange for the Minister for the Cabinet Office finally to come to the House, make a statement and answer questions?

Chris Grayling: The Minister for the Cabinet Office will be here on 9 March to take questions. Mr Speaker, you have been generous in granting opportunities to Members of this House to raise concerns in urgent questions, but I cannot remember this subject being raised in that way, so perhaps it is not that urgent.

Jeremy Lefroy (Stafford) (Con): When I heard from a constituent that she had gone elsewhere in the country to volunteer as part of her Duke of Edinburgh award, I was, as I am sure all hon. Members would be, delighted at her commitment to this award scheme and to volunteering. However, I was less pleased by the fact that she had to pay a rather large sum for her rail ticket and then discovered that by splitting her tickets she could perfectly legally have paid a lot less. May we have a debate on how such fare information can be much more widely publicised and whether rail companies should be obliged to show the cheapest possible way of getting from A to B?

Chris Grayling: My hon. Friend the rail Minister would be very much in agreement with what my hon. Friend says, and indeed is working to achieve that. All of us who travel by train will sometimes find a bizarre fare structure and bizarre circumstances, such as finding that the first class fare is lower than the second class fare, or that it is cheaper to split the journey in half. It would be much easier and more straightforward if the information available to the public was obvious, straightforward and demonstrated the cheapest way to travel.

Vicky Foxcroft (Lewisham, Deptford) (Lab): Mr Speaker, you will be aware that several times I have called for us to have a debate on serious youth violence and the Leader of the House has advised me to go to the Backbench Business Committee. I was really chuffed when the Committee agreed to have a debate on this, but deeply disappointed that we did not get that time on Tuesday. Many of my colleagues came here to engage in the debate, but were unable to do so. How are we going to ensure that next Thursday the time is protected and we debate this very important issue?

Chris Grayling: It is, of course, a very important issue. It was unfortunate that on Tuesday, with the extended statement on Monday from the Prime Minister and the volume of additional subjects Members wanted to bring before the House, that that debate ended up being squeezed out. We made sure that there was an early opportunity for the Backbench Business Committee to bring it back to the House, and when we debate it on Thursday, it is much less likely to be under the pressure of time than it was on Tuesday, which was a particularly unusual day in terms of parliamentary time.

Bob Blackman (Harrow East) (Con): This week has seen the welcome news that the Avanti Schools Trust has secured planning permission for the first state-sponsored Hindu “all-through” school. In addition, Hujjat school, which will be the first Muslim school in Harrow, has also secured approval from the Department for Education and has reached the first stage, thereby ensuring that parents in Harrow will have the opportunity of giving a faith-based education to their children if that is what they want. Will my right hon. Friend arrange for us to have a debate on the importance of faith-based education to allow parents to exercise their choice and ensure that they get the education for their children that they wish to have?

Chris Grayling: I congratulate all in my hon. Friend’s constituency who have succeeded in bringing forward these exciting new plans. It has always been my view that faith-based education has an important place in our society. While it is important that a faith-based school is not a school of one faith, my experience is that the ethos a faith-based school brings delivers a high quality of education, and what is happening locally is very exciting. I am sure he will take advantage of the opportunity to express to the Secretary of State, when she is here shortly for questions, just how important a part of this Government’s policy that work is.

Ian C. Lucas (Wrexham) (Lab): The Government have amended substantially their own Enterprise Bill to include provisions on Sunday trading. Can the Leader of the House explain how Back Benchers who are concerned about the English votes for English laws status of the Government amendments can make representations within the terms of the Standing Orders concerning the effect of new proposals made by the Government?

Chris Grayling: These proposals will, of course, be the subject of debate in Committee and, if Members choose, on Report on the Floor of the House, but the advice that the hon. Gentleman seeks is best obtained from the Clerks.

Dr Matthew Offord (Hendon) (Con): Can a Minister come to the Dispatch Box to make a statement explaining what action the Government are taking to protect holders of the Lloyds bank enhanced capital notes from enforced early redemption? Several constituents have contacted me to say that they have been forced to close these. That has had a great effect on their planned income and they have received very little protection from the Financial Conduct Authority.

Chris Grayling: I am aware of those concerns, and my hon. Friend is doing his usual effective job on behalf of his constituents. The essence of what he is arguing

relates to the remit of the FCA and its ability to do the job he would wish in a matter such as this. Of course, Treasury Ministers are here on Monday and I advise him to bring that matter to them, as they are ultimately responsible for setting the remit of that authority.

Daniel Zeichner (Cambridge) (Lab): The Leader of the House may be aware of the horrible murder of the Cambridge student Giulio Regeni in Egypt. He disappeared six or seven weeks ago and his body was found horribly mutilated a few weeks later. He is much missed by the academic community in Cambridge, and he was carrying out academic duties at the time. I pressed the Foreign Secretary to urge the Egyptian authorities to explain what has gone on. Will there be an opportunity to discuss the situation in Egypt soon?

Chris Grayling: This was a horrible incident and our hearts go out to Giulio Regeni’s family, his friends and all his colleagues in Cambridge. Although Egypt is a great country, it still faces significant issues and challenges. I will make sure that the Foreign Secretary is reminded of the concerns the hon. Gentleman raises, and I have no doubt that the Government will want to set out an opportunity for discussing matters across the middle east generally, which will give him the opportunity he seeks in the near future.

Martin Vickers (Cleethorpes) (Con): Tomorrow evening, I will be attending a residents’ meeting in Cleethorpes, accompanied by the Humberside police and crime commissioner, Matthew Grove. He was been particularly effective as a channel for representing his constituents. Ahead of the May PCC elections, may we have a debate on the role of PCCs and how their powers may be extended?

Chris Grayling: Matthew Grove will always have a fond place in the Conservative lexicon as the man who beat John Prescott to that job of PCC for Humberside. That was a matter of huge disappointment to Labour Members—[*Interruption.*] Clearly, the shadow Deputy Leader of the House is not a fan, but after that victory we will always regard Mr Grove fondly.

Nick Thomas-Symonds (Torfaen) (Lab): My constituency has benefited tremendously from European Union structural funding, and of course that will not be available if we leave the EU. May we have a statement as to the advantages that EU structural funds have brought to the most deprived communities of the UK? Would the Leader of the House be willing to deliver such a statement personally?

Chris Grayling: Of course we have a debate this afternoon on this area, so the hon. Gentleman may want to take part in it. Those on the Government side of the argument would say that EU structural funds are important, but I am sure that those who disagreed with that view would say that in fact all we are doing is giving money to Brussels in order for those there to give it back to us.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): Notwithstanding the debate we have just had on flooding, there is another part to this issue that we hardly discuss at all in this House—coastal erosion.

This year, there has been more erosion around the UK coasts, because of the storms coming from America, than there has been for many years. May we either have time in this Chamber to debate this or have a statement on the subject? Figures show that up to 74,000 homes could be at risk over the next 100 years, so we need to make plans now to be able to look to the future and ensure that we are successful in tackling this.

Chris Grayling: The importance of the issue has been brought home to us by the extraordinary archaeological work done around the historic port of Dunwich, which was once one of England's largest towns but which has almost completely disappeared. We understand from that work just how much difference coastal erosion can make. My hon. Friend makes an important point and I suggest that he might like to join others whose constituencies are affected, including those who represent areas on the east coast of England, to secure a debate via the Backbench Business Committee.

Chris Stephens (Glasgow South West) (SNP): May we have a statement or a debate in Government time on the extraordinary allegations published by London's *The Times* last week on the treatment of asylum seekers living in Glasgow by Home Office providers Serco and Orchard and Shipman? There were allegations of, among other things, the spraying of air fresheners towards asylum seekers; physical intimidation; and the placing of asylum seekers in uninhabitable housing. Does the Leader of the House agree that such dehumanising treatment of asylum seekers merits Ministers reporting directly to Parliament?

Chris Grayling: No one would condone that kind of treatment of any individual no matter who they are in our society. The hon. Gentleman makes an important point, which I am sure will have been noted by Home Office Ministers.

Diana Johnson (Kingston upon Hull North) (Lab): Hull City Council is meeting at the moment to set its budget. Since 2010, it has had a cut from the Government of £310 per person, which, considering that it is the 10th most deprived area of the country, is one of the steepest cuts. In the same period, Epsom and Ewell, one of the least deprived areas, has gained £13 per head. Hull has none of the options that wealthier areas have to raise its own money, and has not received a penny of the £300 million that the Government have found for other areas. Can we please have a debate on why the poorest areas of this country keep being subject to cuts by this Government?

Chris Grayling: The hon. Lady needs to remember the huge disparities that still exist in funding per head. Targeting northern towns and cities such as Hull where there are bigger social challenges is important. As a Government, even a Conservative Government with a substantial number of Members representing constituencies in the south with a lower grant per head, we continue to believe that it is important to provide support to those towns and cities.

Mr Mark Williams (Ceredigion) (LD): The Government's mobile infrastructure project identified 600 potentially new mobile mast sites, yet by December last year,

only 15 had been built. May we have a full debate on the failure of the Government's mobile infrastructure project, which is due to end in March, and on why so many communities that were promised mobile connectivity still lack it?

Chris Grayling: We are making real progress in spreading both mobile coverage and high-speed broadband coverage. We have a way to go. Of course such things are not always the responsibility of Government. It is the operators, not the Government, who build masts. None the less, I continue to believe that we are doing as well as almost all of our major international competitors in ensuring that we have modern communications.

Justin Madders (Ellesmere Port and Neston) (Lab): On 7 November last year, I wrote to the BBC on behalf of a constituent with a set of perfectly reasonable questions about its musical output and its relationship with Universal Music. The response I got was, to say the least, disappointing. Not only did it fail to answer any of the questions, it told me that, if I was unhappy with its response, I should take up the matter with the Information Commissioner. I value the work that the BBC does, but it must be open about how it operates. May we have a debate on creating a transparent culture within the BBC, particularly in its relationship with publishers such as Universal Music?

Chris Grayling: Let me make two points. First, the hon. Gentleman can raise that issue next week when the Secretary of State for Culture, Media and Sport is in the House. Secondly, we are embarked on just such a debate at the moment on the renewal of the charter. It is for members of the public across the country and Members of this House to bring forward their thoughts about the future shape of the BBC. *[Interruption.]* Despite the fact that the shadow Leader of the House is, as usual, chuntering from a sedentary position, I have no doubt that, if the hon. Member for Ellesmere Port and Neston (Justin Madders) wants to bring forward further thoughts and present them to the Secretary of State, they will be taken into account.

Kirsten Oswald (East Renfrewshire) (SNP): It was welcome when the Government agreed to change the rules to allow for fair compensation for military veterans suffering from mesothelioma. However, if they are serious about the armed forces covenant, can we now have a statement on why they have still not closed the loophole whereby a small number of veterans diagnosed before December are not covered and are being caused further distress at this most difficult time in their lives?

Chris Grayling: I am not aware of that small number of cases. The Secretary of State is here on Monday, and I will ensure that he is aware of the hon. Lady's concern. If she wants to bring that matter to him then, he will be able to give her a more detailed response.

Andrew Gwynne (Denton and Reddish) (Lab): The Government's childhood obesity strategy has been pre-briefed and then delayed not once but five times. The answers that I am getting from Ministers, including the Prime Minister, who cannot even tell me whether he has seen a draft copy of the strategy, have been not worth the paper they are written on. May we have a statement

[Andrew Gwynne]

as soon as possible outlining the Government's intentions to publish the childhood obesity strategy and finally break this wall of silence from Ministers?

Chris Grayling: Of course it is the Government's intention to publish the childhood obesity strategy, but we are also working on getting it right. I can absolutely assure the hon. Gentleman that, when we come to publish that document, when it is ready and we are satisfied that it is the right tool for the job, we will bring it to the House.

Chris Law (Dundee West) (SNP): Extraordinarily, the Prime Minister has made 233 appointments to the unelected House of Lords since he was elected, making a seam-bursting total of 826 Members, yet only yesterday many of us here received an email from the Boundaries Commission informing us of a forthcoming review of the Chamber to reduce the number of Scottish MPs from 59 to 53, which will result in the House of Lords being 40% larger than this House. Will the Leader of the House bring to this Chamber an urgent debate on the rough wooing of our democracy in Scotland, where we will have more Tory Lords than MPs apparently representing our country?

Chris Grayling: It is important to remember that this is the elected House. This is the House that ultimately has the final say on matters, and it is right and proper that we have a structure of representation here that represents the balance of the population of the country. It is the case that the Boundary Commission has a remit to align the size of constituencies across the country. That matter is not related to the other place. It is about ensuring that there is fairness of representation in this elected House, which is the one that ultimately decides what happens in this country.

Paula Sherriff (Dewsbury) (Lab): My constituent Andy is a freight train driver. He and his colleagues across 11 depots in Yorkshire and the north are under threat of redundancy following the downturn in coal traffic due to the imminent closure of Ferrybridge and Eggborough power stations and the closure of Kellingley pit. May we have a debate in Government time on the secondary impact of these closures, the unemployment that this Government have caused in the supporting industries such as freight, and how we might support those affected to find new and appropriate jobs?

Chris Grayling: Of course it is always difficult when an individual change within an industry costs jobs or leads to closures, but the hon. Lady has to understand that under this Government rail freight has continued to grow, the rail network has continued to receive new investment, and for those in the rail industry there are perhaps more opportunities today than there have been for a very long time.

Matthew Pennycook (Greenwich and Woolwich) (Lab): Edward Paddon, the son of my constituents Fiona and Scott, was just nine days old when he died, in part as a result of group B streptococcus ascending infection. Instead of looking forward to what would have been Edward's second birthday in a few months, his parents

are campaigning so that others do not have to suffer as they have. May we have an urgent debate about what can be done to ensure consistent and accurate screening for group B strep so as to prevent any more avoidable deaths of newborn babies?

Chris Grayling: This is an important and sensitive issue on which there are many opportunities to bring forward debates through the Backbench Business Committee or the Adjournment debate system. As I should have mentioned earlier, we now have the largest petition we have yet seen calling for a debate on the Floor of the House relating to meningitis in childhood. I will be discussing it with the Chair of the Backbench Business Committee because I hope that that petition is debated on the Floor of the House, rather than in Westminster Hall.

Nick Smith (Blaenau Gwent) (Lab): May we please have a statement on today's Ofcom review of Britain's broadband needs? It pointed out that too many rural communities have a very poor broadband service. This Government must do better.

Chris Grayling: We have made good progress so far but there is still work to do. The Secretary of State for Culture, Media and Sport will be here next Thursday and will be able to update the House on progress. Compared with many other countries, we are doing pretty well, but as long as there are rural communities that do not have access to high-speed broadband and to modern communications, we will continue to have a job to do.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Two weeks ago the Leader of the House was unable to answer whether legislation to ratify the Istanbul convention would be laid before the House, citing the Queen's Speech. If he and his merry men are successful in pulling us out of the EU, will the Government still have the appetite to ratify that Council of Europe convention which aids the protection of women, or do they plan to rescind membership of that organisation also?

Chris Grayling: I have no doubt that if the people of this country vote to leave the European Union, we will continue to play a very active role in the international bodies of which we are part and in the international community as a whole. Whatever happens regarding the future of this country, we will always be internationalists and we will always do the right thing by this country on the international stage.

Steven Paterson (Stirling) (SNP): The incompetent Tory-Labour administration—a coalition running Stirling council—will present its budget this evening. That will include savage cuts to social care across the Stirling area. Given the pressures being put on local government finance by the Government's austerity agenda and the welfare reforms, may we have a debate on this urgent matter?

Chris Grayling: The overall framework for economic success and for funding in Scotland rests with the SNP. The interesting thing about the fiscal framework this week is that the SNP Government will have to take

decisions in the future about getting the right balance between lower taxes and public spending, and they will find that it is a whole lot more difficult than they think.

Nic Dakin (Scunthorpe) (Lab): Farmers in my constituency tell me that the basic payments scheme has delivered late and is somewhat chaotic. May we have a statement from the Secretary of State on the performance of the Rural Payments Agency?

Chris Grayling: I am very happy to draw the Secretary of State's attention to the hon. Gentleman's concerns. If he would like to write with specific details and examples, that will make it easier for Ministers to look into what is going wrong.

Patrick Grady (Glasgow North) (SNP): May we have a debate or a statement on early-day motion 1138?

[That this House notes with serious concern proposals by the Government, published on 6 February 2016 on www.gov.uk, for a new clause to be inserted into all government grant agreements, determination letters, from the new financial year, and no later than 1 May 2016, which states that payments supporting activity intended to influence or attempt to influence Parliament, government or political parties, or attempting to influence the awarding or renewal of contracts and grants, or attempting to influence legislative or regulatory action will not be counted as Eligible Expenditure costs; further notes that the Government itself describes this as an anti-lobbying clause; shares the concerns expressed by many third sector and voluntary organisations outlined in a letter to the Prime Minister dated 11 February 2016, among them the impact

the clause may have on the ability of voluntary organisation to bring real-world experience of service users and evidence-based expertise into the public policy debate, and that those organisations working on programmes receiving any grant funding may be prohibited from speaking to hon. Members about developments in their local area, suggesting improvements to policy or legislation, responding to the Government's own consultations, meeting ministers to discuss broader issues and evidence from their programme or even from giving evidence if called by a select committee, and that the clause may therefore have a far broader impact than originally intended; believes the proposals leave the Government vulnerable to accusations of stifling criticism and informed debate about the consequences of its policies; and calls on the Government to urgently reconsider the introduction of this clause.]

It relates to the anti-lobbying clause—the gagging clause—announced by the Cabinet Office just before the recess, with little or no scrutiny or consultation. The clause threatens the ability of organisations and charities in receipt of Government grants to speak out or campaign either for or against Government policy. It should be scrapped immediately.

Chris Grayling: What the hon. Gentleman has to understand is that while in government we have found on a number of occasions bodies that we are funding using taxpayers' money to lobby us, which makes no sense at all. The Cabinet Office is trying to deliver a sensible regime, and I am sure that he will be able to debate the provision in the way he wishes when it comes before the House.

Points of Order

12.6 pm

Joanna Cherry (Edinburgh South West) (SNP): On a point of order, Mr Speaker. I seek your assistance in relation to a matter that is of some concern to me. It has been brought to my attention that on Monday, outwith my presence and without notifying me in advance, the hon. Member for South Leicestershire (Alberto Costa) raised what he described as a point of order, during which he said that I had misled the House. I should make it clear that, notwithstanding his conduct, I have afforded him the courtesy of notifying him that I would be raising this point of order today.

On Monday afternoon I asked the Prime Minister what provision he would make in a British sovereignty Bill to recognise that the principle of the unlimited sovereignty of Parliament is a distinctively English principle that has no counterpart in Scottish constitutional law. In the last part of my question I quoted directly the words of a distinguished and now deceased Scottish judge, Lord President Cooper, in the well-known Session case of *MacCormick v. Lord Advocate* in 1953. The judge's comments were obiter dicta—that is to say, an expression of opinion not essential to the decision—and therefore not legally binding as a precedent. However, they were an expression of his learned opinion and have been given due weight in the years since. Other distinguished Scottish jurists hold that view. As recently as 2005, in litigation concerning the Hunting Act 2004, *Jackson v. Attorney General*, Lord Hope of Craighead said in the House of Lords that parliamentary sovereignty is an English principle that Dicey derived from Coke and Blackstone.

It is perfectly in order for the hon. Member for South Leicestershire to disagree with me, particularly if he can vouch his position, but it is not in order for him to say that I have misled the House, especially when I had taken trouble to use my words carefully and was quoting a well-known dictum from Scots law. As you will be aware, Mr Speaker, it is a matter of particular concern to me, given my professional background, that I should not be represented as having misled the House. I am keen to have your assistance in how the record might be put straight.

Mr Speaker: I am extremely grateful to the hon. and learned Lady for notice of her point of order, of which, as she has informed the House, she has notified the hon. Member for South Leicestershire (Alberto Costa). By the way, for the avoidance of doubt, I have to decide what is and is not in order; that is simply the constitutional position. I confirm that Members should indeed inform a colleague of an intention to refer to him or her. The point of order raised on Monday by the hon. Member for South Leicestershire was—I think I can so describe it—moderately orderly in form, although, as I noted, it was not orderly in content, and for one quite simple and straightforward reason: it was not a point of order. As a mere politics graduate, I do not intend to adjudicate between two learned Members—I know that the hon.

and learned Lady is a distinguished QC—on obiter dicta by senior judicial figures, or to give a view from the Chair on Dicey. The hon. and learned Lady has made her point with characteristic force and eloquence. May I suggest that we leave it there?

Chris Law (Dundee West) (SNP): On a point of order, Mr Speaker. I wish to raise a point of order regarding rules of behaviour and courtesies in this House. During Prime Minister's questions yesterday—at a time when junior doctors are looking at yet another strike in England, and when Scotland may be dragged out of the EU unwillingly or unfairly, based on polls there on the Brexit—we had a spat between the Prime Minister and the Leader of the Opposition about a mother's opinions on behaviour and dress codes, yet SNP Members have been told off for clapping in the House. I raise the issue because we have had a huge number of complaints in the form of emails and phone calls from our constituencies. I wanted to ask for your advice on what the rules of behaviour should be and how they should be implemented, and also on whether the Prime Minister should give the House a full and proper apology for his conduct?

Mr Speaker: I am very grateful to the hon. Gentleman for his point of order. There is an important distinction here between the content of what is said and the way in which, more widely, hon. and right hon. Members behave. In respect of the first, may I suggest to the hon. Gentleman that it would not be right, or in any way favoured by the House, if the Chair, as a matter of regular course, were to try to intervene to prevent Members from expressing their own views with such examples, or references to people outside the House or to members of their families, as they think fit? I should not get involved in that, and the House would not want me to do so.

However, in respect of the second part of the hon. Gentleman's point of order—that is to say, on the overall notion of good behaviour—perhaps I can just repeat what I have many times said: the public expect us, or would want us at any rate, to conduct our arguments robustly and, doubtless, with passion, but with respect for the fact that different opinions exist. Loud heckling and organised barracking are widely deprecated outside this House. The notion that there is something clever about it, and that it is all very good fun, seems to me to be completely perverse, and I would very politely say, with no reference to any particular hon. Member, that perhaps all hon. Members, before indulging in noisy heckling, barracking or ad hominem abuse, should ask themselves this: would I be content for my behaviour to be seen and heard by my constituents? It is our constituents that we are here to serve. The point is so blindingly obvious that only a very clever and sophisticated person could fail to see it.

Perhaps we can leave the matter there for today, but I am genuinely grateful to the hon. Gentleman. I rather suspect that the flurry of emails that he might have received about conduct will not be an isolated case—I get quite a lot in my own office.

European Affairs

12.13 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr Philip Hammond): I beg to move,

That this House has considered European affairs.

In just under four months' time, the British people will face a choice—one that has been denied to them for many years—that we pledged to give them in our election manifesto and that we are now delivering; a choice that will have profound consequences for this country for a generation or more—whether to remain in the European Union on the basis of the deal negotiated by the Prime Minister or to leave.

The last time the British people were consulted on this question, 40 years ago, the answer was a clear yes, but much has changed in that 40 years, and the fact that we are holding this referendum now is recognition of a growing unease at the direction in which the EU has evolved—a growing sense that Europe was pursuing a goal that Britain did not share, and that we risked being dragged into a level of political integration for which few in Britain have any appetite.

For 25 years, I have shared that sense of unease. I have always considered myself a sceptic, and I consider myself a sceptic today. Like most people in Britain, I do not feel any warmth or affection for the EU or its institutions. I am irritated by the tone of much of what I hear coming from Brussels and instinctively suspicious of anything that sounds like a “grand projet”. But we do not live in some ideal world; we live in the real world, and the EU is part of that real world. The question that we have to answer is not: do we like it? The question we have to answer is whether we are stronger, safer and better off in the EU rather than out of it. Stronger, because our global influence is enhanced by being a leading member of the world's largest trading bloc. Safer, because working together with EU partners strengthens our defences against organised crime and terrorism. Better off, because Britain benefits from having a domestic market of 500 million consumers and the clout that a quarter of the world's GDP gives the EU in negotiating trade deals.

Mr Pat McFadden (Wolverhampton South East) (Lab): The Prime Minister has said in recent days that his view of the European Union's impact on our collective security had changed over the years because of his experience as Prime Minister. The Foreign Secretary would probably be thought of by many people as having a Eurosceptic background. Has his experience as Foreign Secretary also changed the balance of his view on the European Union's impact on our collective security?

Mr Hammond: Yes, it has. First as Defence Secretary, and now as Foreign Secretary, I have seen how, in practice, working with EU partners is an important tool in our armoury. Of course, the EU will never, in any way, replace the security benefit that we get from NATO; it does a different thing. However, we have seen in the conflict over Ukraine that economic sanctions—which, in reality, are the only practical weapon available to us in responding to the challenge of Russia—when

properly honed and consistently used by the European Union, will prove to be a very important weapon in our armoury against Russian aggression.

Sir Edward Leigh (Gainsborough) (Con): This Government have rightly been critical of previous Governments for not having an independent audit of our national finances, and they have set up the Office for Budget Responsibility. *[Interruption.]*

Mr Speaker: Order. That was a very discordant noise—nothing like as mellifluous as the voice of the hon. Member for Gainsborough (Sir Edward Leigh), to whom I know the hon. Member for Harwich and North Essex (Mr Jenkin) will shortly be apologising.

Sir Edward Leigh: Well, back to my theme. We have set up the Office for Budget Responsibility. The Foreign Secretary is rightly doing a sort of cost-benefit analysis of this issue. Why do the Government not institute an independent study, by a genuinely independent body, to go in some detail into the effects of a Brexit, plus or minus, on, say, GNP? That would surely be very useful.

Mr Hammond: The problem with the challenge my hon. Friend presents—it is going to be a recurrent theme in this debate, I suspect—is that we simply do not know what the counterfactual is. We do not know what Britain's situation outside the European Union would be. We do not know whether a deal could be negotiated with the remaining 27. We do not know what free trade agreements could be negotiated with other parties, and we do not know on what timescale those could be achieved. We do not know what damage would be done to our economy in the meantime. I fear that the objective analysis my hon. Friend is seeking might be very difficult to achieve.

Damian Green (Ashford) (Con): The Foreign Secretary is advancing the case of the economic benefit of Britain's membership of the European Union, and he may like to hear the verdict from Britain's manufacturing industry. Yesterday, at the Engineering Employers Federation, I took part in a debate with a senior member of the Vote Leave campaign, at the end of which 800 of Britain's manufacturing companies voted by 83% that they would prefer Britain to stay in the European Union. That is what is happening in the real world among real people who make real things for Britain's benefit.

Mr Hammond: I am unsurprised by the figure that my right hon. Friend quotes, because in the world of manufacturing, where supply chains are increasingly complex and internationalised, the operation of the single market, and particularly the operation of the customs union, will be increasingly important to the competitiveness of British businesses. There are substantive reasons that business can see for remaining in the European Union, but there is another reason over and above that: business hates uncertainty, and the one thing that is becoming crystal clear is that whatever the end state might be if there were a British exit, for a period of years—perhaps many years—there would be very significant uncertainty, and that would act as a chilling effect on investment, job creation and business confidence in the United Kingdom.

Several hon. Members *rose*—

Mr Hammond: I will take one more intervention and then I must move on.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): I appreciate that the Foreign Secretary is just a couple of minutes into his speech, but in the opening minute we heard a series of negative words used to describe our relationship with the European Union. I think I might have heard the words “suspicious” and “sceptical”. I wonder what our friends in France and Germany might be thinking as they watch this debate when somebody who is apparently in favour of our being members of the European Union is using such language. Coming from the in campaign, is this the type of debate that we can expect in relation to our relationship with Europe?

Mr Hammond: I think it is important that our friends and partners in Europe understand—I say this to my colleagues very regularly—that for the great majority of people in this country there is no passion about a European vision. We find in some European countries genuine passion for the idea of Europe, but that is not the British way. Lots of people in this country believe that we should remain in the European Union because it is good for Britain and good for our economy—because we are stronger, safer, and better off. That is not the same as being passionately attached to some idea of a European vision.

Several hon. Members *rose*—

Mr Hammond: I am going to make a little progress, if my right hon. and hon. Friends will allow me.

The PM’s pledge was to engage with our partners in Europe to agree a series of reforms to get the EU back on track and to change the terms of our membership to protect our interests, and then to put the question to the British people. He has delivered on that pledge.

Sir Gerald Howarth (Aldershot) (Con): Will my right hon. Friend give way?

Mr Hammond: I will in just a moment.

So the question is this: should we stick with what we know, bank the gains that the Prime Minister has brought back from Brussels, and continue to fight from the inside for reform, or should we take a leap into the dark? For me, the answer is clear: I am a sceptic who will vote with my head to remain because I know in my heart that that is what is right—what is best—for Britain.

Wes Streeting (Ilford North) (Lab): I share the Foreign Secretary’s view that what the Prime Minister has returned with is better than what we had before, but will he say something about the legal status of the agreement, particularly the assertion by the Lord Chancellor, no less, that it is not legally binding? I respect the fact that the Lord Chancellor takes a different view from the Prime Minister, but how can his position as a senior legal Minister for the Government possibly be tenable when he is arguing that the deal is not legally binding and the Downing Street position is the precise opposite? Surely his position is untenable and Cabinet collective responsibility has been stretched too far.

Mr Hammond: As the hon. Gentleman will know, the principle of collective responsibility has been suspended in respect of this debate to allow Ministers to express a different opinion from that of the Government. Our position is clear: this is a legally binding agreement. It was registered yesterday at the United Nations as a treaty. The overwhelming majority of qualified legal opinion recognises that it is a legally binding international law decision.

Several hon. Members *rose*—

Mr Hammond: I will give way to my hon. Friend the Member for Wycombe (Mr Baker) and then I must make a little progress.

Mr Steve Baker (Wycombe) (Con): Will my right hon. Friend explain what effect registering the document at the UN has, and on what basis he says that any of this is legally binding?

Mr Hammond: I am not a lawyer, so it is not a question of the basis on which I say it is legally binding, but there has been a plethora of qualified legal opinion supporting the view that it is a legally binding decision. Registering it at the United Nations records it as a treaty-status international law obligation. The document will be taken into account by the European Court of Justice, whose own decisions in the Rottmann case have established that it must have regard to interpretative decisions by Heads of State and Governments. The document itself makes it clear that it is legally binding.

Sir William Cash (Stone) (Con): Will my right hon. Friend give way?

Mr Hammond: I am going to make a little progress.

Let me recall what we set out to achieve and what has been delivered. First, we set out to protect British jobs and ensure a level playing field in Europe for British business, because the creation of the eurozone and the greater level of co-ordination needed between eurozone countries created a very real risk either that non-Eurozone countries such as Britain would be dragged into integration that we do not need and do not want, or that our businesses would suffer discrimination because of our decision to retain our own currency. So alongside the crucial exemption from steps of further integration, we needed to negotiate clear safeguards for the pound, the exemption of British taxpayers from eurozone bailouts, protection against discrimination for Britain’s world-leading financial services industry, a clear role for the Bank of England, and a clear commitment that we will have a full say in the functioning of the single market while not being part of the single currency. This deal delivers all those demands in a legally binding agreement, underpinned by the commitment by all EU member states to enshrine those UK safeguards in treaty change.

Sir William Cash *rose*—

Mr Hammond: I thought my hon. Friend might take his cue from my using the words “legally binding” again.

Sir William Cash: But what the Foreign Secretary is not doing is using other words that are part of this package—not only “legally binding” but “irreversible”.

As he knows, the question of whether this is irreversible is highly contentious. It is clear from the evidence that has been received, and indeed from the European Scrutiny Committee's report, that it is not irreversible.

Mr Hammond: I have to disagree with my hon. Friend. The decision is irreversible unless Britain chooses to allow it to be reversed, because it could be reversed only by all 28 member states agreeing. I can assure him that, certainly for as long as this Government are in office, Britain will never agree to that happening.

Emma Reynolds (Wolverhampton North East) (Lab): Does the Foreign Secretary agree that this morning's BBC interview with the former Danish Prime Minister Anders Fogh Rasmussen was very useful? He explained that Denmark's opt-outs with the European Union are based on exactly the same type of legal basis and have not been reversed in the years that they have been in place.

Mr Hammond: The hon. Lady is exactly right. The Danish agreement has been in place for 23 years and continues to serve Denmark extremely well.

Mr Jacob Rees-Mogg (North East Somerset) (Con): Will my right hon. Friend give way?

Mr Hammond: I am going to make a little progress now.

The second area we set out to address was Europe's impact on competitiveness. We have achieved a commitment to completing the European single markets in services—a key area for Britain given the importance and competitiveness of our services sector—in digital; in energy, to ensure greater competition and lower energy bills for British households; and in capital, ensuring greater access to sources of finance for our entrepreneurs. We have also delivered a clear commitment to prioritising international trade agreements with the largest and fastest-growing economies across the globe, with the potential to boost our economy by billions of pounds a year; and agreement to cut the burden of EU regulation on business, with specific targets to be set for key sectors. That builds on a programme of work that the Commission is already undertaking, which has already slashed by 80% the pipeline of regulatory proposals, and bakes the deregulatory approach into the DNA of the European Union.

The third area in which this deal delivers is in ending the abuse of the principle of free movement to work in order to access the benefits of our welfare system, which are paid for by hard-working British taxpayers. We have already ended access to unemployment benefits and social housing for new arrivals and limited their time in which to find a job to six months. The package agreed last Friday gives us new powers to exclude criminals from EU countries, and stops EU nationals dodging British immigration rules to bring family members from outside the EU to live in Britain.

Under this agreement, we can apply our rules, including on minimum income and English language competence. It ends the unfairness of child benefits at British rates being sent to children living in countries with much lower living costs, and it gives us a new seven-year emergency brake to ensure that EU migrants will not

have full access to in-work benefits until they have been in the UK for four years, answering the perfectly reasonable question: why should people take out when they have not paid in? Under this new arrangement, they cannot do that—no more something for nothing. Taken together, this is a package that will address the concerns of the British people about abuse of our benefit systems and erosion of our immigration controls.

Mr Rees-Mogg: On child benefit, will the Foreign Secretary confirm that the agreement does not meet the promise set out in the Conservative party manifesto, which said:

“If an EU migrant's child is living abroad, then they should receive no child benefit or child tax credit, no matter how long they have worked in the UK and no matter how much tax they have paid”?

That has not been achieved. It is a failure.

Mr Hammond: As I have said before in this House, any reasonable person will look at the package that has been delivered. We have been clear from the outset that tackling abuse of our welfare system is about reducing the pull factor that makes the UK a target for inward migrants because they can get their wages topped up with a variety of benefits. The proof of the pudding will be in the eating. Although my hon. Friend can pick on a specific part of the package, I think that most reasonable people will want to look at it in the round.

Mr Nigel Dodds (Belfast North) (DUP) *rose—*

Patrick Grady (Glasgow North) (SNP) *rose—*

Mr Baker *rose—*

Mr Hammond: Let me make a little progress. The fourth area in which this deal delivers concrete change is in protecting us from political integration under the mantra of “ever closer union”. The British people have never believed in political union and have never wanted it, and now there is a clear and binding legal commitment to a treaty change to ensure that the United Kingdom will never be part of it. That is a crucial change that alters fundamentally the UK's relationship with the EU, setting out clearly, in black and white, that the UK's destination will be different from that of the rest of the EU.

Mr Nigel Evans (Ribble Valley) (Con): The promise on child benefit was in our manifesto, so what will people think of the 2020 Conservative manifesto if we promise things we cannot deliver?

Mr Hammond: The Prime Minister gave a commitment to go to Brussels, to negotiate hard and to bring back the very best deal that he could achieve. That is what he has done. I think that people will look in the round at the commitments that were made and what has been delivered. In the end, it will be the British people who give their verdict on that package.

Patrick Grady: The Foreign Secretary has talked many times about the opinions of the British people, but does he not accept that there is a divergence of opinion across the United Kingdom, with a clear majority in Scotland in favour of remaining in the EU and

[Patrick Grady]

considerably more sympathetic to the European project? I grew up in the Scottish highlands, where there are bridges and roads that simply would not exist without the gold-starred blue flag pinned alongside them. There is a lot more sympathy and appreciation among the people of Scotland for the positive things that the European Union has achieved.

Mr Hammond: This is a UK-wide question and a UK-wide referendum. I sincerely hope that when the dust has settled and the counting is done, the hon. Gentleman will discover that a significant majority of people across the United Kingdom believe that Britain is better off, stronger and safer inside the EU. When the debate plays out, however, I hope he has a stronger argument than, “They bunged us a few quid to build a road”, because, frankly, that is not a sustainable argument across the European Union as a whole.

Several hon. Members rose—

Mr Hammond: I am going to make a little progress. I am happy to take interventions, but in doing so I am conscious that I am eating into the time available for debate.

We have also set out to strengthen the powers of this Parliament and of the British people. In the last Parliament, we legislated, through the European Union Act 2011, to ensure that no more powers could be handed to Brussels without the explicit consent of the British people in a national referendum. That Act introduced a vital check on the one-way ratchet of the transfer of powers from Westminster to Brussels.

This deal goes further, breaking the ratchet once and for all, with a new mechanism to return powers from Brussels to national Parliaments. For new legislation, the UK Parliament, working with the other national Parliaments, will be able permanently to block proposed EU legislation that a majority of them do not want, through a red card system.

The declaration, signed by all 28 member states, that we secured at the European Council last Friday is, as I have said, legally binding in international law and has already been registered as a treaty at the United Nations. Authoritative legal opinion is clear on this point. It cannot be undone without the consent of every single member state, including Britain. The agreement commits all member states to changes, in due course, to the EU treaties to enshrine the protections for Britain as a non-member of the eurozone, and to confirm explicitly that ever closer union does not apply to the UK.

Mr Rees-Mogg: I am grateful to my right hon. Friend for giving way a second time. He phrases himself incredibly carefully. He says, quite correctly, that the agreement is binding in international law, which is not justiciable, but it is not binding in European law, where it has only to be taken into account by the European Court of Justice. Nor is it irreversible, otherwise section A(7) could not say:

“The substance of this Section will be incorporated into the Treaties at the time of their next revision in accordance with the relevant provisions of the Treaties and the respective constitutional requirements of the Member States.”

If it requires the respective constitutional procedures of the member states, that means that if they are not followed, it will not be implemented.

Mr Hammond: In the Rottmann decision, the ECJ itself made clear that it had to take account of a decision of this nature. I say to my hon. Friend and others who repeatedly make points about the legally binding nature of agreements that we are having a substantive debate about the future of Britain, in or out of the European Union. We have a package that has been agreed by all 28 countries and endorsed by their Heads of State and Government. It is not only legally binding, it is a solemn political commitment. I advise colleagues to address themselves to the substantive issues that we are debating, namely Britain’s place in the European Union and what the world would look like from the perspective of a Britain outside the EU.

Sir Gerald Howarth: I want to take the Foreign Secretary back to the serious substantive point that he made at the outset of his speech. He and the Prime Minister claim that somehow this deal enhances the security of Europe. By asserting that the EU has a role in the defence matters of Europe, they are going down an extremely dangerous line, playing into the hands of those such as Mr Juncker, supported by Chancellor Merkel, who want an EU army. There is a real risk that NATO will be undermined. The Foreign Secretary and the Prime Minister should address that issue, rather than have a junior spin doctor in No. 10 twisting the arms of former senior military officers to sign a letter to *The Daily Telegraph*, from which two signatories have already resiled.

Mr Hammond: My hon. Friend, who served with me in the Ministry of Defence, will know that no one is as alert as I am to the risks of undermining NATO’s crucial role in underpinning the defence of western Europe. We have always been very clear that any role played by the European Union in our defence must be complementary to, and in no way undermine, the role of NATO. I remind him that, when we took part in the counter-piracy operation to interdict terrorists pirating ships crewed by British citizens off the coast of Somalia, it was led by a British admiral based in Northwood, but it was a European Union mission that carried out the task. We have to look for roles in which the European Union can augment our security and safety. We are seeing that across the piece in organised crime and counter-terrorism. We see it today, and we have seen it in past years.

Richard Drax (South Dorset) (Con) *rose—*

Mark Pritchard (The Wrekin) (Con) *rose—*

Mr Hammond: I will make a little progress, if my hon. Friends will allow me.

These changes, taken together with our existing opt-outs from the euro, from Schengen and from justice and home affairs measures, give Britain a special status within the EU; indeed, it is a unique status. That gives us the best of both worlds: a seat at the table to protect our interests, but a permanent opt-out from those areas

of the EU that we reject—out of ever closer union and political integration, out of Schengen, out of the euro and out of eurozone bailouts.

This is a significant package, delivering the substantial, legally binding and irreversible changes that we promised. But let me be clear: no one is suggesting that it solves all the problems of the EU. The deal is not the end of the reform of the EU, but it is an important step on the road.

No matter which side of the debate we are on, I hope that we will at least be able to agree across the House that the decision will be one of profound significance for the future of our country. It will be a choice that determines our trajectory for a generation or more. Let me be clear; the Government will respect the outcome of the referendum, whatever the result. There will be no second referendum. The propositions on the ballot paper are clear, and I want to be equally clear today. Leave means leave, and a vote to leave will trigger a notice under article 50. To do otherwise in the event of a vote to leave would represent a complete disregard of the will of the people. No individual, no matter how charismatic or prominent, has the right or the power to redefine unilaterally the meaning of the question on the ballot paper.

Andrew Gwynne (Denton and Reddish) (Lab): The Foreign Secretary is absolutely right to make it clear that this is a one-time referendum and that the decision is in or out. If it is out, I think that the British people need to know what they would be going out to. Does he agree that it is about time the vote leave-ers set out precisely their vision of Britain outside the European Union?

Mr Hammond: I agree with the hon. Gentleman, and I am about to come to that point. I hope that my remarks might provoke some of my hon. Friends to put some flesh on the bones of what leaving might mean. I will say something about the consequences of, respectively, a vote to leave the EU and a vote to remain.

Nick Herbert (Arundel and South Downs) (Con): Will the Foreign Secretary give way?

Mr Hammond: Let me make my point, and then I will happily give way to my right hon. Friend. A vote to leave is a vote for an uncertain future. That is a simple fact. That uncertainty would generate an immediate and negative reaction in financial markets; on that, all market commentators agree. Indeed, the mere possibility of a leave vote will have a chilling effect on business confidence even before the referendum.

Mr McFadden: It is already happening.

Mr Hammond: As the right hon. Gentleman suggests from a sedentary position, we have had a foretaste of that this week in the currency markets.

A vote to leave would trigger a fixed two-year time period under the treaty for the UK to negotiate the terms of our exit from, and our future relationship with, the EU. We would, of course, seek to reach agreement with the other 27 member states during that two-year period. In the meantime, however, we would be able to offer British businesses that wanted to invest

no assurance at all about their future access to EU or other markets. We would have nothing to say to Japanese, American or Chinese companies that come here looking for a base from which to produce for the EU market. That would be truly a leap in the dark, and the effect would be to put the economy on hold until the negotiations were completed. At the end of those two years, there is no guarantee that agreement would have been reached, but our exit would be automatic unless every single one of the remaining member states agreed to an extension of the negotiating period.

Nick Herbert: My right hon. Friend is rightly drawing attention to the potential impact of Brexit on our economy, but may I take him back to the issue of security? It was suggested earlier that there would be no adverse consequences for security from our leaving the European Union, because we would remain members of NATO. Did he hear the remarks this morning of the former Secretary-General of NATO, Anders Fogh Rasmussen, who said:

“If the UK were to leave the European Union, the voice of the UK would be weakened”?

He concluded:

“I would strongly regret if Britain were to leave the European Union. A lot is at stake when it comes to security.”

Should we not listen to former Secretaries-General of NATO, as well as to former military commanders, and have some respect for their views?

Mr Hammond: Mr Fogh Rasmussen is not merely a former Secretary-General of NATO, but a former Prime Minister of Denmark. That country can tell us something about the binding and enduring nature of protocols that are made in EU negotiations. It is important to acknowledge that security comes in different parts: military security and defence, but also security against organised crime and against terrorism. The EU makes its most important contribution to our overall security in the latter two.

Alex Salmond (Gordon) (SNP): The Foreign Secretary invokes article 50. Before notification was given under article 50, given that the referendum is an advisory one in terms of the constitution, would there be a vote in Parliament? Would there also be a vote in the Scottish Parliament, given the impact on devolved competencies under the Sewel convention?

Mr Hammond: The Government’s position is that the referendum is an advisory one, but the Government will regard themselves as being bound by the decision of the referendum and will proceed with serving an article 50 notice. My understanding is that that is a matter for the Government of the United Kingdom, but if there are any consequential considerations, they will be dealt with in accordance with the proper constitutional arrangements that have been laid down.

Mr Bernard Jenkin (Harwich and North Essex) (Con): I rather concur with the right hon. Member for Gordon (Alex Salmond), because I think that before the Government could move to any action as a consequence of the referendum, it would be essential for Parliament to debate the matter and for the Government to obtain consent from Parliament.

[*Mr Bernard Jenkin*]

On the question of what happens if we leave, may I enlighten the Foreign Secretary? First, there is no obligation to go for article 50. Secondly, we would be taking back control over our borders, our laws and the £10 billion a year net that we give to the European Union. It would buy us plenty of options, which the Government seem determined to prevent us from even discussing.

Mr Hammond: My hon. Friend raises again the suggestion that there is no need to treat an exit vote as triggering a notice under article 50. He seems to suggest that there is some other way of doing it. He raised the question on Monday and I looked into it, because he caught my imagination, but I have to tell him that that is not the opinion of the experts inside Government and the legal experts to whom I have talked. We are bound by the treaty until such time as we have left the European Union. The treaty is a document of international law, and Ministers are obliged under the terms of the ministerial code to comply with international law at all times.

The UK's current access to the single market would cease if we left the EU, and our trading agreements with 53 countries around the world would lapse. It is impossible to predict with any certainty what the market response would be, but it is inconceivable that the disruption would not have an immediate and negative effect on jobs, on business investment, on economic growth and on the pound. Those who advocate exit from the EU will need to address those consequences—the substantive consequences, of the kind that the British people will be most focused on—in the weeks and months of debate to come.

I want to say something about the environment in which the putative negotiations would be conducted, because it is crucial to understand how difficult the discussion would be.

Over the past 18 months, I have got to know pretty well my EU counterparts, and in many cases their senior officials, as well as the opposition figures in most of their countries and key figures in the Commission and the European Parliament. There is, perhaps surprisingly, an overwhelming consensus among them about the importance of Britain remaining a member of the EU. However, they, too, are politicians: they, too, have constituents to whom they are having to explain, even now, why Britain adds so much value to the EU that it has to be allowed a unique and privileged set of arrangements that are not available to any other member state. They have, collectively, already invested a lot of political capital in delivering on Britain's agenda. I tell the House, frankly, that if we reject the best-of-both-worlds package that has been negotiated by the Prime Minister and if we reject the unique and privileged position in the European Union that is on offer to Britain, the mood of good will towards Britain will evaporate in an instant. That would be our negotiating backdrop. To those who say they would have to negotiate—

Mr Nigel Evans: Will the Foreign Secretary give way?

Mr Hammond: I will in a moment, but this is important. People are talking about a negotiation that we might have to have with 27 other member states, and it is important to think about the mindset of those 27 other

member states as they go into such a negotiation. To those who say that they would have to negotiate a sweetheart trade deal with a UK outside the EU, I say this: there will be no desire at all among the political elites of the remaining 27 member states to help an exiting Britain show that it can prosper outside the EU. On the contrary, they will interpret a leave decision as two fingers from the UK, and we can expect precisely the same in return. The idea that they will go the extra mile to ensure that Britain can remain a destination for foreign direct investment to serve the EU market or that our financial services industry can compete in the European market on a level playing field is, frankly, fantasy land.

Several hon. Members *rose*—

Mr Hammond: I give way to my hon. Friend.

Mark Pritchard: I am grateful to the Foreign Secretary—

Mr Jenkin: Rent an MP!

Mark Pritchard: I am showing respect, and I am sure my hon. Friend would want to show respect as well. I think if you insult people, you have a weak argument.

Does not the United Kingdom have a veto over foreign policy in Europe? If we were to leave the European Union, the United Kingdom would have less influence, by definition, on European Union foreign policy, and it would be more likely that European Union foreign policy was dominated, for good or bad, by France and Germany.

Mr Hammond: My hon. Friend is right. These are the complexities: obviously, if we were outside the European Union, we would not be bound by any foreign policy of the European Union, but, equally, we would not have any influence and, in this case, that influence is decisive because of our veto over that policy. It is a judgment, and people will have to weigh up the pros and cons.

Richard Drax: The Foreign Secretary used the expression “the political elites”. He slipped into using it just naturally. The political elites are the main problem, because they ignore the voter. If that goes on, it will just happen more and more.

Mr Hammond: Rather to my surprise, I agree with my hon. Friend. I shall use the phrase “the political elites” again in my speech, because he is absolutely right: there is a gap between what the political elites in some European countries are thinking and what their voters are thinking. However, on the subject we are discussing—a putative negotiation on Britain's future relationship with the European Union—the reality is that our negotiators would have to engage with those political elites.

Mr Nigel Evans: Will the Foreign Secretary give way?

Mr Hammond: I will in a moment, but I want to make a little more progress.

In addition, any market access we agreed with our former EU partners would come at a very high price. We know that because we know what the basic models are for access to the single market for non-EU member states. We can look at Norway: pay up as if you were a

member state, accept all the rules as if you were a member state, allow full free movement across your borders as if you were a member state, but have no say, no influence and no seat at the table; or Switzerland: spend eight years—

Mr Jenkin: It's silly.

Mr Hammond: My hon. Friend says it is silly, but it is a fact that that is where Norway is today. It is a fact that it took Switzerland eight years to negotiate piecemeal access to the single market sector by sector, and it has had to accept three times as many EU migrants per capita as the UK. That surely cannot be the future for Britain that the leave campaign seeks: it is literally the worst of both worlds.

Mr Nigel Evans: I am interested to know my right hon. Friend's judgment on the character of our fellow EU countries. Is he really saying that Germany would be so vindictive and spiteful that it would cut off its nose to spite its face? According to a House of Commons Library paper, we export £43.3 billion of goods and services to Germany and it exports £70.6 billion of goods and services to us, which is a deficit of £27.3 billion. Is he really saying that Germany is so vindictive and spiteful that it would close its door to that?

Mr Hammond: I want to make two points in response to my hon. Friend. He is of course absolutely right that Britain has a substantial deficit in trade in goods with the European Union. If all he is seeking is a free trade agreement for trade in goods—

Mr Evans: Goods and services.

Mr Hammond: I am talking about trade in goods. If that is all my hon. Friend is seeking, it would be relatively simple to negotiate, but Britain will need much more than that if we are to get a fair deal for Britain's businesses and to protect British jobs.

I want to make another point to my hon. Friend. He is of course right that economic and business voices from across Europe would argue for a free trade deal of some description with the UK. However, the political elites would look over their shoulder at the effect of a British exit and at their political opponents in their own country, and they would be fearful that what they see as contagion might spread. They do not wish to do anything that would help us to demonstrate that Britain can succeed outside the European Union. That is a simple political fact. Everyone in the Chamber is a politician, and we all know how such a calculation works: when the chips are down, they will protect their political interests.

Emma Reynolds: Does the Foreign Secretary agree that those who advocate that we leave express a big inconsistency? On the one hand, they say, "When we are in the European Union, we can't get anything we want", but on the other hand, they say, "If we come out of the European Union, we will have precisely what we want".

Mr Hammond: The hon. Lady has put her finger on it. That is what this debate will hinge on. Those who propose that we remain argue that we should stick with a proposition we know and understand, and lay on top

of that the additional benefits that the Prime Minister has gained for us in the negotiation. Those who propose that we leave do not know—because they cannot know—what they are proposing to the British people. They can tell us what they would like to achieve and what they would hope to negotiate, but by definition they cannot know until afterwards and the British people cannot know until afterwards what proposition they would be voting for.

Mr Jenkin: Will my right hon. Friend give way?

Mr Hammond: No. I want to move on to setting out what I see as the consequences of Britain deciding to remain.

If Britain decides to remain a member of the EU, I want it to do so with the mindset of a leader. Having renegotiated the terms of our membership and secured the protections we need against further integration, we need to be a loud voice in the EU. We need to exercise our influence as Europe's second largest economy and the recognised leader of its reform movement. We need to stop seeing ourselves as passive victims of the EU, and start to see Britain for what it is—one of the most powerful and influential member states, and one to whom others look for leadership in keeping the EU on track as a competitive, outward-looking, free-market union that is engaged with the challenges of a globalised economy.

We can take on that role because Europe is changing. There was a time when Britain, with its sceptical approach to the European project, really was in a minority of one, but the political balance across the EU is shifting away from an unquestioning acceptance of the inevitability of "more Europe" to an engaged scepticism—a desire for the EU to focus on where it can add value, leaving the member states to get on with their own business where it cannot; and a recognition of the benefits of membership, with an increasing focus on the costs and a healthy pragmatism about the limits to what the EU can deliver. In Denmark, Finland, Poland, Hungary and other Baltic and eastern European member states, we increasingly find like-minded partners who share our vision of Europe. Even in the Netherlands, one of the founder member states, the mood has shifted sharply. In that country, there is a slogan that rather neatly sums up what I think most people in Britain think about the EU: "National where possible, Europe where necessary." Across the continent, the population, as opposed to the political elites, has become more sceptical about the EU and more focused on the need for reform and accountability.

Jim Dowd (Lewisham West and Penge) (Lab): On the very point that the Foreign Secretary has just made, has he noticed that an increasing number of EU member states are looking enviously at the deal that Britain has managed to secure—I will leave the qualitative judgment to others—and seeing that this is a route that they want to take advantage of, because there is a huge appetite for reforming the European Union to ensure that it serves the people of Europe and not just the political elite?

Mr Hammond: The hon. Gentleman is right and that is my case: Britain can lead that reformist tendency within the European Union, which is subscribed to by

[Mr Philip Hammond]

more and more member states and by the populations in even more member states where the political elites have not yet woken up to the new reality.

Let us be clear with our neighbours that although the package agreed in Brussels last week is a big enough step forward to allow us to recommend to the British people staying in the EU on these special terms, they should not for a moment imagine that a UK recommitted to EU membership will rest on its laurels. They should expect to deal with a UK that fights continuously at the head of a growing phalanx of like-minded member states to keep the EU on the track of reform and competitiveness. They should expect us to police rigorously the delivery of the promises that have been made on deregulation, the repatriation of power, eurozone fairness, single market progress and trade agreements.

The choice for Britain is simple: a leading role in a reformed EU or a leap in the dark to negotiate from a position of weakness with the 27 member states we have just snubbed; driving the expansion of the single market and EU trade agreements from within or watching from outside as the rules of the market are shaped by the interests of others.

The special status that Britain has on offer means that we can have the best of both worlds. We can be in the parts of Europe that work for us and permanently out of those that do not. We can influence the decisions that affect us, shape the world's largest market and co-operate to keep Britain safe, strong and better off, with the status of our pound and the Bank of England guaranteed and our exclusion from eurozone bail-outs confirmed. We will be out of the passport-free Schengen area and permanently protected from further steps of integration towards a European superstate, and new commitments will be made and mechanisms established to reduce burdens on business and return powers to member states. Of course there is more to do, but as we move towards the referendum, this Government have no doubt that on these terms, the United Kingdom is safer, stronger and better off inside a reformed European Union.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The House has tested the Foreign Secretary with a great many interventions this afternoon, and he has been patient and courteous in answering them fully, but it has taken considerable time. I warn hon. Members who have in their heads or in their hands long speeches that they intend to deliver that I will have to impose a time limit on Back-Bench speeches of nine minutes later in the day.

1.4 pm

Hilary Benn (Leeds Central) (Lab): Almost 41 years ago, this House debated the terms of a renegotiation of our place in Europe prior to a referendum of the British people. On 7 April 1975, this is what the opening speaker in that debate said:

“for many hon. Members, as for millions outside the House, the issue is not limited to an assessment of the outcome of the renegotiations. Many...have already made up their minds...There will be a substantial body of opinion...who believe...that Britain

should be in the Community for the greater economic good of Britain in a changing world...Equally there is a substantial body of opinion which is fundamentally opposed to British membership and which holds that no possible renegotiations could have changed the nature of the Community sufficiently to enable it to support British participation.”—[*Official Report*, 7 April 1975; Vol. 889, c. 821.]

Those were the words of the Labour Prime Minister, Harold Wilson, who, incidentally, gave the British people a decision about their place in Europe. Those words remind us that some things never change, although then it was the Labour party that was split over our place in Europe and the Conservatives who were united, whereas now there has been a complete reversal of roles. History is repeating itself in mirror image.

Sir Edward Leigh: As we are talking about history, can we at least agree that the right hon. Gentleman's late, lamented and great father and Enoch Powell were right during those historic debates in the early 1970s that this was a unique endeavour and that what we were signing up to in the European Communities Act 1972 was quite unlike any other treaty, because it established the supremacy of the European Court of Justice over this House? Can we at least agree that there is no halfway house—we are either under EU law or we are not? That is what this referendum is about.

Hilary Benn: Indeed, that is the case. The Labour party—not the Conservative party—decided that the British people should have their say precisely because that kind of transfer of sovereignty is a decision that should rest not with this House of Commons, but with the British people. The British people made their choice and decided by a significant margin to remain in the European Community.

I was about to mention the Prime Minister's reception on Monday. My right hon. Friend the Member for Wolverhampton South East (Mr McFadden) is fond of describing some right hon. and hon. Members as the “desperate to be disappointed”. It is fair to say that on Monday, those people were indeed disappointed, because they were never going to be satisfied.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): The right hon. Gentleman gives the impression that the Labour party is completely united in its position, but that excludes the public statements of some of his colleagues that they are in favour of leaving the European Union and the many Labour organisations around the country that are already campaigning for us to pull out.

Hilary Benn: I am not sure that I will bow to the hon. Gentleman's alleged greater knowledge of the opinion of Labour organisations up and down the country on the European Union. Labour Members of the House of Commons overwhelmingly support Britain remaining in the European Union, as we shall hear in their contributions later, and in the trade union movement there is strong support for Britain remaining, for reasons that I shall come to later. The truth is that we have changed our view, and that strengthens our argument for remaining in the European Union.

The Prime Minister was never going to come back with a deal that he did not feel able to recommend because, as we know, he did not want the referendum in

the first place and was forced to concede it only by the turmoil and disagreement on his Benches. The deal does contain some useful and important changes, some of which we called for. The red card, as the Leader of the Opposition reminded the House on Monday, was a commitment in our election manifesto. There is protection for the pound because we are not in the euro, and it was the last Labour Government that took the decision not to join the euro—and how wise a decision was that? We support reforming the sending of child benefit to children living in other European countries, and the establishment of the principle of fair contribution, namely that those coming to work in this country should pay in before they receive in-work benefits.

The choice that the British people now face will rest not on the terms of this renegotiation, but on something much bigger and more important: how will our economy and trading relationships, and our prospects for investment, be affected by taking a step into the unknown; how do we see ourselves as a country; and what is our place in the world and in Europe now and in the years ahead?

Patrick Grady: What is the Labour party's position on whether it would be appropriate for Scotland to be taken out of the European Union against its will?

Hilary Benn: The Labour party's position is to respect the decision that the Scottish people took in the referendum when they rejected independence. We are one United Kingdom, and the decision will be taken by the people of the United Kingdom. Labour Members are clear that we support Britain remaining a member of the European Union. We held that view before the renegotiation, and we hold it today. The European Union has brought us jobs, growth, investment and security, and I argue that it gives us influence in the world. Before exploring each of those benefits in turn, let me briefly address two essential arguments made by those Conservative Members who think that we should leave—namely, sovereignty and taking back control.

Sir Gerald Howarth: The right hon. Gentleman said that the EU has brought much in the way of prosperity and jobs, and that does apply to the United Kingdom. Sadly, however, it does not apply to other countries such as Spain, Portugal and Greece, which are also members of the EU. Why are they suffering so much unemployment and low growth, while the United Kingdom is prospering? Is the difference that we, as well as being members of the EU, are led by a Conservative Government?

Hilary Benn: I am afraid the hon. Gentleman will not tempt me to agree with him on that particular observation at all—[HON. MEMBERS: "Go on!"] No, I will not be encouraged to do that. I will, however, make an argument about the precise way that the benefits that I have just described have been brought to us because of opportunities given to us by membership of the European Union.

On sovereignty, the original decision to join the European Union was taken by the sovereign House of Commons, and confirmed by a sovereign British people in the 1975 referendum. All treaty changes that followed, including those that introduced qualified majority voting, were agreed by Conservative and Labour Governments, and

approved by the sovereign Parliament. That tells us that we have chosen as a sovereign Parliament to work with others in Europe for a purpose: to achieve things that we think benefit us and our neighbours.

The second argument is about taking back control, and for some I think this is a belief that Britain standing alone would somehow have the voice that it possessed 50 years ago. We must be honest with each other. We live in a different world to the one that gave birth to the European Coal and Steel Community after the end of the second world war. We have witnessed the end of empire, the creation of the United Nations and the European Union, the formation of NATO, the end of the cold war, and the collapse of the Berlin wall. We have lived through an era that has seen the rise of new world powers, alliances, conflicts, threats, and the blistering pace of technological change that is revolutionising our economies and shrinking the way we perceive our world. We cannot turn the clock back, and to argue that we can is to mislead ourselves and others. We can, however, use the qualities that we as a nation are blessed with to make the most of the opportunities that this new world presents to us, and that is exactly what our membership of the European Union helps us to do.

Look at the strength of London as a financial centre. Look at the openness and diversity of our society, and our talent for creativity. The UK computer and games industry—not one I am particularly familiar with—did not even exist 40 years ago, but it now generates £2 billion a year in global sales, and supports nearly 30,000 jobs. Consider the worldwide reach of the English language. All those things help to make us the fifth biggest economy in the world.

Mark Pritchard: When we think about the City of London, we often think of bankers, and unfortunately of some of the high and perhaps disproportionate banking bonuses. However, banking is a necessary part of this country's economy. Indeed, the pensions of this country are often found in the City of London, and they affect every single person up and down the land. Does the right hon. Gentleman agree that an exit from the European Union would make it more likely that banks, institutions and pension funds would go to Frankfurt rather than London?

Hilary Benn: I agree that there are real risks, and the Foreign Secretary rightly made that point in his speech. It is perfectly legitimate to point out those risks, which even the hon. Member for Uxbridge and South Ruislip (Boris Johnson) acknowledged in his article in *The Daily Telegraph*, and we should take that important consideration into account. In truth, almost half our exports go to Europe precisely because we are part of the single market, and we must think about supply chains and services. We also export all the way around the world, in part because of deals that the European Union has negotiated with other countries.

The EU either has or is negotiating trade agreements with 90% of Commonwealth countries. I have heard it argued that being in the EU prevents us from having better trading relationships with other members of the Commonwealth, but that is not the case. Given that we are part of this huge market of 500 million people, why on earth would we want to exchange the certainty of

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deals that we currently have for the uncertainty of deals that we might not secure? As we have heard—the Foreign Secretary made this point forcefully—we already have good trade deals, and our only alternative examples are those such as Norway, but even the Norwegians say to us, “I wouldn’t do that if I were you.” I think the British people will look at that and say, “That looks like a pretty bad deal to us.”

In the late 1980s, when Mrs Thatcher was busy taking away trade union rights in this country, one reason that the British trade union movement changed its view was that it saw there was an opportunity for workers’ rights across Europe. The EU helped us to deal with some of the consequences of global change by protecting workers in every European country. Those protections include paid holidays, the right to spend more time with a new-born child through improved maternity and paternity leave, limits on working time, and better protection for agency and temporary workers. Those are striking examples of how, by working together across Europe, we can protect workers and prevent a race to the bottom.

Daniel Kawczynski: The right hon. Gentleman has campaigned for many years on behalf of Africa and trade with Africa, supporting prosperity there. What does he say about the protectionist policies of the European Union, which prohibit and make trade with Africa more difficult?

Hilary Benn: When I was International Development Secretary I argued precisely that Europe should change its policies, including the common agricultural policy. I shall say something about development a little later in my speech, because that too is a really strong argument for remaining part of the European Union.

Mr McFadden: Before my right hon. Friend moves on from the list of employment rights that are guaranteed at EU level, it is important to point out that when those who would take us out of the European Union attack EU red tape and bureaucracy, they are usually talking about precisely those rights. For example, the right to equal treatment as a part-time worker and so on—those are measures of justice in the workplace, not needless bureaucracy.

Hilary Benn: I completely agree with my right hon. Friend. Indeed, when one of the Ministers who advocates Britain’s exit from the European Union was asked on television at the weekend to provide an example of red tape, he referred to health and safety. Health and safety is not red tape, a burden or regulation; it is about protecting British, German and Spanish workers when they go to work in the morning, to make sure that they can do their jobs safely and securely. If we voted to leave, we could end up with a double nightmare. Unfortunately, there would still be a Conservative Government in this country and, given past records, I am not entirely sure that I would trust them to ensure that we keep the rights we currently have.

There is an even more important reason why we should remain a member of the EU: Britain’s influence in the world is strengthened by our membership. It

promotes interdependence through trade and advances our economic security, because it works to tackle conflict and other global challenges, and it helps to protect us from crime and terrorism. There is nothing patriotic about diminishing the United Kingdom’s ability to make its voice heard by other nations. Stumbling out of Europe and pulling up the drawbridge would serve only to harm our position and influence in the world.

The global economic crash of 2007-08 shook the public’s faith in the ability of Governments, regulators and institutions to protect them. What it really brought home to us is the need for more, not less, co-operation with other countries, and stronger multilateral institutions, not weaker ones. If we are going to deal with the problem of big companies that show an aversion to paying tax, Europe is a very good place to start.

We should also acknowledge that the growth in the number of member states of the EU has been a very powerful force for change for the better on our continent. The prospect of membership offered the former communist states of central and eastern Europe a really powerful incentive to meet the conditions for joining. They were creating an alliance built on the values of democracy, respect for human rights, free media, the rule of law and individual freedom. As the Foreign Secretary made clear, that also helped us to be stronger in facing up to aggression and problems around the world. There is no doubt that the sanctions agreed against Russia have had an impact. They are biting. Although the Minsk agreement has not been fully implemented—the conflict is frozen—it was precisely because Europe was united and determined that we were able to have that impact. Let us be absolutely clear: Russia would see Britain’s exit from the EU as a sign of our weakness. It would see it as a sign of European weakness at the very moment when, in the face of that threat, we need to maintain our collective strength. [Interruption.] If the hon. Member for Harwich and North Essex (Mr Jenkin) wants to intervene, I will of course give way.

The deal with Iran is another really good example. Europe came together in solidarity and achieved something that many people thought would not be possible. We have heard reference to the action, through Operation Atalanta, to deal with piracy off the horn of Africa. Look at the sanctions on Burma. We are just about to see something we never thought possible: Aung San Suu Kyi’s party taking power by democratic change. Europe’s voice in saying that what the previous regime had done was not acceptable was a powerful force for good in the world.

These collective displays of solidarity remind us of the power, working with our European allies, to do good. I have to say the current problems in Syria remind us of our failure in that particular conflict.

Wes Streeting: In the event of a leave vote, there are only two possibilities: either we want to remain part of a single market and are therefore subject to pretty much exactly the same rules as we are now, in which case what is the point of the referendum; or we seek not just to realign our trading approach towards the rest of the world, but realign British foreign policy away from the democracies of western Europe and the north Atlantic to the dictatorships of the east. Surely that would not be either in our national interests or in the interests of

western liberal democracy. I cannot understand why so many Conservative Members, who expect us to go out to bat for Britain at European Council summits, somehow expect our fellow European states to do otherwise in the event of a leave vote, in which case we will be punished.

Hilary Benn: I agree completely with my hon. Friend. I have just tried to demonstrate to the House the benefit that working with our European allies in trying to be a force for good in the world has brought. I was just in the process of saying that Syria is a terrible example of the world's collective failure. Like the Foreign Secretary, in his comments at Foreign and Commonwealth Office questions on Tuesday, we hope very much that the ceasefire will be implemented and upheld. However, that really depends on Russia, hence the point that I was making earlier.

What every single one of these examples teaches us is that we need stronger, not weaker, international co-operation. At this moment in this century, it would be extraordinary folly for our country to turn its back on this vital international alliance if we wished to help shape world events. That is why Jens Stoltenberg, the Secretary-General of NATO, said:

“Britain is a global player and a strong EU will also make sure that NATO has a strong partner in the European Union when we are facing the same security threats”.

Sir William Cash: Will the right hon. Gentleman give way?

Hilary Benn: I will give way one more time, but then make progress because other Members want to speak.

Sir William Cash: On the broader foreign policy question in relation to Russia and all that, would the shadow Foreign Secretary like to comment on whether he thinks the Budapest agreement in the 1990s was a good idea?

Hilary Benn: To be perfectly honest, I am less interested in what happened in the 1990s. I am more interested in what is going to happen in 2016, which is the big decision that the British people will have to take. I argue that our national security is served by our membership of both the EU and NATO. Co-operation across Europe is essential if we are to deal with terrorist threats. The European arrest warrant is a really good example of that. The case of the failed 21 July 2005 bomber who was returned here from Rome, where he had sought to escape British justice, demonstrates the benefit of working with our allies. That is why the director of Europol, Rob Wainwright, warned recently that British exit would

“make Britain's job harder to fight crime and terrorism because it will not have the same access to very well developed European cooperation mechanisms that it currently has today”.

Richard Drax: Will the right hon. Gentleman give way?

Hilary Benn: No, I am going to try to bring my remarks to a close.

Underlying all those questions is the greatest challenge that the peoples and countries of the world face at the beginning of the 21st century: how do we come to terms with, and deal with, the interdependence of human beings?

Caroline Lucas (Brighton, Pavilion) (Green): On that point, and as it is the first time I have tried to intervene, will the right hon. Gentleman give way?

Hilary Benn: Since it is the hon. Lady I will give way, and then I am going to bring my remarks to a close.

Caroline Lucas: That is incredibly kind of the right hon. Gentleman. Just before he does bring his remarks to a close, I wonder whether he agrees about the importance of the EU when it comes to the environment. That has not been mentioned yet today, rather oddly, but the cross-border nature of environmental degradation means our involvement in the EU is more important than ever on everything from clean beaches, clean air, clean seas and a clean world.

Hilary Benn: I agree absolutely with the hon. Lady. The blue flag beaches are a really good example. We will not have clean beaches in Britain if we are not dealing with sewage coming from other European countries and vice versa. I shall make a point about climate change in a moment, on which Europe is absolutely vital.

The House is only too well aware that there are 7.2 billion people in the world, with 11 billion forecast by the end of the century. If we look at what has been happening on our continent in the past few months, we see the flow of refugees and Schengen under strain. That has tested Europe's solidarity to the limit, but let us pause for a moment and imagine what the situation would be like now if the European Union did not exist. The truth is that it does not matter whether people are moving across the globe to flee persecution for a better life or to flee climate change. We are still going to have to deal with the consequences. We have not just a moral interest in dealing with climate change, poverty and conflict; we have a practical interest in doing so. From my experience as a Cabinet Minister, I can say that the fact that European countries came together in the run-up to Gleneagles and said, “This is what we are prepared to commit to” helped to unlock commitments on more aid and debt relief for the developing world. The fact that Europe went to climate change summit after climate change summit with a commitment it was prepared to put on the table, in the end, helped to unlock the deal in the Paris.

The final argument, which was the founding argument of the European project, is the fact that it has brought peace to a continent that for hundreds of years was scarred by war. Anyone who has walked along the rows of graves from the first and second world wars—what I would describe as the flower of two generations of Europeans—will see that some bear names and show how young they were. On other graves, there is no name at all. The gravestone simply reads, “A soldier of the Great War. Known unto God”. Nobody knew whose father, uncle, nephew or brother lay beneath those immaculately tended graves.

The one disagreement I have with the Foreign Secretary was when he said he felt no passion for Europe. I think we should be passionate about the greatest achievement of the European project, which was that by bringing nations together, originally through coal and steel, we would make future war, in the words of the Schuman declaration,

“not merely unthinkable, but materially impossible.”

[Hilary Benn]

The British people have to make a choice between the fear that we have somehow lost our identity, our influence and our place in the world because we are part of the European Union, and our experience that being in Europe has actually amplified, extended and increased Britain's voice in the world, through which process the British people have benefited economically.

I have changed my views since 1975. I have been on a journey, and the party of which I am proud to be a member has been on a journey. We live in a changing world and if we look at that world, we see that the case for Europe is stronger now than ever. The story of Britain over the last century is one of a nation that has been at the heart of world affairs. It is the story of a country that has been at its best when we have been outward looking and confident. In the 20th century, we helped to build the institutions that have given us the chance to make progress: the UN, NATO and the EU. In the 21st century, we cannot reduce our influence—we cannot shut the curtains, close the door and hope that the rest of the world will go away.

This choice is ultimately about whether we face the future with optimism, or not. I believe that Britain's national interest is best served by remaining part of the European Union, and I hope that the British people will come to that decision, too. It is now their choice.

1.31 pm

Sir Nicholas Soames (Mid Sussex) (Con): Let me first congratulate the right hon. Member for Leeds Central (Hilary Benn) and my right hon. Friend the Foreign Secretary on their speeches. I warmly congratulate the Prime Minister and his negotiating team on their courage and tenacity. I include especially my right hon. Friend the Minister for Europe, who had to bear much of the heat and burden of the day. This was a remarkable achievement, and I wish it well. As the right hon. Member for Leeds Central said, it is now for the British people to have their say, and have their say they will.

This is the 70th anniversary year of Churchill's speech on the cause of a united Europe at Zurich on 19 September 1946. It has always struck me as ironic that that speech has been claimed by both sides of the European argument as being some sort of holy grail. I am daily on the receiving end of some vile emails and whatnot from people telling me that I am a traitor to my grandfather's memory.

Mr Baker: I am most grateful to my right hon. Friend for giving way. May I say that although I disagree with him profoundly on this issue, I regard him with the utmost respect? He has held these views for a very long time with complete sincerity, and people disgrace themselves by their insults.

Sir Nicholas Soames: I am very grateful to my hon. Friend.

Of course, Churchill's was a speech of great prescience and great vision. It was also a speech of the most profound analysis. Unlike most other hon. Members, I would like to reflect at a little more distance on Britain's

experience of the European Union and, in particular, my party's long-standing commitment to the European cause.

It is worth the House reflecting for a moment, Madam Deputy Speaker, on the tragedy of what Europe must have looked like in 1945. It is only the winking of an eye in terms of time and history. It was only 71 years ago that the Germans surrendered to the allies and signed the instrument of surrender. It was only 70 years ago that the Russians drew down the iron curtain on a broken and suffering eastern Europe. Behind that line, in the wicked grip of a ruthless regime, lay all the great capitals and states of eastern Europe—Warsaw, Prague, Berlin, Bucharest and Sofia.

Most of the rest of continental Europe lay shattered and broken, after six years of war, for the second time in 25 years. There remained a vast mass of bewildered human beings, who gazed forlornly at the wreckage of their homes, their nations, their lives, their families, their possessions and everything that they loved. But from that awful scene of desolation, sadness, ruin and despair a little over 70 years ago, something truly remarkable has been achieved, which has brought freedom, security and prosperity way beyond the dreams that anyone alive at the time could ever have contemplated.

Not only have the sovereign states of Europe risen, phoenix-like, from the ashes of two world wars, but they have created of their own free will a European Union of 28 members comprising the biggest and most powerful single market in the world—one of 500 million people—in which we travel with our fellow Europeans in prosperity and peace in an era of constantly expanding co-operation, prosperity, security, safety and freedom.

When the cold war ended and the Berlin wall came down on that glorious, cold 9 November 1989, the Warsaw pact collapsed into dust without a shot being fired. Most of the eastern European countries joined the European Union, and most of them also joined NATO. Indeed, only six countries that are members of the European Union are not members of NATO.

Why did they join? They did so because the Europe and the NATO that they joined were and are prosperous, secure and free, and they wanted as soon as they could to find shelter in the institutions that had benefited from a period of peace, stability, freedom and security unprecedented in 1,000 years of European history. They hoped that it would protect them from a still predatory Russia. There is no argument but that the EU was absolutely central to those developments, and it is a very great credit to our country that we should have played such a leading role in seeing all this through.

The European Union has achieved a very great deal, but it cannot and it must not allow itself any self-congratulation in these very difficult times. Although we can see that the ice has melted on the landscape of the second half of the last century, and that power in all its forms has shifted and is shifting rapidly and unpredictably, we know how inadequately most of the institutions of the European Union have coped. This must be remedied.

As we look across Europe at all the achievements it has to its name, the pervasive mood is one of insecurity, lack of confidence and lack of optimism. Those characteristics are not found only in Europe. The troubles of Governments everywhere speak to the anxieties of

their electorates and, sadly, to the mistrust in their politicians, their institutions and their leaders. The public across Europe know only too well that the world of easy answers, instant solutions and declaratory statements is a construct of fools, politicians and the media. As power shifts so rapidly and unpredictably, one might almost believe that we are today at the start of a new history.

Nowhere are these difficulties, insecurities and lack of understanding more obvious than in this country of ours. I am always wary of trying to work out what Churchill might have thought today, because I think it is an impertinence to do so. The one thing I absolutely know is that as the world has grown bigger for Britain, the opportunities greater, the chances more glittering for our commerce and our people, so the people who practise politics and government in this country, and especially those who write about it, have a sadly cramped and limited view of Europe and the rest of the world.

In this campaign, one of our most important tasks—all of us, whatever side we are on—is to remind our fellow citizens that we share a region, a climate, much of our history and demography, our economic space and our culture with the countries of the European Union, something that Churchill pointed out very clearly in his Zurich speech. Our business corporations, our leisure time, our intellectual and cultural life are all intertwined with Europe's. We face shared problems in endless comparable ways. The hon. Member for Brighton, Pavilion (Caroline Lucas) rightly mentioned all the environmental issues on which Europe has been extremely effective.

However, our political and deeply shallow media do not engage with any of that, or, as the right hon. Member for Leeds Central pointed out, with the interests—vital to us—of our European partners, allies and friends. At least, that was the position until very recently. Now the media have finally woken up, like the great, slack monster they are, to the awesome prospect of combat, newspaper sales and competition as each side of the argument tries to persuade our fellow citizens of the right way.

I rejoice at the Prime Minister's extraordinary achievement in Brussels, and I commit myself to making the same case to the best of my ability whenever I have an opportunity to do so. I am struck by the scale of support for the European Union from British commerce and businesses both large and small, and especially—in an important letter, published in *The Daily Telegraph* yesterday—from four former Chiefs of the Defence Staff and other former service chiefs, who drew attention to the great importance of the EU in the security sphere.

I believe that the case to remain is overwhelming on all fronts, but there is no point in pretending that the European Union does not face many major challenges that it has to find a better and more effective way of resolving. The refugee crisis, for example, has made the EU look deeply ineffective and purely reactive. It is clear that Schengen cannot survive without the most dramatic reform, and that the external borders of Europe need to be strengthened rapidly. None of us can feel happy that the European Union, which has brought such great stability to much of the European continent, now appears to be weak and uncertain. Its unpopularity matters, and it is damaging.

My hope is that our Government will seize the moment, and that, having rediscovered the great value of extremely energetic and skilled diplomacy, the Prime Minister, the Foreign Secretary, the Minister for Europe and others will really push ahead in the EU to drive—along with like-minded colleagues and friends—the big reforms that Europe must swallow. They will find willing friends who want to do the same. There is a huge agenda in which Britain can and will play a leading role. On economic reform, on security, on energy, on defence and on foreign policy, there are practical and radical steps that can be taken.

May I finally indulge myself, Madam Deputy Speaker, by recalling the end of Churchill's great speech to the Congress of Europe in The Hague in 1948, remembering that the founding fathers of Europe, with a noble vision, built this astonishing edifice on firm and very lasting foundations? This is what Churchill said at that conference:

"A high and a solemn responsibility rests upon us here this afternoon in this Congress of a Europe striving to be reborn. If we allow ourselves to be rent and disordered by pettiness and small disputes, if we fail in clarity of view or courage in action, a priceless occasion may be cast away for ever. But if we all pull together and pool the luck and the comradeship—and we shall need all the comradeship and not a little luck...and firmly grasp the larger hopes of humanity, then it may be that we shall move into a happier sunlit age, when all the little children who are now growing up in this tormented world may find themselves not the victors nor the vanquished in the fleeting triumphs of one country over another in the bloody turmoil of...war, but the heirs of all the treasures of the past and the masters of all the science, the abundance and the glories of the future."

Those of us who fight the good fight to remain will do so with confidence, but also with humility and profound respect for those who hold long-standing views that are very different from ours, and in the sure knowledge that this issue is about the fundamental place in the world, for a generation to come, of a confident, open, engaged, pro-European Great Britain. *Faites courage!*

Several hon. Members rose—

Madam Deputy Speaker (Natascha Engel): Order. Before I call the right hon. Member for Gordon (Alex Salmond), who is, of course, not subject to a time limit, I must warn Members that Back-Bench speeches will be limited to nine minutes.

1.45 pm

Alex Salmond (Gordon) (SNP): I am delighted to follow the right hon. Member for Mid Sussex (Sir Nicholas Soames). I have not always found myself in such agreement with him over the years for which we have been in this place—if I remember correctly, we were elected on the same day back in 1987—but I am delighted to follow him today, not just because we are going to be on the same side in this referendum campaign, which may be another first, but because of the nature of the argument that he pursued in his speech. I am convinced that, from the "in" point of view, the argument must be presented at that level. It must be about the big issues, the things that really matter, if we are to get people out of their homes and into the polling stations to vote for continued membership of the European Union.

Perhaps I should not tempt my luck, but I hope that the right hon. Gentleman's "hommage" to his grandfather's achievements might spread to one of the other institutions

[Alex Salmond]

in which he exerted a substantial influence: the Council of Europe—along with the European convention and the Strasbourg Court—in which 47 countries have been brought together in the cause of human rights. That was one of the achievements of Winston Churchill, and, indeed, the Scottish lawyer David Maxwell Fyfe. I trust and believe that we can count on the right hon. Gentleman's support when that battle is waged in the not too distant future.

I mentioned the level of the right hon. Gentleman's speech. Let me appeal to the Foreign Secretary and, through him, the Prime Minister. As I tried to explain earlier this week, when we look at the politics, we see that it is inevitable—numerically, arithmetically—that if the case for Europe is to be won, the bulk of the votes that will win it must come from the Labour party, the Scottish National party, the Green party and Plaid Cymru. I would have included the Liberal Democrats, but, although they are the most pro-European party, as they constantly remind us, they seem today to have deserted the cause—momentarily, I hope.

The reason for that is simple. In last year's general election, the Conservative party achieved 37% of the vote. Even if the Prime Minister and the Foreign Secretary are successful in carrying a majority of that vote into the “in” camp in the coming referendum, as I hope they will, that will represent roughly 20% of the electorate. To win a referendum, as I know only too well, it is necessary to achieve not 37% or 45%, but more than 50%. Arithmetically, the bulk of that winning vote—as I hope it will be—will come from people who voted for Labour, the SNP, the Green party and Plaid Cymru, on the progressive side of politics; and that affects the way in which arguments must be presented.

I say this with great respect to the Foreign Secretary. I know that Tory Ministers arguing a pro-European cause are like a wagon train surrounded by hostiles, and that they therefore have to pitch a certain type of argument. My hon. Friend the Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) observed that the Foreign Secretary had begun his speech by using the language of scepticism and suspicion to show that he was still a Eurosceptic at heart, despite his conversion to the “in” cause. An argument of that kind may be useful in fending off the hostiles, but it will not necessarily grip the attention of the bulk of voters who have to be convinced by the European argument. For the Labour party and ourselves, the achievements of social Europe are hugely important—the achievements that have come and those that still could be. For the Green party, ourselves and the Labour party, environmental issues are of huge moment. These are things that have to be decided—even more decided now—on that continental scale. On the arguments on refugees, those of us on the progressive side of politics want to see the country do more in terms of solidarity with the refugee crisis that has beset Europe, in addition to being positive and confident about Europe's achievements—the peace that the right hon. Member for Mid Sussex spoke about; the prosperity of the single market; the achievements on workers' rights which converted so many on the progressive side of politics in the '80s and '90s to the European cause. This argument cannot be presented as if it was

just about the largest faction in the Conservative party; it has to be presented to command majority support across the country.

Mr Stewart Jackson (Peterborough) (Con): The right hon. Gentleman is making an eloquent speech, as ever, but may I ask a simple question: does he think left of centre voters across the UK and in Scotland really support a political construct that has inflicted penury on millions of people in southern Europe in pursuit of a discredited monetary policy driven essentially by Germany? Is he proud of that; is that socially progressive?

Alex Salmond: The hon. Gentleman allows me to say it is exactly the sort of area we want to debate, because we want to see a Europe that builds recovery, not, as he puts it, that enforces penury. That is exactly the sort of argument for why we want to change the focus of Europe in terms of how it achieves things.

Sir William Cash *rose*—

Alex Salmond: If the hon. Gentleman will forgive me, I shall certainly give way to him slightly later.

I wanted to reflect on one point where I have particular experience and I think a bit of honesty is called for. I was the First Minister who lost a referendum and then resigned the next day. I did that because I do not think it is credible for a First Minister or Prime Minister to continue in office in these circumstances. I do not believe the Prime Minister—and I do not think probably the majority of his party and certainly of the country believes him—when he says he would sail on in office with a negative vote, to negotiate out of the EU, after telling people it was essential to the security and prosperity of the country, as he put it last week, for us to be in it.

There is evidence to suggest the Prime Minister has form on these matters. On 17 September 2014 he said in a statement that the question in the Scottish referendum was not about his future, but was about the future of Scotland and that he would continue regardless of the result, but by 28 September—11 days later—he confided to *Scotland on Sunday* the following:

“If the vote had been for Scotland to have left the UK, I genuinely would have been heartbroken. I would have felt winded and wounded. Emotionally, one would have thought, ‘I'm so saddened by this. I find it difficult to go on.’”

By “difficult to go on” I think he meant in office rather than anything more substantial.

That attitude has been confirmed by a number of sources since. I suspect that the idea that a Prime Minister could continue in office having lost such a vote is, to coin a phrase, “for the birds”, which is exactly why the hon. Member for Uxbridge and South Ruislip (Boris Johnson) is right in one bit of his apparent calculation: that an opening would allow a new Prime Minister, as he puts it, to negotiate our way back into some sort of European construct on better terms. The second half of that probably is “for the birds”, but at least in the first half about a vacancy being available the hon. Gentleman's calculation may be right. I think the Prime Minister should own up, because I think his current position lacks some degree of credibility.

The nature of this debate is already having big impacts on politics. Earlier this week, while people in this place were understandably fixed on the contest between the

hon. Member for Uxbridge and South Ruislip and the Prime Minister in the European debate, there was the settlement of the Scottish financial position. Huge tribute should be paid to the First Minister of Scotland and the Deputy First Minister, and indeed to those on all sides of the negotiating team, on bringing that settlement about. But I wondered about the rapid change in position that was taking place, where only a couple of weeks ago the Treasury position was to arrange a £7 billion reduction from Scotland's finances, which became last week £3.5 billion, £2.5 billion earlier this week, and then ended up at zero by Tuesday afternoon. I am prepared to suggest that one reason why that change of heart may well have come about is that if it had not come about—[*Interruption.*] The Foreign Secretary says there was no change: believe me, the dogs in the street in Scotland know there was a substantial change over the last few weeks, and one reason why it may have come about, I suspect, is that if the Prime Minister was in the position of not being able to deliver his pre-referendum promises or vows to Scotland, he would perhaps find it difficult to sustain the argument that 27 other European leaders might be delivering their pre-referendum vows to him. We are already seeing aspects of this debate having a very substantial influence on politics.

I asked the Foreign Secretary earlier about the circumstances that would arise if the vote went for out and when article 50 would be invoked, and I have been reading the Library paper in preparation on exactly that issue. The Library paper suggests that the likely formulation would be that there would be a vote in this Chamber before the Government invoked the position, but the Government could say it was an Executive decision and just go ahead anyway. What it then goes on to argue is of great importance.

Mr Philip Hammond: I wish to clarify something. I answered the right hon. Gentleman on this point earlier, but I have taken advice since. It is the Government's position that if the electorate give a clear decision in this referendum to leave, the Government will proceed to serve an article 50 notice; there will be no need for a further process in this House.

Alex Salmond: The Foreign Secretary says now, "No debate, no decision in the House"—right, fine. And I think that could be defended on the basis that it would be a brave person who took the position that the electorate had voted in a referendum and would attempt to gainsay it. But what I was going on to say to the Foreign Secretary is that perhaps he should pay some attention to what is in the Library paper, which goes on to put the position of what might be happening in the devolved legislatures. It says:

"As noted above, the competences of devolved legislatures and executives are circumscribed by EU law, and some positive responsibilities are placed upon the executives to implement that law. An argument could be made that the removal of these features on leaving the EU would *prima facie* alter devolved competence, and, insofar as it involved UK legislation, would require legislative consent from the devolved legislatures under the Sewel Convention."

Emma Reynolds: I would be interested to know what case the right hon. Gentleman's party will make in Scotland in favour of our membership of the EU; which does he think are the most powerful arguments that he will be deploying in this campaign?

Alex Salmond: They are the ones I made at the start of my speech in suggesting that the debate should be focused on the importance of Europe in terms of social policy, the environment, why we should have solidarity in terms of refugees, and the achievements of Europe in keeping the peace in Europe, ensuring prosperity and workers' rights. These are the arguments we are going to focus on.

It is important to pursue the end of my current point, however. The Foreign Secretary has just said no further process or vote in this Parliament would be necessary for the Government to invoke article 50, because what Parliament would gainsay a referendum vote across the UK? But in the possible circumstance that Scotland has just voted in favour while the UK has voted against, what self-respecting Scottish Parliament, having a vote, as is indicated through the Sewel convention procedure, would not vote in the way the Scottish people had voted in such a referendum, by exactly the same argument?

Mr Jenkin: Even if Scotland were to vote to leave the EU, the case the right hon. Gentleman is making for proper consultation and a proper constitutional process would be just as powerful. Does he agree that whatever the outcome of the referendum, the Government remain answerable to Parliament and they should not proceed to any precipitate or even self-harming action, which a precipitate move to article 50 might be, unless they have consulted Parliament and gained its consent for the next steps? In my view, that might require some discussion with all our European partners and consultation with other parts of the United Kingdom.

Alex Salmond: I was pointing out that if the Government's position that such a process would not be necessary because there had been a referendum vote, where does that leave the Scottish Parliament, if, under the conventions I have cited from the Library document, it was to have a parliamentary vote, having had a positive popular vote—a yes, an "in" vote—for Europe, using exactly the same argument as the Foreign Secretary now deploys to announce the democratic short-circuiting of parliamentary convention? The Foreign Secretary should think through the implications of this argument.

Someone else has thought through those implications. This is another first for me as having agreed with the right hon. Member for Mid Sussex (Sir Nicholas Soames) for the first time in 30 years, more or less, I now find myself agreeing with the former Prime Minister Tony Blair for just about the first time—certainly for the first time in the past 10 to 15 years. He made the following comment in a French radio interview—we hope the translation is good:

"In my opinion...if the United Kingdom votes to leave Europe, Scotland will vote to leave the United Kingdom."

As I say, for once I think the former Prime Minister has put his finger on the heart of it.

The First Minister of Scotland has also alluded to these possibilities and she is well justified in doing so, because during the referendum campaign of 2014 one of the arguments made by the no side was that we would jeopardise our position in the European Union if Scotland voted yes. That sounds ironic now, given the process we are going through, but none the less that was one of the key arguments. Secondly, she is justified because during last year's general election, she described

[Alex Salmond]

exactly these circumstances as being a change in material circumstances which would justify another referendum and she then received a mandate of 56 out of the 59 seats in the House of Commons from Scotland. When the right hon. Member for Leeds Central (Hilary Benn), from the Labour Benches, says that we will vote as one United Kingdom and dismisses this point as if it was of very little consequence, he should remember that it is exactly that attitude which resulted in the Labour party not only being part of one United Kingdom, but having only one Member from Scotland to represent it in that United Kingdom.

The arguments I have made about Scotland could also be applied to Wales. Certainly, the Welsh opinion polls show a much less clearcut position on the European issue. This Library note also points out that in 2011 the people of Wales voted in a referendum massively for part of a referendum settlement that included the instruction that members of the Welsh Executive were to be compliant with EU law. They already have a pre-existing referendum mandate which could embrace parts of the European cause.

In summary, I would say two things to the Government in this campaign. First, they should recognise that in order to build an “in” majority, which is the objective, there will have to be a great deal more reflection and emphasis on the arguments that are likely to inspire support from a range of political opinion, as opposed to arguments that will fend off the remaining Eurosceptics who have decided to vote no. Secondly, in particular, the Government should have a great deal more sensitivity to that range of arguments than has been displayed thus far. In the space of the past week, since the referendum was announced, the Prime Minister has disregarded the Leader of the Opposition, and the views of the First Ministers of Wales and Scotland on the timing of the referendum. That is not an auspicious start in having the sort of broad campaign that can result in victory.

Mr Nigel Evans: I find it interesting—fascinating, almost—that the right hon. Gentleman wants to have a veto for Scotland over Brexit yet is very happy for Scotland to be part of a European Union where we have qualified majority voting and the vote can go against our interests time and time again. That really does happen, so how can he marry the two?

Alex Salmond: I can do it in a number of ways, one of which I shall now describe. Independent countries in Europe that are outside the euro area control 99% of their taxation base—everything except the VAT contribution. The figure for Scotland within the United Kingdom will be 25%, even after—if it is implemented—this week’s settlement. I regard 25% control of the tax base as not being independence in any meaningful sense, whereas I regard 99% control as meaningful independence and therefore worth the sacrifice in sovereignty that is inevitably made to achieve objectives such as peace, environmental protection and having solidarity when we face a continental crisis. That, in essence, is the difference between a country being independent in the European Union and being a devolved entity within this United Kingdom.

I hope that the arguments we put forward in this campaign will reflect the complexities of the coalition which is going to be required and which will have to extend far beyond the ranks of the Conservative party if we are to have a resounding in majority come June and the referendum.

2.6 pm

Sir William Cash (Stone) (Con): It is a great pleasure to follow the right hon. Member for Gordon (Alex Salmond) and my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames), because both of them have sought and achieved a level of debate that this subject certainly deserves. I wish to say something to my right hon. Friend, and I am sure he would agree with me on this. As he knows, I have utter admiration for his grandfather, being one who was born on 10 May 1940, when he assumed the prime ministership of this country and when Hitler invaded Holland and France. However, many of Sir Winston Churchill’s pronouncements on the issue of Europe changed as time progressed. In particular, he said at one point, much later than 1948, that we should be “associated but not absorbed”. The movements that were taking place and which were apparent to Sir Anthony Eden and to others in the late 1940s and early 1950s did have a significant impact on the thinking of our great, great former Prime Minister Sir Winston himself. In saying that we should be associated but not absorbed, he had understood that there were movements afoot that were not in the interests of the United Kingdom.

Sir Winston also said that we should tell the truth to the British people. He went on to make it clear that what he meant by that was that the British people will follow you if you tell them that truth. Sadly, I believe that what has been happening in the recent months, and in the whole of this debate, is just as I indicated in my response to the Prime Minister’s statement on 3 February, when I said that he was bypassing not only his promises, but his principles. I also said that I thought there was a problem with this expression “legally binding and irreversible” and with the stitch-up, as I put it, with respect to the political decision that I anticipated would be taken in a few days’ time and which of course was taken on 10 February. I thought this expression “legally binding and irreversible” would lead on 23 June, which has turned out to be the referendum date, to something on which the voters would not be able to rely. It is strong words to say that I believe the voter is already being cheated in this respect.

I say that for this reason, and with prudence and with care: right at the heart of this is voters’ trust. I also said that on 3 February. The truth is that, for all the arguments that have developed over these words “legally binding and irreversible”, my right hon. Friend the Foreign Secretary very carefully avoided using the word “irreversible”. He mentioned “legally binding”. Indeed, the conclusions to the summit on 17 to 18 February specifically referred to “legally binding” and specifically did not refer to the word “irreversible”. There is a good reason for that, as we have said on numerous occasions in the European Scrutiny Committee. We have said it in our reports recently and in our cross-examination of the Foreign Secretary the other day. This is all about voter trust.

Let us take as an example the removal of the words “ever-closer union” in respect of the United Kingdom. As I had to point out to the Foreign Secretary, that is not in the preamble; it is in article 1 of the Treaty on the Functioning of the European Union. Therefore, any removal requires treaty change, but we are not being given treaty change. We are relying on an international agreement. I will not say that such an agreement does not have a certain legal character, but it does not bind the European Court of Justice. It does not guarantee that other member states may veto any treaty change that might follow. It also does not guarantee what the European Court of Justice may say about it. It does not take into account the fact that other states will be holding referendums on this subject, of which Ireland is one such example, the outcome of which cannot possibly be predicted—not as said by a Member of Parliament on the “Today” programme yesterday.

Mr Jackson: Like many Conservative Members of Parliament, we wished the Prime Minister well as he went forward with negotiations. Obviously, we are very disappointed with the gossamer-thin substance of the agreement with which he came back a week or so ago. Is not the offence compounded by the fact that we were led to believe in the Bloomberg speech in January 2013 that we were looking at a fundamental renegotiation of our relationship with the European Union, and that clearly and sadly has not happened?

Sir William Cash: I totally agree with my hon. Friend. In fact, I made that very point on 3 February in my response to the Prime Minister’s statement. The Prime Minister also said that our democracy in our Westminster Parliament was the root of our freedom of choice—that was the essence of what he was saying. I also have fears about the framework of this agreement and the developments by successive Governments in successive treaties. For example, I voted yes in 1975. While I pursued the Government and harried them over the Maastricht rebellion, the situation changed dramatically when the Maastricht treaty was brought into being.

Alex Salmond: I know that some of the hon. Gentleman’s colleagues are less surprised than I am, but am I right in hearing that he voted yes in 1975? What measure of responsibility does he take for all that has happened since?

Sir William Cash: Very little. As I have said, these were decisions that were taken in 1972 on the basis of a White Paper, which said that we would always retain a veto. That is the difference. In fact, it has been whittled away by successive Governments and I have opposed them from the moment that I saw the Maastricht treaty to the present day, as the right hon. Gentleman knows only too well.

I want to go back to this problem of voter trust. The current Eurobarometer poll suggests a minus 60 factor in trust throughout the whole of Europe. Only 43% turn out in the European parliamentary elections. There is no connection between the citizen and the European Union. This is not about Europe. Many of us on the Conservative Benches love Europe. As someone who has two Spanish grandsons, one Spanish granddaughter, a Greek granddaughter, a daughter born in France, and a son once married to an Italian, I simply say that we do

not have to be anti-European to be pro-democracy. That is a very powerful and important point for us all to bear in mind.

I am deeply worried about this refusal to engage with this word “irreversible.” It cannot be guaranteed. It is like buying a shiny second-hand car on a post-dated cheque with a dud guarantee. That is what we are being offered on 23 June. Unless the voter knows that they are actually going to get what the Foreign Secretary described as the “whole package”, and that they can be guaranteed that it will be given and that it will come into effect, they have no reason to have any confidence in answering the question of whether to remain in Europe or to leave. That is a severe indictment, which is why I say that the Government are effectively cheating the voter on that day.

There is also the issue about the democracy of this country. We agreed in our vote in 1972, and in subsequent accession treaties and other treaties that were added into the European Communities Act 1972, that we would voluntarily accept this as a diminution of our sovereignty in the sense that it was being put through the parliamentary system. The other day, the Prime Minister referred to an illusion of sovereignty. I do not wish to elaborate on that other than to say that it is not an illusion. Sovereignty is about the right of the people to choose, in general elections, the kind of laws under which they wish to be governed. In this House of Commons, it is not illusion. It is a fact as well as being a question of jurisprudence. That is why it is so important. People fought and died—as my own father died in the last war—fighting for the right of the British people to resist tyranny. It is a great mistake to talk about sovereignty in terms of an illusion.

There is also the question of how much influence we actually have in the European Union. I could give some further description of the voting system, but much of what happens is decided in smoke-filled rooms and not by voting itself.

2.18 pm

Mr Pat McFadden (Wolverhampton South East) (Lab): Let me begin by saying that, while I have enjoyed all the speeches so far in today’s debate, I pay particular tribute to the right hon. Member for Mid Sussex (Sir Nicholas Soames) for a most moving speech, which I think the whole House found pleasure in hearing.

The first week of this referendum campaign has been dominated by the positioning of members of the Cabinet and the more Godly members of the Conservative party. It is of course of interest—we are in politics so we know that it is of interest—when a political party is divided. The first point that I want to make today is that, however interesting that may be, this referendum and the decision facing the country are far more important than the position of any individual politician, the share price of any individual politician, the career ambitions of any individual politician, or indeed divisions within any single political party. It is about the future of the country. The question on the ballot paper, of course, is whether we remain in or leave the European Union, but beneath that question lie layer upon layer of fundamental issues. It is to a few of those that I shall address my remarks.

[Mr Pat McFadden]

The first is the tone in which this referendum campaign is conducted. I am clearly in favour of the UK remaining in, but I want also to understand the impulse of some of those who want to take us out. I speak not principally of the leading and familiar advocates of Euroscepticism in this House, but of my constituents and many of the constituents of other Members who have concerns about this. It is important for those of us who want the UK to remain in to acknowledge the sense of loss about the changes wrought by globalisation that have made many people feel that they do not have a stake in the country's story. It is important to acknowledge with respect that sense of loss.

Another issue underlying the question on the ballot paper is our economic and trading position. I will not go through the statistics, but we are part of a single market of 500 million people. It is the main destination for our exports. That is a big reason why as a country we are successful in attracting inward investment from both inside and outside the European Union. I believe in a UK economy that champions the activity of making things, as well as our great services. Let us consider one product, for example—a Ford car. These days such a car is likely to have its engine made here in the UK, but the rest of the car made elsewhere in the European Union—one product that contains both imports and exports. This is how modern manufacturing works. It is a supply chain and a product brought together across different borders in the European Union, with no tariffs, according to a single set of rules.

Nigel Adams (Selby and Ainsty) (Con): I am pleased that the right hon. Gentleman has brought up the issue of trade. Given that the economic powerhouse, Iceland, has managed to negotiate a free trade deal with the world's second largest economy, does he not share my confidence in Great Britain's ability to negotiate free trade deals with growing economies around the world?

Mr McFadden: I have looked at some of the trade agreements negotiated between individual countries and China, and I recommend that the hon. Gentleman does too. Those trade agreements often allow complete and free access for the Chinese end of the operation, with severely limited and tariff-imposed access for the smaller country, so I disagree with the view that we should have a choice between trading with the rest of the world and trading with the EU. We should do both.

Sir William Cash: Will the right hon. Gentleman give way?

Mr McFadden: Given the time limit, I shall make progress, if I may.

Another issue underlying the question on the ballot paper, and to which my right hon. Friend the shadow Foreign Secretary referred, is that of employment rights. The EU is not just a trading relationship or a market. There is a social Europe aspect. Six million workers in the UK have gained new or enhanced rights to paid holidays. Around 400,000 part-time workers, most of them women and many of them low-paid, gained improved pay and conditions when equal treatment rights were introduced. I repeat the point I made in my question to

my right hon. Friend. When people attack red tape and bureaucracy from the EU, it is very often those things that they mean—the right to decency at work. As my right hon. Friend said, parents' right to enjoy time with their newborn baby is not needless bureaucracy. This is part of a decent, civilised economy. That, too, is on the ballot paper when the issue is debated.

Then I come to the question raised most eloquently by the right hon. Member for Mid Sussex—the question of security. I will not repeat in a less eloquent manner the argument that he made. We ignore at our peril the achievements of peace that the European Union has helped to guarantee. This is an argument not just of interests, but of values. We should not underestimate the importance of resolving conflicts peacefully and of common commitments to democracy, human rights and respect for one another's borders. Compare those with the way that conflicts in Europe were resolved before the European Union was in place. Of course, the European Union is not perfect. I have served on the Council of Ministers and the patience even of a pro-European like me can be tested by several hours in the Social Affairs Council, with the headphones on, but I always stopped to check myself and say however frustrating this might be, compared with the way that decisions used to be reached or conflicts used to be resolved in Europe, it is a great improvement.

On security, we have to ask ourselves who outside the European Union would be pleased to see a British exit or pleased to see a wider break-up of the European Union. The answer most clearly is President Putin. No one would be more pleased than him to see our security compromised in that way.

Mark Pritchard: The right hon. Gentleman is right to suggest who would benefit from a UK exit from the European Union. It would, of course, be Russia, but does he agree that Russia would also benefit from Scotland breaking away from the United Kingdom?

Mr McFadden: I will come to Scotland shortly.

I want to quote General Sir Peter Wall, the former Chief of the Army General Staff, who said on the BBC last year:

“Unlike the Cold War when things were more binary . . . in a modern interconnected world it's not just the defence capability that is going to be fundamental to our security. It's going to be a number of other issues too.”

In today's world, security is a combination of hard power and soft power, so when we speak of security in the European Union, we are not talking about a European army. We are talking about the values associated with being a member. Anyone who doubts their importance should talk to the members that live close to Russia's border. They will confirm that being part of the EU is important to their security.

The hon. Member for The Wrekin (Mark Pritchard) asked me about Scotland. As we have heard already in the debate today and in comments in recent days, the integrity of the United Kingdom is also on the ballot paper when we cast our vote. That is clear. It seems to me a great pity that those who profess to be the most committed to the United Kingdom are cavalier about the future unity of the country, which is at stake through the referendum.

Whatever the actual words on the ballot paper, I believe that underlying them are fundamental issues for us. Perhaps the most important of all is what kind of country we are going to be. The easiest thing in the world is to look at some of the issues that we see on our television screens—the flow of refugees, the economic problems that have afflicted Europe in recent years—and to conclude that the best thing we could do is to walk away, pull up the drawbridge and say it is all too difficult. Though an answer that might be, I do not believe that it is leadership. In the end, this is a question of leadership, and that is why I believe the most important response to those issues is to resolve to play a full part with our partners and allies in facing up to them. That is why I want to see us remain in the European Union and to see the UK continue as an outward-looking, open, confident, engaged player in the world.

2.29 pm

Mr Nigel Evans (Ribble Valley) (Con): It is a pleasure to follow the right hon. Member for Wolverhampton South East (Mr McFadden), who made a very thoughtful contribution. In response to his comment about Britain walking away from Europe, let me say that clearly the United Kingdom will never do that, simply because of our geography. Also, we will reach out to the rest of the world. We talk about migration, and clearly we are not going to walk away from our responsibilities in that regard. As a member of the International Development Committee, I am delighted that we are now spending 0.7% of our GDP on international development, much of which is going to Syria and to help with the refugee crisis.

In many ways I feel sorry for the British electorate. I am glad that they will get a vote, because that is important from a democratic point of view—we are talking about something huge here—but at the same time they are going to have to pick out what is true and what is not. Over the next few months they will hear a lot of propaganda, and from both sides of the argument, whether from those who wish to leave the European Union, such as myself, about how wonderful it will be, and they will have to work out how much truth there is in that—I genuinely believe it—or from those who want to remain. They are using all sorts of arguments to promote their cause, including saying, “It’s going to be Armageddon the next day, if not worse.” Clearly that is not true either. As the Prime Minister said on Monday, we are a great country, and we will remain a great country whether we leave the European Union or not.

I am delighted that the Prime Minister has given the British people an opportunity to vote, because I think that their not having such an opportunity has been one of the great denials of democracy. I have been an MP for 23 years, and I remember sitting on the Opposition Back Benches when Tony Blair explained to the House from the Dispatch Box that the Lisbon treaty had been changed and was a dramatically different document and that therefore the British people would not get a referendum, despite having been promised one.

Jim Dowd: First, the only party that has ever given the British people a choice in a referendum on our membership of the European Union, or the EEC as it was at the time, is the Labour party. Secondly, the promise

to which the hon. Gentleman refers was on the EU constitution, not the Lisbon treaty; it was an entirely different issue.

Mr Evans: I looked at both documents, and the funny thing is that about 98% of it was the same; they cut and pasted it and it was virtually the same document. I was a member of the Parliamentary Assembly of the Council of Europe at the time, and I remember European Commission officials telling us, “Don’t worry; it’s virtually the same document.” They had one message for the people of the United Kingdom and a completely different one for the European Union.

Mr Baker: It was a think-tank—possibly Open Europe—that made available a consolidated version so that one could see, by putting the documents side by side, that there were no substantive differences. The only purpose of that treaty was to get it through without asking the people whether they wanted it, and that, I am unashamed to say, was the trigger that brought me here.

Mr Evans: If Tony Blair thought that he was doing this project any favours by denying the British people a referendum, he was greatly mistaken. I think that the reason he withdrew the promise of a referendum was that he thought the British people would vote no. Ireland regularly has referendums on treaties, and it sometimes has a second one, but normally after another discussion with the European Union in which parts of the treaty are changed to make it more favourable to Ireland. Had we voted no to the Lisbon treaty, I suspect that there might have been a different project for the United Kingdom—a third way, to use Tony Blair’s favourite phrase—in a more associative relationship with the European Union, based more on trade than on the political entity that we know a number of European Union leaders want. I think that Tony Blair did this project no favours whatsoever.

I will vote to leave the European Union because I love my country, but I respect those who will vote to remain, because they love their country too; both sides believe that they are acting for the betterment of their country. My grandfather fought in the first world war and my father fought in the second world war, and they did so to give democratic rights to countries within Europe, and indeed across the rest of the world. Devolution is a keystone of British policy, bringing power closer to the people, but I believe that the leading elites of Europe might as well be from another planet. Most normal people in this country, and indeed across the rest of Europe, cannot name a single member of the Commission. We have scores of these faceless governing elites, many of them on salaries way above the Prime Minister’s.

That reminds me of this great red card that we have been told will allow us to stop legislation we do not like, so long as we join together with another 14 countries to block it. The idea was ridiculed by William Hague in this Chamber when it was first suggested. Even if the legislation we were trying to block proposed the murder of the first born, he argued, we would be unlikely to get 14 other countries to come together in the timescale that we would be given. Remember what happened—this is a measure of how influential we are in the rest of Europe—when we tried to stop Juncker becoming President. We went on a great salesmanship deal throughout the

[Mr Nigel Evans]

rest of the European Union, and how many countries did we get to support us? The answer is one—Hungary—out of 27.

Mr McFadden: I am glad that the hon. Gentleman has raised the Government's failed attempt to stop Mr Juncker. That was not because the European Union is some evil organisation; it was because the Government were completely useless at finding allies. When Labour were in government, we made a similar effort to stop a candidate and we were successful. The answer is to make friends and do the job better.

Mr Evans: I think that the answer is for us to have a veto on things we do not like. That is what sovereignty is all about. When I fight a general election, I want to be able to deliver what is in my party's manifesto. I raised earlier the issue of child benefit going to youngsters who have never set foot in the United Kingdom. One of our manifesto promises was to stop that, but now we are told that we cannot do that. That is the nub of the problem; we are putting promises in a manifesto that we cannot deliver because the European Union will not let us.

Peter Kyle (Hove) (Lab): Will the hon. Gentleman give way?

Mr Evans: I will not, because there is no more injury time.

This is all about sovereignty. We talk about the illusion of sovereignty. Well, if anyone wants to see it, they should come to the Palace of Westminster. If we cannot deliver the promises that we put in our own manifesto because a governing elite somewhere else will not let us, that is the illusion of sovereignty here in Westminster.

Emma Reynolds: Will the hon. Gentleman give way?

Mr Evans: I will not.

It is exactly the same for the abolition of VAT on sanitary towels. It should be something we decide at Westminster. It should have nothing to do with the European Union whatsoever. I believe that if my constituents vote for me and then they do not like what my party has done in government after five years, they can get rid of us so that the laws can be changed. That does not happen at the moment, and that is one of the reasons why I wish to leave the European Union. We talk about a seven-year brake. Would anybody buy a car when they had to get permission from somebody else to use the brake and when the brake was going to go after seven years? We would have to be bonkers to buy a car like that.

Trade is mentioned time and time again. Will hon. Members please read the House of Commons paper that was mentioned? It shows that the deficit in goods and services with the European Union is huge—with Germany alone, it is more than £27 billion. I assume that Mercedes will be the first to knock on Angela Merkel's door if Britain decides to leave, and it will say, "Don't you dare meddle with the trade agreements the United Kingdom wants with the European Union." Of course, we are also members of the World Trade

Organisation, which will give us protection. I simply do not believe that the other countries of the European Union are vindictive and spiteful and that they would want to cut their noses off to spite their faces; indeed, if they were, would these be the sort of people we wanted to associate with?

Security is mentioned time and time again, and this issue does worry me. More than 1 million people have come into the European Union over the last 12 months. It is predicted that, by 2020, 3.6 million people will have entered Germany alone. Even now, the chief of Europol estimates that 5,000 jihadists have managed to enter. At what stage will Germany give passports to the people who have arrived there, and where will those people go? Many of them will come to the United Kingdom; they will have German passports, and there will be little we can do to stop them. That worries me.

Sadly, I do not think the people of Paris—whether at *Charlie Hebdo* or the nightclub that was attacked—felt any safer last year because they were in the European Union. That is not security. I want us to secure our own borders. That will allow us to have the power to control who comes into the United Kingdom. As the razor wire goes up all over Europe, let us take this once-in-a-lifetime chance to take back control, put the security of our people first and put power back in the hands of the British people.

It is the British people I would like to end with. We have not had a referendum on this issue since 1975. The Foreign Secretary told us there will be no second referendum, and I believe him. This will be the only opportunity we get in my lifetime to take back control, to leave the European Union and, while still trading with it, to return sovereignty to this country. I hope the people of Britain will take that chance on freedom day.

2.41 pm

Jim Dowd (Lewisham West and Penge) (Lab): It is a pleasure to follow the hon. Member for Ribbles Valley (Mr Evans). Very little of what he said did I agree with, but I appreciate the way he presented it.

Like some Members around the Chamber, the hon. Gentleman will remember the late Eric Forth, who was the MP for Bromley and Chislehurst—he was a fellow Member for part of the London borough of Bromley. Very little did I agree with him politically, either, but he once said in this Chamber that when those on the two Front Benches agree with each other, we should start counting the spoons. That is a reasonable idea. However, when not just those on the two Front Benches but the leader of the third largest party agree with each other, we need to be very careful in our assessment of what is going on: they might be right, but we have to open ourselves up to the idea that they might not be. Once there is a consensus on these things, it becomes almost unforgivable to deviate from it.

I do not normally take part in European affairs debates, because they have had a tendency in the past to become almost theological in their content and in the way they are conducted. However, I want to make a few observations. I was one of a small minority of Labour Members who were always in favour of a referendum; indeed, before the last election, I joined a group called Labour for a Referendum. I was in a minority among the members of Labour for a Referendum in so far as I

did not join that group on the basis of a fixed position of wanting to get out of the European Union. However, I came to a conclusion some years ago—one Conservative Member mentioned this—that things had changed so much in the years since the last referendum that it was time the British people were consulted again on this issue. That is the only way to achieve any kind of lasting settlement.

Others in my party mistakenly resisted the idea, even though the Prime Minister brought forward a Bill in 2013 to make provision for a referendum. What happened in 2013 and what Harold Wilson did in 1975 were almost identical: 1975 was a device for trying to prevent the Labour party from splitting asunder, and 2013 served exactly the same purpose, but for the Conservative party.

Many Labour Members resisted the referendum. They said, quite rightly, that the period before it would create uncertainty. As others have said, uncertainty is bad for business—one need only look at the performance of the pound on the international exchange markets this week. I think foreign exchange traders must be somewhat nervous creatures, because the fact of the referendum has now been around for four years, and it was obvious that it would take place once the current Government won the last election. It was there for all to see that there would be a referendum sometime before the end of 2017.

Mr Jackson: I am sure the international finance community will be heartened by the hon. Gentleman's solicitude about the operation of the international markets. On a serious point, does he agree that there is a gap in the market for the decent, patriotic, thoughtful Labour voters who are Euro-sceptic and believe that our future lies outside the European Union as a global trading nation? Those people are being let down by their own Front Benchers, who are, in effect, ignoring those views.

Jim Dowd: If I have time, I shall come on to that, but I broadly agree with the hon. Gentleman's point, because it does have validity right across the argument. As the hon. Member for Ribble Valley said, there are those who say they love their country and want to vote out and those who say they love their country and want to stay in. We have to give due regard to everybody's position.

The other failure of leadership was not so much on the business considerations but came from those who said that the British public might come to the wrong conclusion, so the only way to protect against that was not to allow them the choice in the first place. That was a mistake. I am not saying it is the only reason the Labour party did not win the general election last year, but it would not have been an incentive for people to vote for Labour that we were standing against the referendum while the Conservatives were standing in favour of it.

Along with my right hon. Friend the Member for Wolverhampton South East (Mr McFadden) and the Minister for Europe, I served on the Committee on the original Wharton Bill, as it was known at the time. Everybody knows that it was not the Bill of the hon. Member for Stockton South (James Wharton) but No. 10's Bill, and it was given to him when he drew the No. 1 position in the private Members' Bill ballot. A very entertaining and illuminating experience it was, too.

I remember the hon. Member for Stockton South standing up at the start of the proceedings and introducing the programme motion, quite properly as the promoter of the Bill, then sitting down and for the next five weeks not saying a word until we concluded our proceedings and he indulged in the usual civilities that we have at the end of every Committee stage to thank everybody for taking part.

The Minister for Europe was by far the most active person on the whole Committee, although I think my right hon. Friend the Member for Wolverhampton South East was the more convincing. The whole thing was a pantomime designed to save the Tory party from itself—or at least part of itself. The parallel I drew between Harold Wilson's manoeuvrings in 1975 and those of the current Prime Minister works to some degree, but unfortunately Harold Wilson only kept the Labour party together for less than a decade, and then it split over this very issue.

I actually voted no in 1975. Conservative Members have been saying that they voted yes and Labour Members have been saying that we voted no, and I think for probably the same reasons—what we expected and wanted the then EEC, now the EU, to become. I am less inclined to vote no this time, although I am not entirely certain, because I have many concerns about how the EU operates. Strangely enough, I agree with the Mayor of London, the hon. Member for Uxbridge and South Ruislip (Boris Johnson) in this regard: I think that Britain can have a future outside the European Union. I just do not think it is the optimal future for the British people. Where I disagree entirely with him is on the risible and laughable idea that we can vote no today so that we can vote yes tomorrow. That is completely bizarre and untenable. I admire the attempt by the hon. Member for Harwich and North Essex (Mr Jenkin) to breathe life into the idea of a second vote by saying that the Government should not respond immediately to the result of a negative vote, but there will not be a second vote under any circumstances and we should have the courage to face up to that.

Mark Pritchard: My hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) also wrote recently that the British people are always right, and I agree with him. Does the hon. Gentleman agree with me and the Mayor of London that, whatever the result—in or out—the British people will be right, and all of us, whatever school of thought we might hold to today, need to respect that?

Jim Dowd: I would not take such an absolutist view. The British people may or may not be right—that is a matter for a higher judgment—but, as a democrat, I believe that, whatever they vote for, it is incumbent on the Government and Parliament to abide by it. If in later years we discover that it was all a great mistake, well, *c'est la vie*. I cannot help feeling that the calculations of the hon. Member for Uxbridge and South Ruislip have more to do with the succession to the Tory leadership than with the best interests of this country or of Europe.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): Will the hon. Gentleman give way?

Jim Dowd: No, I am in my own time now.

[*Jim Dowd*]

I do not think that the deal that the Prime Minister came back with will be the key determinant of this argument. Rather, it is going to be about people's overall impression of the EU and of Britain's place in Europe and its family of nations. It will also be about the merits of the rival advocates, as well as of their arguments, as we attempt to clear the fog of claim and counterclaim. We currently have the strange spectacle of the Secretary of State for Justice being in open dispute with the Attorney General over the legal status of the agreement that the Prime Minister brought back over the weekend. That argument has been rehearsed again this afternoon, and I am sure it will complicate the issue for the next four months. Incidentally, I think the British people, rightly or wrongly, will be heartily sick of the whole discussion by the time we get to 23 June.

The hon. Member for Ribble Valley said that this is the first chance he has had in his life to vote on this issue. This will be my second chance, if I survive to 23 June, which I sincerely hope I do, although I am sure that view is not universally held. It is such a critical issue for the future of this nation, and for our neighbours and friends, that we have to take it seriously. We cannot let it degenerate into an argument between two groups of zealots—the loonies, fruitcakes and closet racists on the one hand, and the self-satisfied political elite of the status quo in Europe on the other.

Finally, as others have said, we should have regard to the impact that the vote will have on the whole of these islands. If there is a negative vote, it will have an impact on parts of the UK and a direct impact—I am certain it would be a negative impact—on relations with the Republic of Ireland. There are various complicated and practical reasons for that. Given all the progress we have made in recent years, that is not a risk worth taking.

Several hon. Members *rose*—

Madam Deputy Speaker (Natascha Engel): Order. Before I call the next speaker, Members have been taking full advantage of interventions and we are therefore running rather late, so I am going to have to reduce the limit to eight minutes. If Members continue to be so generous in taking interventions, I will have to reduce it further.

2.53 pm

Mr Bernard Jenkin (Harwich and North Essex) (Con): I am most grateful for your advice, Madam Deputy Speaker, and I am pleased to follow the hon. Member for Lewisham West and Penge (*Jim Dowd*).

I beg a little indulgence for a moment. It is highly irresponsible to bring in the Northern Ireland peace process as yet another scare against voting leave in the referendum. There was an open border between the Republic of Ireland and Northern Ireland when Ireland was not a member of the European Union and we were, and perfectly reasonable arrangements will be made with the Republic of Ireland if the United Kingdom votes to leave the EU. There are participants in the peace process on both sides of the debate, and they are talking perfectly constructively together. They will not allow this to become an obstruction to peace in Northern Ireland, and nor should we talk it up, because I think that that would be irresponsible.

I want to make the point that I am not advocating a second vote. If we get a vote leave in this referendum, as I expect we will, that will do for me. The point I am making is that article 50 is a provision of the treaties that we will have just rejected. The idea that we are bound to follow the article 50 provisions after we have just rejected the treaties in their entirety seems a bit odd. Given that the treaties were created by 28 member states negotiating together, 28 member states negotiating together to rescind our membership of the European Union might be a more sensible approach. However, that should be decided by Parliament, not by the Government acting on Crown prerogative in an act of petty vengeance to scare people.

Peter Kyle: The hon. Gentleman is saying that once we say no to the EU, we will tear the whole thing up and do it all on our terms, but he expects there to be a cordial relationship afterwards while we renegotiate on terms that are favourable to us. Are not those two things completely and utterly incompatible?

Mr Jenkin: Let me put it another way to the hon. Gentleman. Is he seriously suggesting that after the British people have rejected the treaty on the functioning of the European Union and the treaty on European Union, our European partners are going to say, "You may have rejected all that, but you are bound by this"? That is ridiculous. It is absurd. It is far more likely that Parliament will want to discuss the matter, the Government will produce a proper White Paper and we will proceed in an orderly and consensual manner, not in a precipitate one. The only reason those in favour of remaining are raising this is to try to scare people. It is another scare story, and we are not having it.

The hon. Member for Lewisham West and Penge also talked about uncertainty. May I point out to him that every time we have a general election, there is a certain amount of uncertainty? My goodness, at the next general election, if there is any possibility of the Labour party being elected, boy, there will be uncertainty! There will be uncertainty in the markets, and there will be pound gyrations. Democracy is about uncertainty, but we get more uncertainty where there is no democracy: look at Greece; look at Spain; look at the eurozone. That is uncertainty, and it is the uncertainty that we want to get out of.

If we vote leave, we know what will happen. We will get our powers back. We will get control over our borders. We will be able to spend the money that we send to the European Union as we want to spend it, instead of subsidising our European competitors. Three hundred and fifty million pounds a week, or a net contribution of £10 billion a year—that is a lot of money. We will be able to pay for the roads in Scotland. We will be able to pay for universities. We will be able to pay for the investment in science and research that we need, and then some.

The real question in the debate is what happens if we vote remain. What new laws will be imposed on us after we vote remain? What judgments will the European Court of Justice visit upon us over which we have no control? What about the next treaty? We know that there will be another fiscal union treaty like the one that the Prime Minister vetoed a few years ago. The agreement states:

"Member States whose currency is not the euro shall not impede the implementation of legal acts directly linked to the

functioning of the euro area and shall refrain from measures which could jeopardise the attainment of the objectives of economic and monetary union.”

It sounds as though we are giving up that veto. We will not be able to veto a fiscal union treaty if we have signed this agreement, particularly if it is legally binding and irreversible. We are going to be stuffed. In whatever way that treaty affects our interests—we can even have a referendum on it—if we abide by this agreement, we will not be able to stop it. Talk about uncertainty; I think it is safer to leave.

Let me declare an interest as a director of Vote Leave. Let me also praise my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) for raising the tone of the debate and giving us an historical perspective. He underlined the fact that we are at a turning point in the history of our country. I was struck by the shadow Foreign Secretary’s reminder that more than a generation has passed since the last referendum, when his father was opposed and my father was in favour. Today, the shadow Foreign Secretary is in favour and I am opposed. I shall not speak for my father in this debate, but there has been a reversal of roles. The real question is: should the debate be about the past or the future? We do not live in the world as it was after the second world war—pre-globalisation, pre-global trade, pre-computers and the internet, pre-space age and pre so many of the scientific discoveries that affect our world today.

Sir Nicholas Soames: I am grateful to my hon. Friend for what he says. I have huge respect for his views, but does he not agree that we cannot make a serious judgment about the future unless we are quite clear about what went before?

Mr Jenkin: We should be ready to recognise the EU institutions our continent has inherited as so last century, but I was going on to say that we must never forget the forces of history and the tragic errors of the past that have shaped the present on our continent, although we must also have the courage to embrace the change in our society and in the world that will otherwise leave us stranded with and clinging to outdated ideas and constructs. Our main contention is exactly that; the EU is an outdated construct.

Sir William Cash: Does my hon. Friend agree that if we remain we would in effect be in the second tier of a two-tier Europe dominated by other countries?

Mr Jenkin: That is a whole new argument, which I accept, but I am not going there now.

The referendum represents not just a turning point in itself, but just one point on a trend that is increasingly paralysing our entire continent, the unity of which is being shattered by the very institution that was intended to unite it. Let us look at the eurozone and at the Schengen free travel area and the migration crisis. Whereas in 1975 my party, myself included, was enthusiastic for membership of the European Communities, today my party—and, I believe, my country—knows that the world is utterly different.

Today, the strongest arguments for remaining appear to be ones saying that we are determined not to participate in the three main purposes of the EU: we will not join

the euro, we will not join the Schengen free travel area and we will not be in a political union. What is the point of our being in this arrangement when we are so opposed to its principal purposes?

I must say that we have heard a certain amount of this debate before, as the Minister for Europe will recognise. Much of it is familiar from the Maastricht debates 20 years ago. We were told that we had opt-outs, but the problem is that they do not always work. We were told that about the social chapter, but we were overruled by the European Court of Justice on the working time directive. We were told then, “Europe is changing”, and, “It’s all going our way.” I cannot believe I have heard it again, but the Foreign Secretary actually said today:

“National where possible, Europe where necessary.”

John Major regarded that—subsidiarity—as his principal triumph, which was going to reverse the centralising tendencies of the European Court of Justice. We were told we would always be leading in Europe. Today, the Foreign Secretary said we would “fight” with “like-minded...states” and be “leading...in a reformed EU”.

We have heard all this before—these are the same deceits—to persuade people to support something that we do not really want. We were told that if we vetoed Maastricht, it would be a “leap in the dark”. What did the Foreign Secretary say today? He said leaving would be a “leap in the dark”. The giveaway this afternoon was when he said:

“Of course there is more to do”.

You bet! If we stay in the European Union, there is going to be a lot more to do, because this agreement is of course so inconsequential, even if it were irreversible and legally binding.

What happens if we vote to remain? That is the question the Government need to answer. What will happen? Last time, we were told before the referendum that there would be

“no loss of essential national sovereignty”.

The word “essential” was useful, because it denuded that phrase of its meaning. We have the same weasel words coming from the Law Officers today.

If the British people are deceived again and we vote to remain, we will have resolved nothing. We will be back in the Chamber in five or seven years’ time either to demand another referendum or deciding just to get out. That is the trend: we will be facing the same problems and we will be afflicted by the same conflicts with our European partners, although by then the problems will be worse. I believe that leaving the European Union is the safer choice. Our security depends on NATO and our alliances, our own people and our resources, and working with allies. The idea that we can work with allies only if we stay in the European Union is yet another deceit being visited on the British people.

3.4 pm

Emma Reynolds (Wolverhampton North East) (Lab): It is always a great pleasure to follow the hon. Member for Harwich and North Essex (Mr Jenkin), even though I do not agree with anything he said, apart perhaps from what he said about the speech by the right hon.

[*Emma Reynolds*]

Member for Mid Sussex (Sir Nicholas Soames), which was one of the best I have heard in this House. As my right hon. Friend the Member for Wolverhampton South East (Mr McFadden) said, it was a pleasure to listen to. I really feel that he raised the level of the debate.

I want to speak about patriotism. The British people are deeply patriotic. According to the recent social attitudes survey, the overwhelming majority of British people describe themselves as being proud of our country. I think that means that they want to see a strong country, a strong economy, a more secure country and a country that stands tall in the world. It is my view that there is a powerful, progressive, patriotic case for remaining in the European Union.

I believe, as do many in this House, that we are stronger, more prosperous, safer and more influential as a member of the European Union. The challenges that we face in the 21st century will not be solved by pulling up the drawbridge, and they do not stop at the white cliffs of Dover. We achieve more working together than we do alone. We have a proud history as a trading nation and a proud history of providing leadership in international and European co-operation.

We, the patriotic, progressive pro-Europeans, are the optimists about our role in the world. We believe that by working with others, we do not lose power, but assert and augment our power in the world. The anti-Europeans are the pessimists in this debate—pessimistic about what we as a country can achieve by working with others, and pessimistic in saying that we will always be the losers when we try to work with others. British Prime Ministers of different political colours have disagreed with that assumption. They have driven international co-operation and the establishment of international organisations. The great post-war Labour Government of Clement Attlee and Ernest Bevin were instrumental in setting up NATO.

Kelvin Hopkins (Luton North) (Lab): Will my hon. Friend give way?

Emma Reynolds: In a minute.

As the right hon. Member for Mid Sussex said in his powerful contribution, his grandfather, Winston Churchill, played an incredibly important role in preserving the peace in the post-war period. Edward Heath took us into the European Economic Community. Margaret Thatcher very successfully drove the creation of the European single market. Tony Blair, somebody of whom I am very proud because he won three elections for us, successfully pushed for the enlargement of the European Union.

I do not often agree with the current Prime Minister and leader of the Conservative party, but I thought he made a very powerful case on Monday for our membership of the European Union. That powerful case goes beyond the deal that he struck. He was absolutely right when he said in his closing remarks that

“this is no time to divide the west”

when we face

“Putin’s aggression in the east; Islamist extremism to the south.”

I agree with him too that there is “strength in numbers” and that the choice in the referendum is between

“an even greater Britain inside a reformed EU and a great leap into the unknown.”—[*Official Report*, 22 February 2016; Vol. 606, c. 25.]

Many column inches and much time on the broadcast media over the past few days have been dedicated to the divisions in the Conservative party over our membership of the European Union and to the intricacies of the deal that was struck at the longest English lunch in living memory on Friday in Brussels. However, I hope and believe that it is the bigger arguments about why it is in our interests to remain in the European Union that will, in the end, determine how people vote in the referendum on 23 June. I will make three key arguments that are at the heart of the patriotic and progressive case for our membership.

Let me take the economy. We trade more with the rest of the EU than we do with any big economy around the world, including the US, China or India. As a member of the biggest single market in the world of 500 million people, we are a gateway to the rest of that market, which is why we are able so successfully to attract inward investment from companies in the European Union and beyond.

On the outskirts of my constituency, Jaguar Land Rover has invested in a huge award-winning engine factory that, when at capacity, will employ 1,500 people. Its chief financial officer recently said that any split from the European Union would damage trade for UK business, and he cautioned against “barriers” that would arise in the event of the UK leaving the EU.

Peter Kyle: My hon. Friend makes an incredibly powerful point about the importance and interconnectedness of trade. Does she agree that the same interconnectedness applies to higher education? Universities share funding across Europe and come together in an interconnected way. By working together with research grants and research as one European Union, we share our expertise with that of others, and we solve global problems together.

Emma Reynolds: I agree with my hon. Friend, and the University of Wolverhampton and Universities UK have made that point clear. They think that there is great strength in universities across our country working together with other universities and research institutes in Europe, and they benefit from the investment and funding that we receive by being a member of the European Union.

Alongside my colleagues, as a Labour MP I will be making the social Europe case for staying in the EU. Thanks to the previous Labour Government who signed up to the social chapter—I am proud of that Government and that we took that decision—working people across the country have employment rights and protections that they would not otherwise have, such as paid annual leave, and rights for agency and part-time workers. Many of those affected are women. As the TUC general secretary Frances O’Grady recently said, those rights and protections will be on the ballot paper come 23 June. Frankly, I do not think that we can trust this Tory Government to maintain those protections if we were to leave the EU.

There is also a powerful security case for us to stay in the EU. Prior to the European arrest warrant, the French suspected a terrorist in our country of bombing

the Paris metro, and it took us 10 years to extradite that suspect. In 2005, Osman Hussain, the terrorist who attempted to bomb the London underground and fled to Rome, was extradited back to the UK in under five weeks. That tells us something about the strength of pooling resources, expertise, and sharing information about criminals who do not respect borders.

Briefly, let me touch on the weaknesses of the counter-argument. Those who want to leave the EU have a responsibility to tell us what “out” would look like, and it seems that there is a choice between on the one hand not having access to the single market with British business being hit with trade barriers and tariffs, and on the other hand having access to the single market while still paying into the EU budget and accepting the free movement of people and all the rules, but without a seat at the table. There are major inconsistencies in that argument. As I pointed out earlier, the idea that somehow we are powerless within the EU, but that if we left we could get precisely what we want on our own terms, is not believable. I hope that the patriotic progressive case for our membership will win out, and that the British people vote to remain on 23 June.

3.14 pm

Mark Pritchard (The Wrekin) (Con): Let me start by paying tribute to the Prime Minister—not something I have always done. He has delivered on our manifesto commitment to hold a referendum, and he is the first Conservative leader and Prime Minister to do so in more than 40 years. Even Margaret Thatcher, who I am sure all those on the Government Benches still adore, did not deliver a referendum and did not negotiate any pre-referendum reforms, bar getting the rebate back for the United Kingdom, so credit where it is due. The Prime Minister may not have obtained the impossible, but many of us think that he has obtained the improbable. He went to Brussels with demands that many people thought he would never get.

Richard Drax: On what the Prime Minister achieved, does it not strike my hon. Friend as odd that the Prime Minister gave in before he went by saying he wanted to stay in the EU even before the negotiations had started?

Mark Pritchard: It is always difficult to set out the defined and true position at the outset of any negotiations, otherwise one would not negotiate the position one would want to find oneself in at the end of it, so I do not agree with that. I think the Prime Minister achieved more than many people thought he would achieve. Of course, for some people even if he had parted the English channel it still would not have been good enough. Perhaps some even might have wanted him to fail. Overall, it is a good reform package for the United Kingdom.

I agree with the hon. Member for Wolverhampton North East (Emma Reynolds) about tone. The parliamentary and national debate needs to be done in the right tone with the right language, in a measured and respectful way. I hope that will be the case. We have heard some reference to scaremongering today and in the media, but it was Nigel Farage, in a recent Oxford University debate, who said that the EU referendum issue would be “settled by security”. My hon. Friend the Member for Harwich and North Essex (Mr Jenkin),

in the penultimate paragraph of his remarks, suggested that security was a key issue too. It is unfortunate that the issue of scaremongering is coming into the debate. It is legitimate to talk about national security, both for those who want to remain in the European Union and those who want to leave, and it is on national security that I would like to focus my main remarks.

The hon. Member for Barnsley Central (Dan Jarvis) wrote in the *Daily Mirror* this morning:

“The threats posed to the UK’s security are just like the threats posed to the rest of Europe”.

He is right. Common threats require a common response. Europe’s threats are our threats too. The UK’s threats are Europe’s threats. In an unsafe world this is not the time to be walking away from our friends and allies. This is a time to stand together. This is not the time for the United Kingdom to be quitting Europe. My view is that the UK is safer in a reformed European Union and the European Union is safer with the UK standing by its side, now with our own special status.

The Paris attacks have been mentioned a couple of times today and in the media over the past few days. Some say that it is less likely that the United Kingdom will be subject to Paris-style terror attacks if we leave. I disagree and think that is a very, very bold statement to make. Some say the Syrian refugee crisis has had an impact on terrorist incidents across Europe and will therefore have an impact on the UK. That may well be the case, and I will come on to those points in more detail later. Specifically on the nationality of those involved in the Paris attacks, however, the majority were EU nationals. In fact, they were led by a Belgian national.

Some have referenced open borders in the United Kingdom. We do not have open borders in the United Kingdom. That is inaccurate and, unfortunately, misleading. The fact is that under Schengen we do not have open borders. That is a fact.

Mr Rees-Mogg: We do effectively have open borders for Belgians. Belgian passport holders can come here without so much as a by your leave. They come through and we cannot refuse them unless we have specific evidence. If we could make them apply in advance and get clearance, as we have to before going to the United States, our borders would clearly be safer.

Mark Pritchard: First, the reference to the Belgian EU nationals was to make the point that it was not Syrian refugees who undertook that Paris attack. Secondly, my hon. Friend may not want to make this point, but I will make it for him. The majority of terrorist threats in this country, as proven by the 7/7 attacks, are actually by British nationals, not EU nationals. Of the four involved in the 7/7 attacks, three were British nationals and one was a German national. It is not necessarily the case that coming out of the European Union will make us safer from attacks. I think there is a danger from some—not Members and certainly not my hon. Friend—of a Trumpification of the out campaign. There is a danger of the shadow of Donald Trump coming into this referendum campaign, which I think would be very unhelpful and dangerous.

Mark Tami (Alyn and Deeside) (Lab): I totally agree with the hon. Gentleman that we would be deluding ourselves if we believed that by stopping people at the border, terrorism would somehow not be a threat to this country.

Mark Pritchard: The hon. Gentleman is absolutely right, as he so often is. Rather than increasing the threat, Europe is helping us daily to decrease the threat to our borders. Whether it be through Border Force staff in Calais and other places, through Frontex, which has helped us with some of the most recent border issues, through collaboration between European police forces and the National Crime Agency and other UK constabularies, or through the closer working relationship between our intelligence agencies, Europe helps the UK's national security every day of every week. As I said, suggesting that leaving the European Union will keep the UK safe from terrorism is a very bold statement.

This morning, writing in *The Sun*, the former Foreign Secretary, the noble Lord Owen suggests:

“Remaining in the EU is risking more than leaving”,

but where is the evidence? There is no evidence. That is another sweeping and bold statement, but no evidence is provided. What is more, I think that an exit from the European Union would embolden the UK's enemies. In national security terms, who would benefit from the UK quitting Europe? One word and one country—Russia. It is the UK that has ensured that Europe acted quickly and decisively to impose sanctions over Russia's territorial grab in Ukraine. It is Europe, alongside NATO, that is sending a clear and tough message to ensure that the territorial integrity and security of the Baltic states are assured.

On diplomacy, it is so often the United Kingdom that is the bridge between continental Europe and the United States, making sure that we get the right decisions on European foreign policy. If Members will forgive me, I want to quote from what I wrote recently for *The Sunday Times*:

“A decision to isolate Britain from Europe will have significant national security implications. First, a British exit would end Britain's political and diplomatic counterbalance to France and Germany's strategic clumsiness. ... Second, Britain's exit could also weaken Nato, with Germany and France extending Europe's own defence structures and budgets, such as the European Defence Agency. In itself this is not a hostile undertaking, but soon, complementary defence could be replaced by defence competition” to NATO. Some colleagues need to think carefully about that. It continued:

“Third, a British exit would rob the EU of Britain's diplomatic advice and counsel... Over the horizon, this new weakness would present unforeseen and new national security challenges to Britain.” Britain has a unique place in the world, and its diplomatic voice and reach is empowered by four essential global pillars: the United Nations, NATO, the Commonwealth and the European Union.

I would also like to refer to a published letter written by a former Chief of the Defence Staff:

“Britain's role in the EU strengthens the security we enjoy as part of Nato, adds to our capability and flexibility when it comes to defence co-operation and allows us to project greater power internationally.”

I do not think we should dismiss the voice of former Chiefs of the Defence Staff. Yes, of course the United Kingdom could survive outside the European Union. Yes, we would still be part of NATO. Yes, we would still have our own excellent armed forces. The key question, however, is whether we are safer in the European Union or safer outside it. I would argue that we are safer in. That is also the view of our close friends and allies who share our intelligence—the “Five Eyes” nations—as

well as of other nations with which we daily share intelligence, such as Germany, Denmark and so on. Let us look across the water to the US Congress, the White House, the Pentagon and the State Department. All those institutions and bodies want to see a safer Britain in the European Union.

Several hon. Members rose—

Madam Deputy Speaker (Natascha Engel): Order. Because Members are still accepting the maximum number of interventions, I shall have to reduce the speaking time limit to seven minutes. If speakers continue to take interventions, the limit will have to be reduced further.

3.24 pm

John Nicolson (East Dunbartonshire) (SNP): In the weeks and months to come, ahead of the referendum on membership of the European Union on 23 June, I look forward to hearing, from all parts of the House, the positive and inspiring argument for our remaining a member of the EU.

I pay tribute to the right hon. Member for Mid Sussex (Sir Nicholas Soames), who set us off at the start of the debate with what I think George Herbert Walker Bush would call “the vision thing”. That was refreshing. The hon. Member for Stone (Sir William Cash) has left the Chamber, but I would say to him that, like his father, my grandfather died during the last war, in the Clydebank blitz. Neither side in this debate has a monopoly on loss or war legacy.

It is commendable, and refreshing, to see a Conservative Prime Minister stand in the Chamber and state his commitment to the European Union. However, if the Prime Minister intends to see a vote to remain delivered this summer, it is time for him to stop talking principally to his own party, and to start talking to the public in these islands. It is time for him to stop engaging only in the minutiae of his reform deal, and instead to offer a vision. As the hon. Member for Peterborough (Mr Jackson) said earlier, the Prime Minister has secured only gossamer-thin concessions. The grander vision is, I think, the key. It is time to celebrate what the European project has done, and can continue to do, for the United Kingdom, Europe and the world.

Patrick Grady: The Foreign Secretary said earlier that objective 1 status, which transformed the infrastructure of the highlands and islands, could be seen as bunging money to people. Does my hon. Friend agree that that is completely the wrong tone to adopt in a debate such as this, and that we need to recognise the positive contribution that the European Union has made to these islands?

John Nicolson: That was certainly not the Foreign Secretary at his most sophisticated.

This debate should not be about appeasing troublesome Eurosceptics in the Tory ranks, or about establishing who the next leader of the Conservative Party will be. It is a debate about how we in these islands see ourselves, how we see our continental neighbours, and how the rest of the world sees us. What has been achieved in Europe since the formation of the European Union and its predecessor organisations is extraordinary. A continent that was apparently intent on destroying itself for decades—indeed, centuries—as nations fought with one another has been transformed into a continent that is synonymous with peaceful co-existence between nations.

When I listen to debates about Europe in the House, I often think how much we miss elder statesmen such as Heath and Healey. They were parliamentarians with a memory of war, who could have put into context for all of us what this project was about. They could have reminded us that it was about peace in Europe, and about establishing unprecedented stability between countries that had torn themselves apart through generations of enmity. Many Conservative Members will tell the House that the European Union was established on the basis of trade and trade alone, but I think that they forget their history. The Schuman declaration, presented by the French Foreign Minister in May 1950, proposed the creation of a European Coal and Steel Community. Why? To lock the economies of Germany and France together into mutual dependency, making war impossible. That was a “first step” in the integration of Europe, and one that many at the time thought should be treasured. It was a remarkable first step.

Although the institutions and treaties have changed over the years, the principle that underpins them has remained the same. Whether it was delivering forgotten freedoms to ex-fascist countries such as Spain and Portugal, inspiring a new sense of hope and opportunity for the ex-Soviet states, or promising the seemingly impossible—the restoration of free movement across the former Yugoslavia—the dream of EU membership facilitated peace, progress and prosperity throughout the continent.

It will come as no surprise to Members to know that I want to see Scotland, one day, with a seat at the top table of the European Union as an independent member state. I want Scotland to have control of its own foreign policy and its own defence policy, to control its own taxes and resources, and to make its own welfare decisions. Like other small nations—Denmark, Finland, Ireland, and Sweden—we know that this is achievable while continuing to enjoy the benefits of a union which promotes human rights across the continent, advances social Europe, guarantees workers’ rights in so many fields, where we work together to combat terrorism and climate change, and which allows access to the world’s largest trading area.

Membership of the European Union continues to provide the peoples of Scotland with huge opportunities. The right as European citizens to live, study and work in any EU member state is not something that should be taken for granted. In 2012-13, over 1,400 students from Scottish universities were supported by the Erasmus programme to study elsewhere in the EU. Scottish companies have taken full advantage of the export markets; Scottish exports to the EU were worth £12.9 billion—some 46% of all Scottish exports—in 2013 alone.

The vision I and my colleagues on the SNP Benches have for Scotland is one in which we play a full and active role on the world stage, independent but not never insular. It was called subsidiarity by Sir John Major, a concept I think we probably believe in rather more than Sir John Major himself: devolving as much as possible, but co-operating and pooling resources whenever desirable.

The alternative vision offered by the Eurosceptics and Europhobes is a depressing one. Indeed the pessimistic vision of the Foreign Secretary is a depressing one. The

prospect of retreating into ourselves, closing our borders and withdrawing from a union that has brought unprecedented peace and progress to this continent is a fate that has never, and will never, appeal to me. So let us trumpet an optimistic vision of Europe with verve and with enthusiasm and commend EU membership to the peoples of the United Kingdom with passion.

3.32 pm

Sir Edward Leigh (Gainsborough) (Con): I agree that we must understand the lessons of history and if I, for one moment, thought that leaving the EU would make civil war in Europe the remotest bit possible, I would not be standing here advocating that we do leave. How could I, when I come from a post-war generation where my parents constantly talked about the war? It was the essential fact of their life. My parents were 25 in 1945. My mother had to flee Paris hours before the German tanks rolled in. Her best friend, who was Jewish, had to throw herself off a train and was killed as she was being taken to the death camps. My father also had to flee France. This was a defining moment in their life, and it is not surprising that that generation wanted to create more of a sense of European solidarity and never repeat the slaughter and horror of two world wars. We all know that.

There was also a lack of confidence, I think, in that post-war generation. In the lifetime of my parents and my early lifetime, in just 20 years the world’s greatest empire dissolved—our empire dissolved. And there was a lack of confidence about our economy. When I had my first job and I was sitting across the river looking at the Palace of Westminster dreaming one day of becoming an MP, I was having to work a three-day week and was working by candlelight. Then when I arrived here in the 1980s we were shadowing the Deutschmark and it was felt that, again, we would find life outside the European Economic Community, as it was then, or the European Union a cold and hard place, but now we are in a different world. We are now in a new world—I will not say a brave new world, but it is a globalised world—and we have regained our confidence as the fifth largest economy in the world.

Therefore, some of these arguments are based on the past and we must certainly learn the lessons of the past, but we must realise that there is now a different future, and that the EU may have played its part but it has moved on from what we voted for in 1975. It has moved on from what was an economic community into something much more unified in that sense, and much more powerful.

Interestingly, however, so few of the people here who advocate our staying in the European Union seem to have this vision; where are the speeches today or this week, or in the country that have that vision from those who favour remaining in the EU? Where are the people arguing for a single currency? Where are the people arguing for us to be part of Schengen? Where are the people arguing for much greater co-operation and, indeed, an ever closer union? Where are those voices in Parliament? Where are the voices of the Ted Heaths, the Barbers and all these great figures from our past?

Mark Pritchard: I am not arguing for an extension of Schengen or for a single currency, but I am arguing for us to remain in on national security grounds. Does my hon. Friend, with all his experience, agree that if the

[Mark Pritchard]

United Kingdom were to leave the EU, the EU would be less safe and if the EU is less safe, just over the horizon, that is not in the United Kingdom's national security interest?

Sir Edward Leigh: That is a weak argument, perhaps one of the weakest that those advocating our staying in the EU believe in. I am not going to repeat all the arguments about our security ultimately depending on NATO, but I will give one example, from recent history, in order to reply to my hon. Friend. Does he think that the European Union attempting, in a rather cack-handed way, to create an association agreement with Ukraine was a good move to make? Has it made Europe a safer place? Has it not led directly—I do not approve of this—to the annexation of Crimea? An imperialist Europe is not necessarily a force for security; the force for security is the best national interests of the United Kingdom, working with our partners in NATO, and that has been the case since the second world war.

I am concerned, first, by the lack of vision on the pro-European side, which is something quite new in this House. It was certainly not the basis and foundation of debates in the 1970s, when principled cases were being made on both sides. On one side were the Benns, Foots and Powells, and on the other side were the Heaths and the Barbers. If there is not such a divide between us and if we are united in this House in not wanting to be part of an ever closer union, we do not want to be part of Schengen and we do not want to have a single currency, why are we told that Armageddon will take place the moment the people—not us but the people—vote to leave? Why do we get these apocalyptic visions of what would go wrong? Why are the Government so intent on not having a cool, calm, independent cost-benefit analysis of what would happen if we decided to leave? I suspect, having read things such as the Open Europe briefing, that the difference is marginal. Open Europe suggests that, in the best case scenario, we might gain 1.1% in gross national product, if we became a deregulated, open society and immediately concluded a free trade agreement, and that in the worst case scenario we might lose 2.2% of our GNP. It is therefore quite a narrow debate. If it is a narrow debate, can we not just raise its tone? Can we not say, “Whether we leave or stay in is probably not going to have a dramatic effect on our economy”?

In that sense, it is exciting to think that we might actually be able to run our agriculture. I represent a highly rural area. Our agriculture industry creates 3.5 million jobs, provides 62% of the food we eat and contributes £85 billion a year to the UK economy. It would be rather exciting if this House and our own Ministers ran agriculture. What about fisheries? Do we remember all the arguments made by our friend Austin Mitchell, who represented Grimsby? Do we remember what Grimsby was like, when one could walk across the harbour across the decks of all the trawlers? Do we recall what happened to our fishing industry? Do we recall that it was given away in the last two days of negotiations by Mr Heath? Perhaps it would be quite visionary and quite exciting for us to create a low-tax, deregulated economy. There is a world out there. Winston Peters, a former deputy Prime Minister of New Zealand, has openly speculated about, as he says, forgetting the terrible betrayal of 1973

and creating a new free trade agreement not just with Australia, as New Zealand is now concluding, but with us as well. There is an exciting world out there, with India, China and so on. Do people not think—

Mark Pritchard *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): No! No! Please.

Sir Edward Leigh: I will not give way, because others wish to speak. My hon. Friend has already given me extra time just by standing up. [Interruption.] I will finish my speech, because I do not wish to abuse the procedures of the House.

On a final note, there is a world out there. Let us grasp it; let us trust the people; let us not be afraid and let us regain our freedom.

Several hon. Members *rose*—

Mr Deputy Speaker: Order. We have 10 speakers and two wind-ups. It works out at six minutes each, and that is without interventions. I ask those who have spoken to think about those who have not to make sure that they also get on the record. If we can help each other, we will all get there.

3.40 pm

Stuart Blair Donaldson (West Aberdeenshire and Kincardine) (SNP): I am delighted to be able to contribute to this debate. I want to take the time allocated to talk about how I have personally benefited from being an EU citizen. My speech will not be about the big issues that some other Members have mentioned. I agree with the hon. Member for Lewisham West and Penge (Jim Dowd) that this debate can get a bit theological, so I will try to keep it personal and talk about the points that affect me.

Mr Deputy Speaker, you may be too far away to see, but I have a scar on my chin, which I received when I was 17 or 18 while I was on a cultural visit—more commonly known as a lads' holiday—in a southern European country. Unfortunately, halfway through the trip, I partook in one too many libations and ended up in a fight with the pavement. It is safe to say that the pavement won and I had to engage the local medical services. As I was younger than I am now, I did not have any travel insurance. However, the whole process at the hospital was made incredibly easy by the fact that I was carrying a European health insurance card in my wallet. That allowed me to be treated for free, very quickly, and I would say painlessly if they had waited for the local anaesthetic to kick in before stitching me up. I know that, compared with some issues that have been discussed today, that situation seems insignificant, but it is a practical way in which being an EU citizen has had a positive impact on my life. I am sure that it is an experience that has been shared by many other people my age.

I have been contacted by a number of young people who are slightly worried about what will happen when they leave school or are in their university holidays. They fear that a Brexit might mean that they will not have the opportunity to jet off easily to Magaluf or Zante for the aforementioned holiday. Will they have to

go through the hassle of getting visas just for a week or two of sun, sea and other things? Such issues may seem insignificant in the Chamber, but they matter to young people, especially those who have been denied a vote in this referendum.

There are 170,000 EU nationals living and working in Scotland, improving our economy, enriching our culture and even legislating in our national Parliament—the Scottish Parliament. I have personal experience of the valuable contribution of EU citizens to our society, as one even assisted me in my election campaign as my election agent. I recognise the real concerns that have been expressed to me by constituents who are EU citizens. They worry about what will happen to them, their jobs, their family and their lives should the UK leave the EU. They have also expressed their frustration that they will not be able to vote in the referendum.

A large number of my constituents are farmers, and the European common agricultural policy provides vital funding for them. It helps farmers and landowners to maintain farming and forestry in vulnerable areas and provides competitive support to enable a wide range of agri-environmental, food, rural and community activities across Scotland. In the current financial period of 2014 to 2020, Scotland will receive about €4.6 billion from Europe to implement the CAP.

Farmers depend on our membership of the EU to survive and thrive. They are not only the people who produce our food and look after our land, but the lifeblood of our rural communities. To put at risk the substantial investment that Europe makes in our farmers through the CAP would be to rip the heart right out of rural Scotland.

Many Members have spoken about where they would like to see the EU doing less, but I would like to talk about one area in which I would like to see it doing more. Again, it is a practical matter. I would like to see a single digital market where customers can buy and then use digital content across borders. Why? I want to watch Netflix abroad. If my sunbathing or sightseeing is rained off, I want to be able to sit in my hotel room and watch my favourite show, without being told by my screen that the current programme is unavailable in my location.

In my brief time, I have spoken about why the EU is important to me as an EU citizen—not big issues, not theology, but reasons based on self-interest, which I am sure will have convinced some Conservative Members.

3.45 pm

Richard Drax (South Dorset) (Con): Thank you very much for calling me to speak in this interesting debate, Mr Deputy Speaker. I believe that 23 June will be the most momentous day in this country's history, or certainly in my lifetime. We have the opportunity to get our country back, and I very much hope for all our sakes that we take it.

I was inspired by the speech of my hon. Friend the Member for Gainsborough (Sir Edward Leigh), because it was so positive. That is what the out campaign is. Today we have heard from the in campaign that leaving would be a leap in the dark. We have heard about the risks—shut the curtains, close the door. Not quite “Dad’s Army”-style “doomed”, but not far off it. Let me tell those who do our country down, as I believe they do by

speaking like that, that we will have huge aspiration, hope and opportunity if we leave the EU. We have absolutely nothing to fear from leaving what has, in effect, become a welfare state or the equivalent.

We are now reliant on nanny—let us call the EU nanny. Nanny has bred us, suckled us, brought us up and given us things when we asked for them, even when we did not deserve them. When we reach a certain age and it is time to break free from nanny and the cot and to get out there and start to grow up, we are told that we may not do so—or worse, we have been bred to the point that we do not want to leave. Sadly, that is the position of this great country.

My right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) mentioned his grandfather, for whom I have the most huge respect, as does the nation. I did not know him; I wish I had, but from the history books that I have read, I believe he would be on the side of those who want to get their country back. We often hear from the newspapers, commentators and those who want to stay in that we are all, as I recall the hon. Member for North West Durham (Pat Glass) describing us, middle-aged grey-haired gentlemen. I hope that I have got that right. We are portrayed as swivel-eyed lunatics who want to leave the EU, dig a hole in the garden, stick up the Union Jack and sing “God Save the Queen.” Oh, if only it were that simple.

We do not want that at all, but we do want to be free to control our destiny, our sovereignty, our democracy. Every speech I have heard warning of the risks of leaving predicts that suddenly we will not trade with Europe, and all communication and intelligence will shut down overnight. We are told that there are 5,000 terrorists heading into the United Kingdom, or certainly to Europe and then, no doubt, on to us. Are our former partners in Europe not going to tell us? Are they going to sit there mute while London is blown apart, or Glasgow, Manchester or Birmingham? Those are, so the Europhiles say, our allies. They are friends; they are decent people. We do not dislike them. We love the Europeans. I am British and a European, and I am extremely proud of it. I want to be in Europe and to trade with Europe. I want to enjoy their culture, their languages, their mountains, their seas, their more efficient trains, their wider and faster roads and their beautiful wine; I want to enjoy it all, as we all do. But, like millions of people in this country, I do not want to be ruled by unelected bureaucrats.

I sit on the European Scrutiny Committee, which is a great privilege, under the most able chairmanship of my hon. Friend the Member for Stone (Sir William Cash). He might like to hear about the conversation I had with my taxi driver last night as I was heading home—I always talk with the drivers, because they are always fascinating men and women. When he asked me who I was, I replied, “I’m an MP, but please don’t press the ejector button.” He promised not to. Then he said, “Tell me, guv, what do you think about the EU?” I said, “It’s simple. Do you want to control the future of this country, or do you want to hand it across to unelected bureaucrats and a political elite who are completely out of touch with the electorate?” He said, “Guv, do you know William Cash?” I explained that I did and that he is a great friend of mine. He said, “He sat in my cab 25 years ago and said the same thing.” That story is

[Richard Drax]

absolutely true. My hon. Friend, who is far-sighted, was right then, and he is right now. Let us get our freedom back on 23 June.

3.51 pm

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): I realise that I am one of a sadly dwindling number of Members of Parliament who not only remember the '75 referendum, but campaigned in it. Indeed, I feel a certain sympathy with those on the Government Front Bench, because in the years running up to the referendum I was a very beleaguered pro-European member of the Labour party, at a time when both the parliamentary party and the party membership as a whole were adamantly opposed to it.

I supported our entry into the European Community, as it then was, because many of the reasons given for our doing so were visionary, and many of them I heard articulated today most eloquently by the right hon. Member for Mid Sussex (Sir Nicholas Soames) and, to a lesser extent, by my right hon. Friend the Member for Leeds Central (Hilary Benn). I in no way resile from the vision I had when I supported Europe in those years. In the meantime, like many people, I have become frustrated with the way in which Europe conducts its business, getting bogged down in the minutiae of regulation, rather than pursuing the grand visions and aspirations we saw back then. However, at no stage have I ever believed that coming out of Europe would do anything to resolve those issues, and I have not changed my position now.

I will use the brief time available to me to state why I am still so firmly committed to our membership of the European Union. I welcome the referendum as an opportunity to get away from the minutiae of some of the debates we have had and to talk about the role that Britain has in Europe, and its potential role out of Europe, and exactly what considerations people will need to exercise when they cast their vote on 23 June. I still have those grand visions of Europe, but I understand, as I think we all do, that people will base their decision on what they perceive to be in their best interests and those of their country.

No area can understand and appreciate the value that Europe has brought better than the west midlands. The Centre for Economics and Business Research showed in 2011 that about 400,000 jobs in the west midlands were linked to trade with Europe, 200,000 of which were in manufacturing. That was before the huge investment that has come from the Tata family, first in Solihull and latterly in the i54 development outside Wolverhampton. They have made it clear that one of the prime considerations in that investment was our membership of the EU and its market. Toyota and Nissan have uttered similar sentiments about investment in other parts of the country.

We must remember that it is not just the major car assembly companies but the network of small manufacturing businesses that supply them that are so dependent on our trade with Europe. We must also remember that 80% of our cars are exported—half of them going to the EU. If anything prejudiced our ability to export them, the impact on areas such as mine in the west midlands would be devastating.

Nobody pretends that the EU is a perfect institution, or that exit from it would be an immediate catastrophe, but in these days of footloose international development, a major manufacturer wanting to invest in the car industry or in other manufacturing, if given the choice of investing in a mainland Europe EU market of 440 million people or a UK market of 60 million people outside the EU, would almost certainly opt for the former. That is a hard, real fact of political life, which we must live with. We must make sure that these things do not happen.

The other main point I want to make is that, if we look to the future, the global economies are going to be China, India and, no doubt, the USA, with possibly south America and even Africa coming up. Crucially, our ability to negotiate with them and to access their markets depends on our being part of the EU. To those who say we are a great nation, I say, yes, we are—we are a great nation because we are in the EU. There is no reason for believing that if we cannot shape the EU, we will be able to shape the approach taken by China, Brazil, India or the USA if we are outside it. The fact is that we gain strength in our international relations by being part and parcel of the EU and by working with like-minded people to realise an international trading framework based on the valued principles that we have in our western societies and democracies.

3.57 pm

Mr Steve Baker (Wycombe) (Con): When was it ever said of the great figures of history that they learned to suffer tolerable evils and irritations because they thought change too difficult. That is not the tone of the great history of mankind that has led us to this place; it is the creed of slaves—the tone of failure—but it characterises the Government's position and the campaign we are being offered by Britain Stronger in Europe.

We have chosen to place before the public an historic decision that will stay with us for generations, and it should be taken in a way that reflects the tone of my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames). While I may disagree with him, his speech at least had the merit of being a great speech by a great man, and it deserves to be remembered by history, if I may say so—unlike the rest of the remarks we have heard.

In that respect, I have to say that I listened to the Foreign Secretary's speech with dismay, as he started once again by listing all his misgivings about the European Union and all the problems with it. My right hon. Friend the Secretary of State for Business, Innovation and Skills would expect me to mention the article he wrote in *The Mail on Sunday*, in which he said:

"It's clear now that the United Kingdom should never have joined the European Union. In many ways, it's a failing project, an overblown bureaucracy in need of wide-ranging and urgent reform.

Had we never taken the fateful decision to sign up, the UK would still, of course, be a successful country with a strong economy...That's why, with a heavy heart and no enthusiasm, I shall be voting for the UK to remain a member of the European Union."

I am deeply fond of my right hon. Friend, but that is not the tone I wish my country to follow at this time or the picture I wish to be placed before the public.

What is at stake in this debate is not whether we co-operate with the nations of Europe, but the basis on which we co-operate with them and with the world.

Healthy co-operation is voluntary—I believe in that most strongly. Human prosperity, fulfilment and dignity are all underscored by liberty, and another name for liberty is self-government. That is what I came here to deliver—the ability to have the dignity of determining our own destiny at the ballot box. That is the great gift that we should hand on to our children. Whenever somebody says to me that we should remain in because we must think of what we hand on to the next generation and the one after, I always think that the great gift that history has shown we must always hand on to the next generation is the gift of parliamentary democracy and self-government, which lead to the flourishing of liberty, prosperity and humankind.

The terrain of this debate and the polls are leading to a real problem for what I will call the pro-EU BSE campaign, for the sake of brevity, and the Government. This recalcitrance is doing no good for our own country and no good for the nations of Europe. I do not have time to critique each detail of the Government's position. Suffice it to say that when one finds oneself listening, as I did—like many Members, I am sure—to the presenter John Humphrys on the “Today” programme asking, in a sarcastic aside, “Are we still calling this a renegotiation?”, then one knows the jig is up. The Government's position is not a fundamental renegotiation; it is a trivial one. Some of the benefits are worth having—I hesitate to say that they are not worth having—but they are marginal at best. When the front cover of *The Week* shows the Prime Minister pulling a tiny white rabbit out of a hat, we know the jig is up. When *The Spectator* shows the Prime Minister with a food tray, lifting the lid with glee and finding a tiny morsel on the plate, we know the jig is up. I am afraid that this renegotiation is a laughing stock, and it is doing the Government no good whatsoever to present it as anything other than a trivial set of changes.

We have ended up talking about whether the deal is binding. We are indebted to my hon. Friend the Member for Stone (Sir William Cash) for putting contrary evidence before us. I think it is fair to say that claiming that this deal is legally binding is to torture the English language in a way that only qualified lawyers are capable of doing. It is ridiculous to claim that it will materially affect the trajectory of our membership. It is largely symbolic—the word that was used to me by some continental politicians who visited to hear my views.

This is a shambles, if I may say so. It is not merely a shambles—it is becoming a rolling fiasco as day after day the Government lurch from one position to another trying to defend their renegotiation. We had the shambles of General Sir Michael Rose saying he had never signed up to a letter; he was in fact taking a contrary position. The Government claim the deal is legally binding and we end up going to and fro, potentially even creating a constitutional crisis in relation to the Secretary of State for Justice. Of the third of FTSE 100 companies who signed the letter about jobs, it turns out that 36 of them received €120 million in grants from the European Commission and spent €21.4 million lobbying the EU. That is all very well for them, but not so good for the small company in my constituency that was very nearly forced out of business because of ridiculous REACH regulations brought forward, no doubt, by companies that were able to lobby in this way.

I will not return to the remarks I made on 2 February, which my right hon. Friend the Minister will remember—I do not wish to be so crass once again—but this deal still stinks; I will leave it at that. Instead, we need the candour to set before the public that what they are being asked to do is to choose to remain in a substantially unreformed EU based on the Lisbon treaty, which our party opposed for good reason. At least let us have an honest debate that says, “Do you wish to surrender your self-government into this political project or do you wish to govern yourself?”

4.3 pm

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): I start by paying tribute to the impassioned speeches by the right hon. Member for Mid Sussex (Sir Nicholas Soames), the hon. Member for Wolverhampton North East (Emma Reynolds) and my right hon. Friend the Member for Gordon (Alex Salmond). I will seek not to repeat any of the excellent points that have already been made but try to introduce a few more into the debate.

Membership of the EU is important for Scotland and for the United Kingdom, but we need to work hard to maximise its potential. The Prime Minister has, most unfortunately, focused on peripheral issues rather than seeking to grasp the real opportunity that came before us during the negotiation process. Whatever the result of the referendum, the way in which we are perceived by our fellow member states is extremely important. I certainly do not want to be seen as carping from the sidelines as opposed to leading from the front in any debate in the EU.

This week I asked two Ministers if they could set out the cost of implementing this deal, particularly in relation to the benefits changes. Neither of them was able to do so. It is important to have clarity on whether or not the proposed restrictions and the administration thereof will leave the Treasury with a net saving.

The deal is a sideshow that fails to address really important issues. There were 27 Heads of State around the table and the Prime Minister clearly had their ear, so where were the discussions to improve the transparency of negotiations on the Transatlantic Trade and Investment Partnership and to secure the necessary changes to protect our public services and uphold the principle that our Parliaments can pass legislation without challenge from international corporations? Where was the agreement to ensure that Ministers from elected Administrations across these islands—Scotland, Wales and Northern Ireland—have a right to attend meetings and lead discussions in which devolved issues are debated and agreed, and to act as substitutes when UK Ministers are not available, rather than sending unelected Lords in their place, sometimes with no knowledge of their brief?

Over and above those issues, last year Scotland's First Minister set out the key areas of reform that we want as a member of the EU. The EU should allow member states more autonomy to tackle pressing national problems, such as those relating to public health. Member states should be allowed to take the decisions they deem necessary to protect life and promote health. The EU should complete the single market in services and work to deliver President Juncker's priority of a digital service market, as my hon. Friend the Member for West

[*Ms Tasmina Ahmed-Sheikh*]

Aberdeenshire and Kincardine (Stuart Blair Donaldson) said. On energy, an integrated EU energy market would benefit consumers and provide greater security of supply. We want regulatory reform to include changes to allow more decisions to be made at a regional rather than EU level. We should be negotiating for those things from within as a willing member of the EU wanting to play a full part, not as a reluctant tag-along, which is how we are now consistently seen.

EU membership is good for Scotland. Of course, the best deal for Scotland would be for us to have our own seat at the table as an independent and proud nation. However, despite the fact that Scotland is not a member state yet, we absolutely benefit from our current membership status, not least because EU companies add nearly £16 billion to Scotland's economy. Scottish workers also get vital protections because we are in the EU, including guaranteed holiday and maternity leave, and protection from discrimination.

Our EU membership keeps a check on this Tory Government, for whom Scotland did not vote. Over and above the positive benefits of EU membership, it has become increasingly clear over the past week that one of its fundamental benefits is that it keeps this Government in check. The Justice Secretary wrote last week:

"It is hard to overstate the degree to which the EU is a constraint on ministers' ability to do the things they were elected to do, or to use their judgment about the right course of action for the people of this country."

If the EU really acts as a handbrake on this Tory Government's plans to dismantle workers' rights and to wreck our environment, that is another extremely compelling argument if there ever was one for those of us on this side of the Chamber who want to stay in the EU and support our continued membership of it.

The EU referendum has all along been driven by the Tory party's long-standing internal divisions on Europe and the challenge to the Conservatives from the UK Independence party, rather than the specifics of the Prime Minister's renegotiation. The campaign to remain must learn the lessons of the mistakes that were all too clear in the "Project Fear" campaign in the Scottish referendum.

As things stand, it is increasingly likely that Scottish votes will play a crucial part in retaining the UK's EU membership. My colleagues and I are happy to step up and make the positive argument for Europe, because that is the right thing for our country. Scotland's First Minister, Nicola Sturgeon, will no doubt be a leading and welcome light in the debate, and this House and people across these islands can look forward to an SNP campaign that will be uplifting, upbeat and visionary.

4.8 pm

Mr Jacob Rees-Mogg (North East Somerset) (Con): It was very reassuring to hear my right hon. Friend the Foreign Secretary tell us earlier that he is a Eurosceptic and explain how successful the renegotiations were from his Eurosceptic ivory tower. That is encouraging, but I thought it might be worth looking at what the renegotiations achieved compared with what Her Majesty's Government set out. In the Conservative party manifesto, it was "an absolute requirement", according to the

opening of the paragraph, that child benefit not be given to anybody whose children are living abroad. It seems to me that that has not been achieved, so our Eurosceptic Foreign Secretary has failed in that regard.

The Conservative party manifesto stated that we would

"reform the workings of the EU, which is too big, too bossy and too bureaucratic".

The workings of the EU post the renegotiation remain too big, too bossy and too bureaucratic, so my Eurosceptic friend has achieved nothing.

In the Conservative party manifesto we made to the British people a pledge and a promise, on which we campaigned in, I hope, good faith. We said that we would

"reclaim power from Brussels on your behalf"—

not yours, Mr Deputy Speaker, but that of the British people—

"and safeguard British interests in the Single Market".

We have not reclaimed a single power, so, in that, my Eurosceptic friend the Foreign Secretary has failed to live up to the Eurosceptic credentials of which he boasts—and with which I credit him, because the Foreign Secretary is an honourable man.

My right hon. Friend the Prime Minister said that what we needed was fundamental and far-reaching reform. We have not achieved fundamental and far-reaching reform; his Eurosceptic Foreign Secretary has, in that regard, let him down. In the renegotiations, we have not achieved anything of any great substance. On the free movement of people, we have nothing. We have so little on the issue of benefits that the great mass migration will continue. It was announced today that 257,000 people came from the European Union in the last year, 55,000 of them from Bulgaria and Romania. My Eurosceptic friend has done nothing to change that.

My right hon. Friend the Prime Minister said in his Bloomberg speech:

"Complex rules restricting our labour markets are not some naturally occurring phenomenon. Just as excessive regulation is not some external plague that's been visited on our businesses."

But that plague is to continue, and the renegotiations have done nothing to stop it. They have not summoned Moses back to try to deal with it, as I seem to remember he finally got rid of the plague of frogs that afflicted Pharaoh. On immigration, my right hon. Friend the Prime Minister said that he thought it was essential to "restore a sense of fairness"

and

"to make our immigration system fairer and reduce the current exceptionally high level of migration from...the EU".

Nothing has been done to achieve that.

Not only is the renegotiation a failure because it has achieved so little—it has failed to tackle the problems that we promised the British electorate we would solve—but, worse than that, we have given away our negotiating card when the European Union comes to a fundamental treaty reform of its own. The document that was settled last weekend states:

"Member states whose currency is not the euro shall not impede the implementation of legal acts directly linked to the functioning of the euro area and shall refrain from measures which could jeopardise the attainment of the objectives of economic and monetary union."

The Eurosceptic Foreign Secretary—the honourable man to whom I referred—has managed, with my right hon. Friend the Prime Minister, to give away our most powerful negotiating card. When the European Union needs to develop the fiscal union that it has asked for, we have nothing to say because we have promised that we will do nothing.

And so we have left ourselves still on the path to a European superstate. That state has been getting bigger and bigger since we joined it in 1972—a state that has a flag; a state that has an anthem; a state that, because it is greedy, has not one but five Presidents; a state with a Parliament that has not one, but two seats of operation; a state with the symbols of statehood and the powers of a state. It has legal personality to conduct treaty negotiations. It has the legal power to make laws, and those laws are senior to our laws.

My right hon. Friend the famously Eurosceptic Foreign Secretary said that the treaty is legally robust, but he phrased himself very carefully, with the pedantry that one would hope for and expect in somebody from the Foreign Office. He said that it was robust in terms of international law. That gives it no justiciability in the courts of the European Union; it is merely taken into account.

We have a pretty worthless agreement, and we have scare stories to tell us why we should not vote no. If it was dangerous—if he thought the world would collapse on the day we voted no—why did the Prime Minister offer us a referendum? Is he some hooligan or some Yahoo who thinks it is safe to risk this nation's future by trusting the people? When he said he ruled nothing out, surely he meant it. Surely he was not saying that, in fact, he was always going to go along with whatever our friends in Brussels said, because the Prime Minister is a most trustworthy figure, who negotiates in good faith. That is the problem with all that underlies this negotiation.

4.15 pm

Joanna Cherry (Edinburgh South West) (SNP): It is always very daunting to follow the hon. Member for North East Somerset (Mr Rees-Mogg). There has been much talk today about whether sovereignty is an illusion. I know that the notion of parliamentary sovereignty is one that many hon. Members for English constituencies hold dear. I want to address that issue of sovereignty, and to make a plea for respect for the different constitutional tradition in Scotland in relation to sovereignty.

After his statement on Monday, I asked the Prime Minister to confirm whether it was his intention to unveil a British sovereignty Bill in the next few days, as has been widely reported, and what provision he would make in the Bill to recognise that the principle of unlimited sovereignty of Parliament is a distinctively English principle that has no counterpart in Scottish constitutional law. He confirmed his view:

“We do have a sovereign Parliament...and I look forward to bringing forward some proposals in the coming days.”—[*Official Report*, 22 February 2016; Vol. 606, c. 53.]

We await his proposals with bated breath, but he did not address my comments about the difference between English and Scottish constitutional legal theory. I rather had the impression that he did not know what I was talking about. I do not mean that disrespectfully, because I am very well aware that he is a distinguished scholar with a first from Oxford, but I believe it is in PPE rather than in law.

Every lawyer with a Scots law degree knows that there is a tradition of the sovereignty of the people in Scotland. I know that that conflicts with the Diceyan tradition in England, but many distinguished Scottish jurists have put it on a very firm footing. They include Lord President Cooper in the well-known Scottish case of *MacCormick v. the Lord Advocate* in 1953 and, most recently, Lord Hope of Craighead in his dicta on a case about the Hunting Act 2004, *Jackson v. the Attorney General*. Lord Hope said that

“Parliamentary sovereignty is no longer, if it ever was, absolute... It is no longer right to say that its freedom to legislate admits of no qualification whatever. Step by step, gradually but surely, the English principle of the absolute legislative sovereignty of Parliament which Dicey derived from Coke and Blackstone is being qualified... The rule of law enforced by the courts is the ultimate controlling factor on which our constitution is based.”

Sir William Cash: May I refer the hon. and learned Lady to chapter 12 of “The Rule of Law” by the late Lord Justice Bingham, in which he severely criticises other members of the Supreme Court for taking what he would describe as a wrong view of the whole question of sovereignty?

Joanna Cherry: I am very well aware of Lord Bingham's opinion of the views expressed in the *Jackson* case. I am not saying they are binding precedents—they are opinions. My point is that the opinion of Lord Hope of Craighead in *Jackson* and of Lord President Cooper in the 1953 case are very well founded in Scottish historical tradition.

We heard much in the Chamber last year about Magna Carta, which was signed at Runnymede in 1215. Arbroath is Scotland's Runnymede, and Scotland's Magna Carta is the Declaration of Arbroath. It recognised that the people, not Parliament, are sovereign in Scotland. That is the difference between Scottish and English constitutional law, which is of long standing, and I ask the Government to reflect that in their Bill on British sovereignty.

The Declaration of Arbroath was a letter, written by the nobility of Scotland to the Pope in 1320, that asserted the nationhood of Scotland, our right to independence and the right of the Scottish people to choose their King—the people's sovereignty. Most importantly, the Declaration of Arbroath said that the independence of Scotland was the prerogative of the Scottish people, rather than the King of Scots, and that the nobility—at that time, the nobility were, for these purposes, the people of Scotland—would choose someone else to be king if Robert the Bruce proved unfit in maintaining Scotland's independence. That last point has been interpreted by many scholars as an early expression of the notion of popular sovereignty—that Government is contractual and that kings can be chosen by the community, rather than by God alone. We find that notion of popular sovereignty in other modern democracies that consider themselves to be governed by the rule of law, rather than parliamentary sovereignty. Of course, law can have many sources.

Alex Salmond: Is it not also correct that the community of the realm passage, to which my hon. and learned Friend referred, has been cited in a Senate resolution as an inspiration for the American declaration of popular sovereignty, the declaration of independence?

Joanna Cherry: My right hon. Friend is quite correct. Many of the founding fathers of the American constitution were of Scots descent and therefore drew on the Declaration of Arbroath in framing it.

Anyone who doubts that there is a firm foundation for the notion that in Scotland the people are sovereign should look to the writings of the late Professor Neil MacCormick, who was regius professor emeritus of public law and the law of nature and nations at the University of Edinburgh. He was a distinguished Scottish nationalist and the son of the petitioner in the MacCormick case that I mentioned earlier, as well as being an internationally recognised jurist. Nobody could doubt his eminence in the field of public law and constitutional theory.

What I am asking for is respect when this Parliament comes to debate the Prime Minister's Bill that deals with British sovereignty, if that is what we are going to have. I understand that many hon. Members from England hold Dicey's doctrine of parliamentary sovereignty very dear and I am aware that it can be traced back to Tudor times and beyond. I am sure that they will be keen to preserve it, insofar as it has not suffered many knocks already.

However, we were told repeatedly during the Scottish independence referendum that Scotland was an equal partner in the Union. Therefore, I am sure that hon. Members from England, including the Prime Minister and the Government, will wish to accord the Scottish doctrine of the sovereignty of the people of Scotland equal respect. When our two Parliaments united in 1707, it was not the case that the English Parliament somehow swallowed whole the Scottish Parliament. It was a Union of two Parliaments. Therefore, it is not logical to say that the English notion of the doctrine of the sovereignty of Parliament should reign supreme, and that the Scottish notion of the doctrine of the sovereignty of the people should be ignored.

In fact, it is often said that the advocates of parliamentary sovereignty are defending a doctrine that not even the higher English judiciary believe in any more. It is interesting to observe—I am very indebted to my friend, Lord Lester of Herne Hill, for drawing this to my attention—that Dicey himself, in his ardent opposition to Irish home rule, was prepared to depart from his doctrine of parliamentary sovereignty. In 1913, Dicey contended that if Asquith's Home Rule Bill was enacted by this Parliament, it

“would have no constitutional validity as a law”

and that

“it would be justifiable for the Ulster Unionists to resort to rebellion, if necessary, to prevent Irish Home Rule”.

If any hon. Members are interested in the reference for that, I can give it to them later. So even Dicey himself was prepared to depart from the notion that the English Parliament was wholly sovereign.

If the doctrine of parliamentary supremacy is compromised in English law, even by its greatest exponent, there is all the more reason for the UK Government to recognise that it has no counterpart in Scotland, to tread carefully when they bring forward their British sovereignty Bill and to accord some respect to the different notions of sovereignty across these islands.

4.23 pm

Mr Stewart Jackson (Peterborough) (Con): In the same year as the 1975 referendum, Peter Finch won an Oscar for his role in the film “Network”, with its cry, “I'm as mad as hell, and I'm not gonna take this anymore!” It is that sense of alienation from the elites that I believe will drive the vote to exit the European Union on 23 June.

Look around us. Why do hon. Members, particularly those who advocate our remaining in the European Union, think that the Chamber is barely full? Can they not see a link between the growing power of the European Union and its influence on our democracy, and the fact that we are trapped here in this Ruritanian palace, with diminishing powers to influence our fellow citizens?

I have always been a consistent patriot in terms of my opposition to the sometimes defeatist, sycophantic and self-loathing attitude of too many people, which has been rampant in my party for too long. I opposed the crazy policy in 1997 of ruling out the single currency for one Parliament, and I opposed the policy of “wait and see”—as if people would “wait and see” whether they wanted to board the Titanic. I have supported the policy of opposing the single currency, which my party has held for 10 years.

Like many Conservative MPs, I wished the Prime Minister well in his negotiations with other EU states, and I kept my counsel, hoping that the pledges he made in the Bloomberg speech in January 2013 would be enacted. Sadly, they were not. The EU is not willing to reform itself in a way that I believe would be beneficial and desirable to secure its own long-term future, and its leaders remain wedded to a bureaucratic, sclerotic political behemoth, disdainful of popular democratic accountability and national sensitivities, hurtling towards greater and ever closer union, and unconcerned by the serious and profound reservations of the British people and their elected representatives. As I said, in my opinion the European Union has already inflicted huge damage on the economies of Greece, Spain, Italy, Portugal and Ireland in the pursuit of monetary dogma and ideological obsessions, driven by the mania of a single currency that operates across a hugely disparate and discrete economic area, primarily at the behest of German monetary policy.

In truth, the EU is a concept whose time has come and gone—an anachronism. Within 20 years, only \$1 in \$6 of world trade will be within the European Union. In the past six years the UK has run a £59 billion deficit with the EU, but a massive surplus across the world, and we cannot truly exploit those opportunities because we are locked into EU trade agreements, rather than our own bilateral agreements with places such as China, Mexico, Brazil, India, South Africa and Canada—markets that would generate British jobs and prosperity.

The negotiations have been a failure. They are crumbs from the table. The process has been depressing, and an historic opportunity for proper reform has been lost, perhaps forever. The Prime Minister asked for very little and he got less than that. Any changes have been given grudgingly. We have failed to abide by our manifesto commitment on child benefit, and no powers have been repatriated to the House of Commons. The European Court of Justice still takes precedence over UK law,

there is no guarantee that the UK's demands or "exceptions" will be incorporated in any new treaties, and the whole deal is legally unenforceable.

One always views issues through the prism of one's own constituency, and I am surprised and disappointed that my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) did not mention immigration, given that he co-chairs the cross-party group on balanced migration. My constituency has seen the effects of globalisation and the free movement directive. Part of that has been good, but it has also meant slum housing, low wages, welfare and health tourism, and people trafficking. People have concluded—quite rightly—that the UK must control its own borders, who comes to the country, and for what reason. The EU denies that aspiration and makes such control impossible now and at any time in the future.

Richard Drax: Will my hon. Friend give way?

Mr Jackson: I will not I am afraid because I do not have the time.

We have been told by the plutocratic, self-interested elite, the City, the media, the establishment and the snobby intelligentsia that looks down on ordinary voters that we must stay at the heart of Europe, fight our corner and reform within. That has failed and it is a fool's errand to believe that it will not be a calamitous failure in the future. We know what Brexit will be like, as my hon. Friend the Member for Harwich and North Essex (Mr Jenkin) has said.

In conclusion, all power is a leasehold given to us on trust, and it is not ours to give away. For too long we have been selling the democratic family silver—as Macmillan would have said—traducing our own sovereign Parliament and its powers. I trust my constituents to make the right decision, and I will campaign enthusiastically to leave the European Union.

4.29 pm

Caroline Lucas (Brighton, Pavilion) (Green): Thank you for the opportunity to speak in today's important debate, Mr Deputy Speaker.

My party, the Greens, welcomes the referendum. Our position is strongly in favour of staying in the EU. Since we have been talking a lot about passion this afternoon, I will admit that, yes, I do feel passionately about this cause. That is not because I support the Prime Minister's renegotiation—by and large I do not. What is at stake is much bigger than the small beans of his discussions. It is not because I think the EU is perfect. It is not. But do you know what? This place is not perfect either, and I have not heard Brexit supporters suggest recently that we leave the House of Commons. It is not just because our EU membership has given us some of the strongest protection for the environment, wildlife and nature, although it most certainly has. And it is not only because there is a very strong economic case for staying in, although there most certainly is. No, above all, the Greens are in favour of the UK remaining in the EU because this is a choice about the kind of country we want to be, the kind of people we are and the kind of future we want for our children and grandchildren. The choice before us is about more than a transactional calculation. It is about whether we are outward looking

and confident about our place in the world. It is about whether, in a world beset by economic, security and ecological problems that transcend borders, we believe we can do better by working together, co-operating and collaborating than by turning our backs on our closest neighbours.

Over recent weeks and months, we have seen a blossoming of alternative, radical pro-EU movements: Students4Europe, Scientists for EU, Environmentalists for Europe and Another Europe is Possible. Both in the UK and across Europe, progressive movements are growing and linking up, sharing a vision for a Europe of democracy, sustainability and social justice.

Having spent more than 10 years in the European Parliament as an MEP, I am under absolutely no illusions about the flaws of the EU and the need for reform. I was confronted almost daily with the fact that its original big idea—to bring peace to post-war Europe by binding its nations together in an ambitious free trade project—is no longer enough to sustain public support for the EU. Indeed, for some its narrow focus on economism alone is actually fuelling opposition to it.

I am very clear that the EU needs to become more democratic, transparent, accessible and accountable, and that it needs a new big idea based on sustainability and social justice. Nevertheless, the European story goes to the heart of what the referendum is about. It is a remarkable story: countries with different histories and cultures coming together and choosing to share some degree of sovereignty, while keeping their own identities and traditions to work together for the common good, and to achieve more together than they can alone. For all its cumbersome processes and procedures, it is quite extraordinary that, on this troubled continent that historically has been so prone to conflict, it is now inconceivable that there will be war between us. We resolve our differences now not on the battlefield but in the debating chamber.

I know I have used the dreaded "s" word, sovereignty, so let me say a few more words about it. I know that for some hon. Members sovereignty is an absolute like pregnancy—either you are, or you are not—yet in today's interdependent world of multilateral agreements and processes, real sovereignty is inevitably relative. A recent splendid article in *The Economist* puts it very clearly:

"A country that refuses outright to pool authority is one that has no control over the pollution drifting over its borders, the standards of financial regulation affecting its economy, the consumer and trade norms to which its exporters and importers are bound, the cleanliness of its seas and the security and economic crises propelling shock waves—migration, terrorism, market volatility—deep into domestic life. To live with globalisation is to acknowledge that many laws...are international beasts whether we like it or not. If sovereignty is the absence of mutual interference, the most sovereign country in the world is North Korea."

Indeed! It strikes me as very odd that the very same people who are most concerned about what they perceive as a loss of sovereignty in the EU are entirely relaxed about the much greater loss of sovereignty involved in us signing up to damaging trade agreements such as the Transatlantic Trade and Investment Partnership. Such agreements are designed to grant sweeping rights to corporations to sue democratically elected Governments for potential loss of profit if they dare to legislate on behalf of the public interest to protect public health or vital natural resources. It is inconsistent and hypocritical to argue that the UK should leave the EU because of a

[Caroline Lucas]

loss of democracy and sovereignty, while at the same time being among the biggest supporters of the UK signing more secretive and dodgy anti-democratic deals. I recognise that however much I oppose TTIP—and I do—we are not going to extricate ourselves from it by leaving the EU, not least because the UK Government are among the biggest and loudest cheerleaders for it and they would be putting it into bilateral agreements as soon as we left.

In the short time I have left, I want to set out a few of the Green priorities for a reformed EU. These are the reforms that we will be fighting for not just during this referendum, but hopefully in the weeks and months following. Some of the greatest benefits from our EU membership come from workplace and environmental protections, but we need those social and environmental standards to be given primacy over single market rules and competitiveness. With the recent action against Google's compulsive tax-dodging tendencies, we have seen the value of EU-wide action. There is again further to go—on banking and tax justice, banking regulation, including an EU-wide financial tax and tougher EU rules to close tax loopholes and tackle tax fraud and evasion.

There are a whole range of ways by which we could right now make the EU more transparent and accountable and more democratic, if the political will is there, but we need to be in it to change it. My plea to Members in the Chamber today and beyond is for us please to stay in the EU. Let us make it into the vehicle that could be and, in our dreams, it is.

4.35 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): Even before we get into the machinations of referendums and the pros and cons of Brexit, let us note that the European influence on our very language has been around a while, with Spanish omelettes, German measles, Dutch auctions and, more risqué, French letters and French kissing—well, we are talking European affairs, are we not?

What was once a continent across the channel with a faint novelty value is now being painted by many people as something sinister that is to be feared and demonised. It is regrettable that the word “Europe” seems to conjure up all sorts of phenomena. Its opponents put on the frighteners, mostly about migration as a proxy for all sorts of other things, but it has many dimensions that go much wider than that.

At the time of the last referendum, when I was three, the chief association with Europe was economic: it was the European Economic Community. There is a picture of Mrs Thatcher in a patchwork dress made of European flags. Then in the '80s, as my right hon. Friend the Member for Leeds Central (Hilary Benn) described, the idea of social Europe took root and attitudes changed on the left. The idea of Europe as a capitalist club was dissolved. On all those and many other fronts—the hon. Member for Brighton, Pavilion (Caroline Lucas) mentioned climate change, which knows no borders—it is vital for us to stay in Europe, because the case to act with our European partners is compelling.

Leaving behind our biggest trading partner would put jobs and growth at risk, as Members have said. The mere mention of the date of the referendum caused turmoil in the markets, which should be viewed as a precursor of things to come if the result goes the way of leaving. When I meet Europhobes on doorsteps and ask them which directive is interfering with their lives, they are always at a loss to say anything. It is not the European working time directive; it is not worker protection via maternity or paternity leave; it is not EU competition agreements, which have brought down airline ticket prices and roaming charges. It is by working together with our European partners that we can catch criminals, through mechanisms such as the European arrest warrant. Like climate change, criminals do not operate within national borders.

Our small island is much stronger with the combined might of 28 nation states than we ever could be alone. The implications are wide ranging. I came here from the university sector, in which there is great worry about European science funding, which is massively derived from the EU budget. Even student mobility programmes that allow us make broad-minded cultural exchanges, such as Erasmus, are threatened.

Europe is not an easy puzzle to solve; like a Rubik's cube, it has several interlocking challenges across its nation states and between them. Members have described today the refugee crisis, the worrying rise in anti-Semitism, biting austerity and Greece going bust, not to mention the existential crisis that we face when we have to decide between in and out. Reforming our alliance with Europe is not about a wham bam thank you ma'am shotgun wedding; it is a long process.

In many senses, our existing relationship with Europe could be described as somewhat semi-detached. We never were in the euro—thanks to Gordon Brown—or in Schengen. That predates Friday's so-called deal. I remember an old Conservative slogan about being “in Europe, but not led by Europe”, and I think there is something in that.

In an age of globalisation, we are part of numerous international alliances. John Kerry and President Obama have said that the special transatlantic relationship would be at risk if we left Europe. Even the heir to our throne, Prince William, has said this week that the UK is enormously strengthened by our broader partnerships in NATO, the UN and so forth. Even our historical ties to the Commonwealth—the ex-British empire on which the sun supposedly never set—provide no impediment to European membership, because the two are not mutually exclusive.

Let us not forget that, as was pointed out at the beginning of this epic debate many hours ago, since the formation of the original European Coal and Steel Community and throughout the days of both the European Economic Community and the European Union, Europe has kept the peace. Let us also remember that previous generations been ravaged by two world wars during a short space of time.

As I am a London Member of Parliament, I might as well mention our nation's great capital. From its centre all the way out to its multi-ethnic suburbs, it is a globalised mega-city. The attention-seeking endorsement of the leave campaign by our London Mayor—who moonlights as the hon. Member for Uxbridge and South Ruislip—after a calculated period of indecision

is completely out of step with our outward-facing, polyglot capital. I should add that when the Mayor visited my constituency, our vote went up by 13% and I won. Let us hope that his dalliance on the wrong side of the argument works again.

I return to the continental words that have appeared in our lexicon. When I think of the way in which the Prime Minister was boxed into a corner by the lunatic fringe of his own party, two words spring to my mind. I will not mention *Schadenfreude*, because we would not wish that on anyone, would we? “*Bête noire*”, however, seems to be what Europe has become for the Conservative party.

Let all of us—Members in all parts of the House—who believe in the right side of this argument encourage everyone to repeat the 1975 referendum result, so that we can remain in the European Union, European affairs can proceed to their next chapter and we can continue to build the European project.

4.41 pm

Pat Glass (North West Durham) (Lab): This has been an excellent debate. I have recently sat through a number of EU debates in the Chamber that have been much less powerful and have centred on just one side of the argument, and I have listened *ad infinitum* to dry arguments about process. However, today’s debate has not been like that. The starting gun—the announcement of the date of the referendum—has opened the door to both sides of the argument and raised the level of the debate.

We have heard a number of outstanding contributions today. My right hon. Friend the Member for Leeds Central (Hilary Benn) set out the arguments for remaining in the European Union very clearly, in a speech that balanced high eloquence with pragmatism. I could not fail to refer to the speech made by the right hon. Member for Mid Sussex (Sir Nicholas Soames), which I think we would all agree was passionate and eloquent. If I may say so, it was worthy of his grandfather. It was one of the best speeches that I have heard during my time in the House.

Both my right hon. Friend the Member for Wolverhampton South East (Mr McFadden) and the hon. Member for The Wrekin (Mark Pritchard) made thoughtful and measured contributions, while my hon. Friend the Member for Wolverhampton North East (Emma Reynolds) made the patriotic, progressive case for remaining in the EU. Although I did not agree with his comments about an independent Scotland, the hon. Member for East Dunbartonshire (John Nicolson) spoke passionately about the formation of the EU and the dividend of peace. The hon. Member for West Aberdeenshire and Kincardine (Stuart Blair Donaldson) entertained us with a personal story about the practical everyday importance of the European health card to European citizens on holiday.

On this issue, Labour is united. The parliamentary Labour party, constituency Labour parties up and down the country, the Labour membership, and, according to the results of polling over time, the vast majority of Labour voters believe that Britain is safer, stronger and more prosperous as part of the European Union. That is our view, and that is what we will campaign on. The right hon. Member for Gordon (Alex Salmond) made it

clear that Labour voters would be crucial in the referendum. I think that trade union members will be as well—and women.

A couple of weeks ago, I witnessed a conversation between a husband and wife. I observed the conversation, rather than taking part in it. The husband, who is a maths graduate, said, “I am interested in chaos theory, so I would be quite interested to see what would happen if we left the European Union, because I do not think it would look like what either side is saying it would look like.” His wife leaned across the table and said to him, “Don’t you dare! I have three kids, and this is about my children’s future.” I think that such conversations will happen increasingly as we move towards the referendum. Mothers and grandmothers will be making decisions that will have an impact on the future of this country, and I think that, in making those decisions, they will recognise that Britain has become a rich country as part of the European Union: the fifth biggest economy in the world, and the second biggest in the EU.

I am old enough to remember a time before our membership, when our national newspapers were fond of calling this great country the sick old man of Europe. If that was ever true, it is no longer true. The hon. Member for Harwich and North Essex (Mr Jenkin) asked, “If we are not in Schengen and we are not in the eurozone, what is the point of being in the EU?” Well, millions of jobs depend directly or indirectly upon our being a member of the EU. In my area of the north-east, 70% of the trade that we do is with the EU. In one city in the north-east we make more cars in one month than Italy does in a year. If we go to Teesport or the Port of Tyne, we see line after line of cars that are being exported from this country to the EU. As a country, nearly 50% of our trade is with the EU. We carried out £44 billion of trade last year, and we received £1.2 trillion of investment, a third of it directly from the EU.

Mr Jackson: Will the hon. Lady give way?

Pat Glass: No; the hon. Gentleman has had the floor quite a lot today.

A third of that trade is from the EU, but the remainder is from countries outside the EU solely because we are a gateway to the EU.

I have listened to the arguments from the outers who believe that the world is just lining up to enter into trade agreements with us once we leave the EU, but they should stop talking and listening to each other and start listening to what the rest of the world is telling us. I was in Sweden this week, where the Government told me that of course they want to continue trading with the UK if we leave, but only as part of a trade deal worked out with the EU. Such a deal would cost us heavily and require that we conform to the same rules and regulations as the rest of the Europe, including the free movement of people. The idea that we can magically walk away from the EU and yet retain advantageous trade deals that exist only because we are a member of the EU is, quite frankly, *la-la land*. At a time when we are facing increasing dangers from international terrorism, international crime, climate change and Russian expansionism, it is dangerous to think that it is a good idea to sit isolated on the edge of the biggest trading group in the world.

[Pat Glass]

Labour will campaign in this referendum to remain in the EU not as it is, but as it could be. We want to see Europe deal with some of the issues that we cannot deal with alone—not just international terrorism and crime, war and migration across the world and climate change, but exploitative practices by employers who seek to undercut the wages of workers and international tax evasion by global companies. We cannot hope to deal with the Googles of this world alone; we can only do that with our partners.

Finally, I want to talk to the young people out there who may be listening to this debate. The EU was formed not as a political experiment or project, nor just as an economic market; its first purpose was to stop the regular slaughter that went on in western Europe every 30 years. I appreciate that the EU is not the only reason why my son is not lying in some cold grave outside Ypres or Thiepval as my great-grandfather and his brother are, but we now settle our differences around a negotiating table and not on a battlefield. I absolutely appreciate how difficult it is to get agreement between 28 countries, but surely it is far, far better than what went before. The peace dividend of the EU is huge and is as important today as it was in 1945. I want us to vote to remain in the EU, to ensure that the killing fields of 1914 to 1918 and 1939 to 1945 do not happen again to the young people of our country, today or at any time in the future.

4.48 pm

The Minister for Europe (Mr David Lidington): May I first congratulate all right hon. and hon. Members who have taken part in the debate this afternoon?

Mr Rees-Mogg: On a point of order, Mr Deputy Speaker. I thought the Minister might begin with an apology for the absence of the Foreign Secretary. It is custom for senior Ministers who have opened debates to return for the end of them. On such an important matter, it is a rather surprising discourtesy to the House that the normal convention has not been observed.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. What I would say is that it is the choice of the Foreign Secretary, and who knows, we may hear something yet, as the Minister for Europe has so far only managed to get three words out.

Mr Lidington: My right hon. Friend the Foreign Secretary is meticulous in his courtesies to this House, but sometimes Secretaries of State for Foreign and Commonwealth Affairs have to deal with extremely urgent matters to do with this country's national security.

I want to single out the speech made by my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames), as anybody who heard it, whichever side of this argument they stand on, will remember it as one of the great parliamentary set pieces of their years in this place.

I do not want to dwell at length on the arguments about renegotiation, because my right hon. Friend the Prime Minister went into them in great detail and answered questions about the subject for three hours on Monday. I simply say that I have sat through a fair number of these debates in the last six years, and I will be the first to say to my hon. Friends the Members for Wycombe (Mr Baker) and for North East Somerset

(Mr Rees-Mogg) that they are models of consistency in their opposition to British membership of the European Union. If the Prime Minister had come back from Brussels brandishing the severed heads of the members of the European Commission and proceeded to conduct an auto-da-fé in Downing Street of copies of the Lisbon treaty, they would still be saying, "This is feeble, insufficient, not enough."

Mr Baker: Will my right hon. Friend give way?

Mr Lidington: No, I want to deal with what the right hon. Member for Gordon (Alex Salmond) said, as he raised some serious issues about the impact of a British withdrawal upon the devolved Administrations, particularly, but not exclusively, Scotland's. It is for the Government of the United Kingdom, the United Kingdom being the member state party to the treaties, to decide whether to trigger an article 50 process after such a referendum result. But he is right to say that there would be some pretty complicated outworkings of British departure from the EU for all three devolved Administrations and for the United Kingdom and English statute book, because a fair number of Acts of Parliament reflect European law as it has developed over the past 40 years. Those things would have to be gone through, both in the two years' negotiations following the triggering of article 50 and, I suspect, in the years subsequent.

Alex Salmond: Does the Minister understand the point here? If there is not to be a vote in this place because it is superseded by a popular sovereignty vote for out, what would be the circumstances, under the Sewel convention, of a vote in the Scottish Parliament if the popular vote in Scotland had been for in?

Mr Lidington: The United Kingdom is the signatory to the European treaties, and therefore it is the UK Government who take the decision on whether to invoke article 50.

My hon. Friend the Member for Ribble Valley (Mr Evans) raised important points about what he saw as security risks from people who had migrated to Germany crossing to the United Kingdom. My hon. Friend the Member for The Wrekin (Mark Pritchard) said, accurately, that we have some pretty effective security arrangements at our borders and that the record shows not only that the chief terrorist threat to the United Kingdom too often comes from British citizens, but that there have been terrorist incidents abroad that have been brought about by people who were British born and bred. In Germany, it takes eight to 10 years for someone to get citizenship, and they have to have a clean criminal record, pass an integration test and show that they have an independent source of income. It is probably because those tests are so rigorous that only 2.2% of refugees in Germany take German citizenship and get German passports. What we can and do here is stop people, including EU citizens, at our borders and refuse entry to anyone about whom there is information of terrorist links. Some of my hon. Friends overlook the fact that our safeguards against terrorism are stronger precisely because we are party to the various European agreements on data sharing and information sharing, such as on passenger name records, which we would be outwith if we were to leave the European Union and were unable to negotiate some alternative arrangement.

The key question in deciding our position on membership is one my hon. Friend the Member for South Dorset (Richard Drax) touched on: how will we be better able to control our destiny and influence for good the lives of the people whom we represent? The point that the leave campaigners must face is that the alternatives that we see—most notably Norway and Switzerland—are countries that, in order to get free trade and the single market, have had to accept not only all the EU regulations that govern those matters without any say or vote in determining them, but the free movement of people and a duty to contribute to the EU budget. That is not sovereignty, but kingship with a paper crown. It would not bring the power to shape European policy and co-operation for the benefit of the people whom we are sent here to represent from all parts of the United Kingdom.

What has dismayed me during this debate is that, apart from my hon. Friend the Member for Gainsborough (Sir Edward Leigh), there has been little attempt to describe what the alternative is that will somehow enable us to have all the things that we value about European Union membership with none of the things that may matter to other Governments around Europe and which we perhaps find irksome or troubling.

Sir William Cash *rose*—

Mr Lidington: No, I will not give way.

I am bemused that some of my hon. Friends have managed to convince themselves of two propositions: that other European countries are at present engaged in what has been termed a “vindictive and spiteful” attempt to harm our interests or a conspiracy to do us down; and that those same Governments will rush to give us everything that we want with none of the downsides if only we vote to leave. That is a fanciful analysis of European politics today. If we accept that we want a single market, we must have the EU rules that go with it and the other costs, such as those that Norway and Switzerland have to pay today.

We are putting so much at risk at a time of real peril not just for this country but for the whole of the west. We face a massive economic challenge from global competition and digital technology; a challenge from transnational crime and global terrorism; the collapse of states in parts of Africa and the middle east, which has allowed terrorism, people trafficking and drug trafficking to flourish; and the challenge from a newly aggressive Russia in both eastern Europe and the middle east. No one country in Europe, not even the biggest, will be able to tackle those challenges on its own. That is why our key allies—not just those in Europe, but the United States, Canada, Australia and New Zealand—see the United Kingdom as stronger and more influential in the world as a leader in our own continent. I am dismayed by the insouciant attitude of those who want to leave to the risk that their campaign poses of the possible fragmentation of the west. It is truly shocking.

We need to have confidence in this country’s ability to lead and shape events in Europe, as we have done in creating the single market, in pioneering free trade deals, in organising a firm response through sanctions to Russian aggression in Ukraine and to Iran’s nuclear programme, and in defeating piracy in the Indian ocean.

The United Kingdom should be confident in our ability to work with allies in Europe and around the world. We should not see the two things as in any way contradictory. As we look to the future and face again the challenges of large-scale migration driven by terrorism, failed states, climate change and economic problems in much of the developing world, we need to work together with our partners and our allies, because none of us can tackle that on our own. We see the United Kingdom today as a European power with global interests and global influence. Those two aspects of this country are not contradictory; they complement one another. We need to go forward with the confidence and optimism that the United Kingdom can help make a better future not just for every family in this country but for all the nations of the wider European family. That is the case that I and my right hon. and hon. Friends will be putting to the country in the months to come.

Question put and agreed to.

Resolved,

That this House has considered European affairs.

Mr Bernard Jenkin (Harwich and North Essex) (Con): On a point of order, Mr Deputy Speaker. Have the Government given any indication that they might be interested in making a statement about guidance that they have given to civil servants to restrict information to Ministers during the period of the referendum, which involves concealing information that is being used by other Ministers for campaigning purposes?

The Minister for Europe (Mr David Lidington) *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): The Minister for Europe is desperate to answer.

Mr Lidington: I am happy to respond. The Prime Minister responded to this point in answer to questions on Monday. The Government have a very clear position, which is to recommend to the country that people vote to remain members of a reformed European Union. Quite exceptionally, Ministers are being allowed to depart from the normal rules on collective responsibility in order to dissent from the official Government position on that referendum question, but the civil service exists to serve and support the policy agreed by the Government of the day. The letter published by my right hon. Friend the Prime Minister, subsequently extended by formal guidance from the Cabinet secretary to civil servants, does no more than give effect to that policy.

Mr Jenkin: Further to that point of order, I am grateful for your indulgence, Mr Deputy Speaker, but that does not answer a great many of the questions. How can I raise this very urgent matter?

Mr Deputy Speaker: The simple answer is that I have had no notification that anybody is going to make a statement. I can do no more than allow the Minister for Europe to reply.

Alex Salmond (Gordon) (SNP): Further to that point of order, Mr Deputy Speaker. Does the Minister accept that the position that he has just explained comes to an end when the purdah period starts?

Mr Deputy Speaker: Let me help everybody. We are not going into a debate. That is the end of it. We need to move on.

Transport: Glossop and High Peak

Motion made, and Question proposed, That this House do now adjourn.—(Simon Kirby.)

5.2 pm

Andrew Bingham (High Peak) (Con): This is the second time that I have called a debate on the roads in and around Glossop, and I make no apology for debating the subject again in the Chamber. I have called a second debate tonight because of the events of recent weeks, when the inadequacy of these roads has created more misery for my constituents. Such is the strength of feeling about the matter among people who live in High Peak, particularly in Glossop, that there is now a petition on the parliamentary website created by my constituent David Saggerson. As we know, such petitions will trigger a debate if they receive 100,000 signatures. I did not want to wait for that so I am using the Adjournment debate mechanism to hold the debate that almost 3,000 people have already signed up for.

It was recently reported that the viewing figures for the BBC Parliament channel had hit an all-time high. If those figures were measured again tonight around Glossop, and perhaps also in Stalybridge and Hyde, I am sure they would be even greater. That is not because of my constituents' desire to follow every word and deed of their Member of Parliament—I wish that were so—but it is testament to the desperate need felt in and around Glossop for a solution to the deplorable situation facing residents as they attempt to go about their everyday business. I feel sure that following tonight's debate, the Minister's and my own Twitter feeds will see a significant increase in traffic, as will my Facebook page.

In the time allowed, I cannot begin to convey the frustration felt by my residents about this issue, but I intend to try. From our previous conversations I know that the Minister is aware of the situation, but I shall add some background and context.

The Mottram-Tintwistle bypass has become almost as fabled as the Loch Ness monster. Governments of all colours have threatened and promised to deliver it and have conspicuously failed. When I was first elected in 2010, I was conscious of the need to promise my best efforts to deliver this badly needed and much delayed road. I and the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) put aside our political differences and joined forces in an attempt to sort the issue out once and for all.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): I commend the hon. Gentleman for securing this debate, which will be genuinely appreciated in our part of the world. I appreciate the opportunity we have had to work together constructively to make progress on the issue. In 2010, in a difficult financial climate, we were told that this was not a viable option, yet we have been able to make progress, for which I am extremely grateful, as are my constituents.

I also want briefly to thank the Minister. We have dealt with many roads Ministers over the years, but I have always found the current one attentive and genuinely serious about trying to help us. I know that he is planning to visit us very soon, which I appreciate.

The recent problems around Glossop are absolutely untenable, even for a part of the world that is used to congestion. The situation in Broadbottom, Mottram

and Hollingworth was unbearable while the roadworks were taking place. The only answer is a bypass. There are two points that I hope the hon. Gentleman will address in his speech. First, the bypass must go around Hollingworth as well as Mottram; that is the comprehensive solution we need. Secondly, we need the consultation to begin as soon as possible.

Andrew Bingham: I completely agree. Politically, the hon. Gentleman and I are miles apart, but on this matter we are in total agreement, as we will continue to be.

In 2010 the hon. Gentleman and I gathered together the key organisations and commissioned our own study, which we managed to get funded, to produce evidence that would confirm what we both knew to be obvious, as did the people of Glossop, Stalybridge and Hyde, which is that the situation then, as now, was unacceptable. The roads are simply not up to the needs of our residents. In the ensuing time we have pursued the matter relentlessly, both together and independently. That culminated in a meeting I had with the Chancellor at No. 11 Downing Street, during which I impressed on him the seriousness of the problem and how we could not ignore it any longer as it was only going to get worse.

In late 2014 I was delighted that, following our work, the Government announced the building of the Mottram Moor link road and the A57 link road, which is known locally as the Glossop spur. It was not the full solution that I have campaigned for—I will refer to that later—but we were promised that a study would be done to examine extending it to deal with the problems faced at Tintwistle in my constituency and Hollingworth in the hon. Gentleman's constituency. On that point, I strongly argue that the scheme should indeed be extended, along the lines of the original Mottram and Tintwistle bypass plan put forward years ago, because we need that for those two small villages.

I realise that the Minister will not have the intimate knowledge of the area that I do. I could embark on a long description of the road networks, the junctions and the geography, but by happy coincidence he will visit High Peak tomorrow, and I look forward to showing him the situation at first hand. Seeing it for himself will demonstrate the problem far better than any description I could give tonight. I would like to thank him in advance for visiting High Peak. Tonight I want to try to impress upon him a sense of the difficulties being faced, the impact they are having on my constituents and the urgency of the issue. In order to do that, I need to relate some of the happenings of the past few weeks.

The town of Glossop and the surrounding area are home to over 30,000 people. Despite being in the east midlands, Glossop very much faces Manchester and the north-west, for employment, leisure and many other facets of life. Consequently, there is a huge volume of traffic that heads in and through Glossop as people travel to, from and between Greater Manchester and Sheffield. There are only two effective roads heading north from Glossop to Manchester, one of which relies on a single-track bridge that was never designed to carry significant amounts of traffic. The fact that it is even considered by motorists, let alone used, proves the point I am making about the existing roads.

However, due to the congestion on the main route out of town, that route north has become a well-used alternative—until earlier this month, when a burst water main washed away the road surface in the village of Charlesworth, forcing its closure. The consequences were catastrophic. I received many emails from constituents, some of whom were leaving home well before dawn just to get out of Glossop and get to work for 9 am, and they were facing similar travel times when trying to get home. Indeed, when I was trying to get to Stalybridge one Friday evening I was forced to take a detour of several miles to complete the journey.

The closure of what is, in effect, only a back road pretty much gridlocked Glossop, and indeed the whole area, for over a week. I was informed that the chaos was such that a child who had suffered a seizure in Glossop and who needed an urgent ambulance faced an unacceptable delay, purely because of the blocked roads, so this catastrophic situation could easily have turned into a tragedy.

A further complication that week was the cancellation of trains, which meant that more cars went on to roads that were already overburdened. However, I must stress that the Minister should not think that last week's traffic problems were the cause of the problem; they were only the result of the contributory factors I have outlined, and they only exaggerated an already truly unacceptable situation.

Earlier this week, the M62 was blocked. Yet again, trans-Pennine traffic looking for an alternative route was forced on to the Woodhead Pass, which converges with the A57 just outside Glossop. The ensuing traffic chaos caused traffic jams going back huge distances, snaking through Tintwistle and several miles beyond.

I want to focus briefly on Tintwistle, which the Minister will visit tomorrow. A constituent, Vicky Mullis, who is a resident of Tintwistle, invited me to meet the village's residents to talk about the problems it faces. As the Minister will see tomorrow, they feel their houses physically shake as heavy goods vehicles thunder past, literally a few feet from their front doors. Furthermore, when the traffic backs up, as it did earlier this week, cars resort to taking short cuts through the village to try to get in front of the other traffic—they are using the roads as a rat run. I am trying to convince Derbyshire County Council, as the highways authority for those roads, to take action. Thus far, it seems somewhat impervious to my protestations, but I will continue.

That is why I still fully support looking at extending the proposed scheme. The scheme does much for Glossop and for parts of the constituency of the hon. Member for Stalybridge and Hyde. However, it does nothing for Tintwistle, so the extension is as crucial as going ahead with the two link roads already in the programme.

There are more factors we can take into account when we consider the need for this solution. Significant planning consents have recently been granted in Glossop. That will increase the population and thereby increase traffic levels.

The imminent withdrawal of the 394 bus service from Glossop to Stepping Hill hospital in Stockport—I and my hon. Friend the Member for Hazel Grove (William Wragg) are trying to find ways to preserve the route—could move more constituents who have cars on to the roads. I could use more of the debate to talk about the 394 bus

alone, because a lot of constituents are contacting me about it, and they are alarmed at the loss of that vital service. However, I want to return to the issue of traffic and to look at the economic consequences.

At the moment, a wide range of businesses operate in Glossop, covering various forms of industry, manufacturing and services, and we are always looking to attract more. However, the ongoing traffic difficulties are making it increasingly difficult to get businesses to open in Glossop. It is a thriving, fantastic town, and it is in a great position, but people are looking at it and thinking, "Hang on. How am I going to get my customers and clients in and out of the town?" They are now thinking twice about coming to Glossop and bringing in more jobs.

On top of that, I have spoken to companies based in Glossop that are really beginning to think that the traffic is suffocating the town. I fear that they will not only not get new businesses in, but lose the businesses we already have, because they will move elsewhere as a result of the inaccessibility.

On a wider point about the economy, the A628 Woodhead Pass is a significant route connecting the east and the west of the country. I applaud the Chancellor for his work on the northern powerhouse, and it is a great initiative, but for it to work properly the two ends of the powerhouse—the east and the west, Sheffield and Manchester—need to link up. The route-based strategy on the M62, which was produced some time ago, already flags up the fact that the M62 is nearing capacity. That increases the significance of the A628 as a trans-Pennine route. If we look at other trans-Pennine routes, we see that there is the A69 in the north and then the M62; the next one down is the A628. All this congestion is therefore blocking a vital artery connecting the east and the west, and I have a welter of statistics and evidence to prove that. I know the Minister will have seen it, because some of it comes from studies carried out by his own Department.

I have tried to encapsulate the situation as best I can in the time allowed. Much will become clearer tomorrow when the Minister visits, but I do want to impress on him the seriousness of the situation.

I am delighted that the Government agreed to build this road. It was announced in December 2014. The Prime Minister himself, in an answer to me at Prime Minister's Question Time, confirmed that a future Conservative Government would build the road. I was delighted with that. I have that copy of *Hansard* pinned on my office wall to remind me what we have promised, and I intend to deliver on that promise if we can. However, the delight and expectations that were raised in late 2014 are turning into frustration because the wait goes on. In Glossop, it is now not just the Government's reputation that is at stake; I have made a commitment to my constituents, and I am determined to stick to it. I keep repeating this, but I cannot stress it enough: I cannot begin to describe the groundswell of public opinion on this matter.

Many people across Glossop will be watching this debate tonight. They will watch it later on YouTube or whatever medium they want to use. Two constituents, Robert McColl and his son Kallen, have travelled down here specially to be in the Public Gallery to listen to this, such is the desire of the people of Glossop to sort the problem out and sort it quickly. We know that one part

[Andrew Bingham]

of the road is going to be built—the two relief roads. That is great, because we need that extended scheme for the people of Tintwistle and of Hollingworth in the constituency of the hon. Member for Stalybridge and Hyde. I urge the Minister—I have known him for years, and he is a man of honour and integrity—to give my constituents, and indeed me, some hope that this process can be conducted quickly and with urgency so that we can see spades in the ground as soon as possible.

It is now quarter past 5 on a Thursday evening. If this was live on the radio, there would be people sat on the A57 and the A628, and sat around Glossop, listening to it, saying, “Minister, let’s hear what we want to hear. We need this road, we’re sat in this traffic, we’re starving the town, we’re starving High Peak.” I do not exaggerate: this is the biggest single issue facing the Glossopdale area. If it is not resolved, it will have catastrophic effects on everybody. The people of Glossop and I are desperate—we cannot carry on like this any longer.

5.17 pm

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): I congratulate my hon. Friend the Member for High Peak (Andrew Bingham) on securing this debate. He is a great champion for his constituency and has made his case with his customary eloquence and passion. I am thoroughly looking forward to visiting his area tomorrow morning.

Let me start by putting the transport agenda as a whole into some overall context. Transport really does boost our economy. It connects us, gives us more choice about where we work and live, and creates jobs. Well-maintained roads and motorways are an essential part of a modern vibrant economy. That is why in December 2014 the Government launched the road investment strategy, which outlines how £15.2 billion will be invested in our strategic roads between now and 2021. This is the biggest upgrade to our strategic roads in a generation.

The Department for Transport clearly recognises how important improved connectivity and better journeys are for Glossop and High Peak. That is why the road investment strategy contained several proposals in the area. Collectively, this package will address congestion and improve journey times between Manchester and Sheffield, as well issues to do with the safety and resilience of the route. The routes between Manchester and Sheffield provide a key connection between two of our most important northern cities, and Glossop is a key town on that route.

Currently the journey times and the performance of the connecting roads compare most unfavourably against similar routes. It is not just Glossop we must consider, but Mottram, Hollingworth and Tintwistle, which are also heavily dependent on the A57 and A628. I understand that elements of the route, particularly the A628, experience delays and have a poor safety record, impacting on the communities on the route and on the environment of the Peak District national park as a whole. The communities in High Peak endure high levels of traffic throughout the day and consequently suffer unduly from air pollution and noise. Economic activity in the area, as my hon. Friend has so eloquently said, is also inhibited by the lack of capacity on the roads.

The proposals in the road investment strategy will improve conditions for Glossop and Mottram. Highways England is exploring how the benefits might also be extended to Hollingworth and Tintwistle. I will personally take up the issue with Highways England and make sure that it sees a transcript of this debate and hears the concerns expressed so eloquently by my hon. Friend.

The direct route by road from Glossop to Manchester is principally the A57 and, for a 5-mile-long section, the M67. The section of the A57 used to reach the M67 is an entirely single-lane highway that passes through the very busy town of Mottram. In the other direction to Sheffield, the A57 winds its way through the Peak District national park along the appropriately named Snake Road or Snake Pass. The A57 in both directions is busy throughout the day and, given that it features extensive lengths of single-lane road, is extremely vulnerable to delays caused by congestion or accidents that can block it. Given the location, the A57 is also very vulnerable to adverse weather conditions.

Anybody who lives in the midlands or the north of England will know that there have been long-standing calls for improvements to connectivity. We have heard those calls and have provided a package of proposals that will significantly improve the road journey between Manchester and South Yorkshire.

Andrew Bingham: The Minister has talked at length about the A57, but will he also mention the A628, particularly the Woodhead Pass, which people will have heard of because the traffic is always being mentioned on the radio? The A628 converges with the A57 just outside Glossop and is another significant trans-Pennine route that goes to Barnsley. For those travelling on the M1 from the south, the signpost to Manchester will guide them to the A628, which then converges with the A57.

Andrew Jones: I agree entirely with my hon. Friend. Indeed, I plan to use the A628 to reach him tomorrow morning. I have already planned my route, so I understand his point.

We recognise that the routes need substantial improvement to meet the needs of the local economy and the environment and better to fulfil their role in our national transport network. That relates to trans-Pennine connectivity and we should not forget that, as well as serving local communities and businesses, the routes also play a broader national role.

The trans-Pennine upgrade programme seeks to improve journeys through a number of schemes, including a new dual carriageway creating a Mottram Moor link road; a new single carriageway link from Mottram Moor to Brookfield; further dualling on the A61; and climbing lanes on the A628. A number of other smaller measures will also be put in place to address the accident blackspots. We are very aware of the specific environmental protections that are in place in and around those locations, including special areas of conservation and sites of special scientific interest. We will, therefore, work closely with the national park authority.

For any proposals to go ahead, they will need to be sensitively designed and their potential impacts will have to be properly assessed and understood so that the improvements are in keeping with the significance of the park’s protected landscape. As part of the process

of developing and delivering the investment, consultation will take place with local communities and stakeholders. That will include the scope and viability of further improvements and extensions to the Mottram Moor link road that would alleviate the issues faced in Tintwistle and Hollingworth. Highways England has been developing options for each of those schemes, to determine how best to meet the transport needs of the local communities while addressing environmental and other concerns. That balance needs to be achieved. Early consultation with key stakeholders such as the local authorities, utilities companies and the Peak District national park authority is already informing the development and assessment of the options.

I anticipate that a full public consultation will commence in April 2017, and the next step would be to submit an application for a development consent order in summer or early autumn 2018.

Jonathan Reynolds: In addition to the Minister's visit tomorrow, he will probably find in his red box a letter from me, saying that we would be extremely grateful if he would consider binging forward the public consultation to the end of 2016. I know he is not be able to give a commitment on that now, but it would generate so much good will and make the project proceed faster, which would be tremendous.

Andrew Jones: I give an undertaking to both Members who are present that I will do all I can to achieve that. They have made their case eloquently. I recognise the issues that are faced by the local communities that they represent, and we will do all we can to help.

In terms of timing, I expect that after the development consent order, we will commence construction in the financial year 2019-20, and the schemes will potentially be open for traffic three years later. I recognise the case for urgency that has been a clear theme this evening, so if it is possible to bring the dates forward, I will certainly try to do so.

The new schemes will follow recent investment that we have already made in the network. As a result of resurfacing schemes undertaken in recent years, the condition of the road surface on the A628 and the A57 has improved since 2010, resulting in a 68% reduction in the number of potholes. Works are taking place, but I recognise that we are looking at more significant, longer-term answers.

In addition to the commitments in the road investment strategy, the Department is undertaking a study on improving connections between Manchester and Sheffield by way of a trans-Pennine tunnel. Through that study, we seek to understand the viability, costs and deliverability of such a connection, and to determine its role and priority in the emerging transport strategy for the north. The construction of such a connection carries with it the potential to reduce traffic on existing routes in the area and to bring important environmental benefits to the Peak District national park.

The initial report of the trans-Pennine tunnel study was published on 30 November last year. It found that there is a clear strategic case for the scheme that is aligned with central and subnational government policy, and that the construction of a new strategic route between Manchester and Sheffield is technically feasible, although very challenging. The scale of the wider economic

benefit has yet to be established, but initial analysis shows that the benefit could be significant and complementary to other schemes in the developing northern powerhouse strategy. The study's final report will be published by the end of the year, and will be used to inform the content of our second road investment strategy.

Transport includes more than just roads, so I hope my hon. Friend the Member for High Peak will not mind if I talk a little about rail in the area. As part of the proposed northern hub capacity enhancement, Network Rail has proposed works at the eastern end of the Hope Valley line. A passing loop is to be provided east of Bamford, and the line is to be redoubled at Dore and Totley station.

Andrew Bingham: That work is very welcome to certain parts of the area, but, given the geography of High Peak, the work will not help anything on the Glossop side of the hill, because it is on the wrong side. The Minister will see that tomorrow.

Andrew Jones: I recognise that, and I look forward to seeing the detail of the geography and the challenges it presents. The challenge that we face with rail is that we have an enormous backlog of investment. The rail industry is a huge success, but that huge success brings with it the need for more capacity. There are as many people using our rail network now as there were in the late 1920s, but the network is only a fraction of the size. Governments of all colours have underinvested over many years, and we need to catch up. That is what the control period peak budget of £38 billion is about. I will take forward my hon. Friend's point about where that work can be carried out on the Hope Valley line, and I will liaise with Network Rail on that. Rail is a key ingredient in improving connectivity in many areas. Although we are investing very heavily, we also require investment where the Hope Valley line enters the big conurbations in Manchester and Sheffield. We must also bear in mind the impact that High Speed 2 will have on such key connections.

Network Rail's intention is to enable an increase in passenger services between Manchester and Sheffield and to improve accessibility by sustainable transport to the Peak District national park. A public inquiry into Network Rail's application for statutory powers to undertake the scheme opens in Dore on 10 May. The independent inquiry inspector will then submit a report and recommendation to the Department for Transport. It is not therefore appropriate for me to comment any further on the scheme.

In summary, I hope I have demonstrated that this Government are committed to improving roads and transport infrastructure around Glossop and High Peak. We have made a commitment in the road investment strategy to make significant improvements to the trans-Pennine route through this area in the next few years. These enhancements to transport infrastructure will bring benefits to residents and improve the economy across the region. Such enhancements will help not only the economy, but the local community and the local environment. All those elements, which were highlighted very clearly and passionately in my hon. Friend's speech, will be benefited by that work.

[*Andrew Jones*]

I look forward to working with my hon. Friend and other hon. Members to make sure we get the schemes right. The point is that, as we are working in this area, we have a once-in-a-lifetime opportunity. We are making a step change to travel in the area, and we need to make sure we get this right. The more local input we have, the

better such decisions will be. I look forward to working with my hon. Friend to improve the situation for his constituents.

Question put and agreed to.

5.31 pm

House adjourned.

Westminster Hall

Thursday 25 February 2016

[MR ANDREW TURNER *in the Chair*]

Litter and Fly-tipping: England

1.30 pm

Mr Clive Betts (Sheffield South East) (Lab): I beg to move,

That this House has considered the Seventh Report from the Communities and Local Government Committee of Session 2014-15, on Litter and fly-tipping in England, HC 607, and the Government response, Cm 9097.

It is a pleasure to serve under your chairmanship, Mr Turner. This was the last report by the Select Committee on Communities and Local Government in the previous Parliament. It was produced in March 2015, and we then had a little wait. As we flagged up in the report, we were not sure whether the Department for Environment, Food and Rural Affairs or the Department for Communities and Local Government was responsible for this issue. The DCLG Minister is in his place today, although we are told that this was a DEFRA responsibility. I am sure he will sort out that confusion when he has the opportunity to do so.

Once the report was produced, the attempts to reach an agreement between the Departments continued for nine months—rather a long time, given that Select Committees normally get responses from the Government in eight weeks. Obviously there was a general election, so one might reasonably have expected a Government response by, say, July. December is a long way on from July. Indeed, the Government's response to our recommendations took so long that I expected it to contain a bombshell. I thought we might see a proposal to increase littering fines to a level that would halve the deficit overnight, or perhaps the Government were going to be so generous as to hypothecate the total revenue from tobacco taxes to local authorities to help with their work—but no, not in the end. To be fair to the Government, they agreed with many of our recommendations, and where they did not they gave explanations. There are one or two areas that we want to push them on, to see whether we can make progress. It is difficult to understand why it took so long to produce a relatively straightforward and generally acceptable response to our sensible proposals.

In the end, litter is not an issue that we tend to have massive party political debates about, and that is not how the Committee approached it. The report was unanimously accepted by the Committee, which is par for the course—that is our general approach to things. We did not have to struggle to get that agreement. There was clear evidence, and we made clear recommendations on it.

Litter matters to the public enormously. They do not necessarily want politicians to squabble about it, but it is one of the issues that is likely to be raised with us on the doorstep. People are distressed and often appalled by its environmental impact. They are concerned about the inconsideration of the people who drop it without any thought of the consequences, and that they, as taxpayers, have to pay for it to be cleaned up. That

money, certainly in the current circumstances, could be spent better on other services that are important to them. It is an issue that also gets raised with local councillors regularly, so it is right that we wrote a report and are having a debate about it.

There are some clear areas of agreement. We called for a national strategy, and the Government agreed. It will be interesting to see how that develops and what effect it has. We recommended a national clean-up day. The Government, perhaps anticipating that, got in before us and accepted our recommendation before we made it, so that is positive. We have a Clean for the Queen day this year, which we should all encourage community groups and individuals in our constituencies to participate in. Again, there is cross-party agreement on that: everyone believes it is a good thing for communities to do. It is just a pity that it has to be done and that people drop litter in the first place. Nevertheless, that is a positive achievement.

One of the initial problems we have in looking at litter—I am pleased that the Government accepted this; we now need to see what they do about it—is that we do not know how much there is, because there is no reasonable assessment. There is the “Local Environmental Quality Survey of England”—that is a bit of a mouthful; I hope we find a snappier title for whatever replaces it in due course—but the problem is that the surveys do one of two things. Some simply look for evidence of a particular kind of litter in an area, and then have a tick-box that says, “That litter is there”, without recording whether it is one, a dozen or 100 pieces of litter, so we do not know about the incidence. Others count the amount of litter, but do not distinguish between the type—so 100 cigarette butts are recorded as the equivalent of 100 plastic bags, even though it is pretty obvious that their environmental and visual impacts are different. The Government accepted that we need to think about how better to collect data and agreed with the recommendation in our report. We look forward to hearing how they are going to do that.

There was a disagreement—not a fundamental one—between the Committee and the Government about what the cost of litter clean-up is. We said it was somewhere between £700 million and £850 million. The Government said—I understand the logic of their explanation—that local government would need to sweep the streets anyway to clean up dust and dirt that is not due to littering, so the total cost of street sweeping is not a consequence of the litter that people drop. I accept that, but on the other hand no better figure is available. That is the only figure that the Committee had to work with.

Education is important, and we want schools and others to do their bit to encourage children. It will be great to see children out on the national Clean for the Queen day, because they can then start to appreciate the consequences of dropping litter and what dealing with it entails. Of course, however well we educate, some people will not want to listen and will carry on dropping litter. They deserve to be penalised. The Committee said that we should increase the rates for fixed penalty notices. Again, the Government agreed and are going to consult on the level they should be raised to. Personally, I think—and the Committee generally supports this—that the levels should be increased significantly. There has to be a real deterrent when people are caught littering.

Kevin Hollinrake (Thirsk and Malton) (Con): I congratulate the Chair of the Select Committee on introducing this important debate. He mentions fixed penalty notices, which I understand can potentially lead to criminal convictions if further steps are taken. Some local authorities might be reluctant to take those steps on the basis that they might criminalise young people. Should we perhaps consider making fixed penalty notices a civil offence?

Mr Betts: That is an interesting idea. The Committee misunderstood the position—we do not always get everything absolutely right, but we try. We said that fixed penalty notices are easy because of their civil nature, but the Government corrected us and said that they are a criminal penalty. The Government should think about the hon. Gentleman's suggestion, because that is an issue. If people are fined, we want to deter them and we want a process that is easier than going through the courts to get a fine. That could be looked at without reducing the intention to deter.

The advantage of fixed penalty notices is that the money goes back to the local authority. In the past, the Committee suggested that the Government should think about allowing money from other fines to go back to local authorities. The authority bears the costs, but the fines go to the Treasury. There is a disjuncture between the revenue from fixed penalty notices, which goes to the local authority, and fines, which go to the Treasury. Could we not have a more joined-up approach so that the local authorities, which incur the cost, get the returns from any action they take?

We then looked at the types of litter and tried to distinguish between them. Cigarettes are the most littered object. The problem is that many people do not see puffing away on a cigarette and then putting it out on the floor as littering—"It's only a cigarette butt"—but it is. Cigarette butts are the most common item of litter. We had quite a discussion about that, and we were surprised when the then Minister, the hon. Member for Keighley (Kris Hopkins), said that the Department suggested to the Chancellor that part of any extra tax on tobacco products should go to local authorities. The Department dismissed that in its response, but the suggestion was made by a Government Minister. The hon. Member for Harrow East (Bob Blackman) is nodding away because he was in the Committee and heard the evidence. I do not know whether the Government changed their mind or whether—surely not—one Government Department has a different view from another. We now understand that Ministers have different views. Indeed, we are getting quite used to that idea on certain subjects. Anyway, the Minister might like to reflect on those points.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I thank my hon. Friend for giving way and will commend him and his Committee on the report if I am called to speak by Mr Turner in due course. I was interested to read in the report and the Government response about the difficulty of the relationship with tobacco companies. Councils did not want to get too close to them, but they were offering to assist. Will my hon. Friend elaborate on the discussions around that? It is unclear whether the Committee reached a conclusion about embracing tobacco companies, no matter how uncomfortable that

might be, especially if they are going to provide some money for the clear-up, which is a significant cost to local authorities.

Mr Betts: We had a serious look at that and received a lot of evidence. We deliberated and came to a reasonable conclusion. The Local Government Association was absolutely clear in its evidence that it is signed up to the local government declaration on tobacco control and believes that that means that the LGA and local authorities must have nothing at all to do with tobacco companies. The view is that, because of the nature of tobacco and the need to get the message across, in particular to young people, that tobacco products kill, there should be no connection at all and that the tobacco industry should not get involved with democratically elected bodies. Indeed, I understand that the national health service takes exactly the same line nationally: no connection at all.

Kevin Hollinrake: Would that also apply to chewing gum manufacturers?

Mr Betts: No, it does not, because they are not part of the same declaration, but I will come on to chewing gum in a minute, because it is a different but interesting subject.

Bob Blackman (Harrow East) (Con): A sticky subject!

Mr Betts: I was just about to say it, but the hon. Member for Harrow East got in before me—I was reflecting on whether it was appropriate, but it obviously was.

It is a difficult issue, but the Committee—most of us are generally localists—decided that we understood the declaration and the LGA's position, and that it was up to local authorities to make a decision themselves. We also said that if they did so, they should not allow themselves to be used in any way by tobacco manufacturers to gain any advantage or engage in any promotion of tobacco products—to give any impression that tobacco was okay because the companies were making a contribution towards a public service.

Victoria Prentis (Banbury) (Con): A wide group of commercial companies work hard on picking up litter. The hon. Gentleman was kind enough to mention Clean for the Queen earlier. Will he join me in praising Kärcher in my constituency? The company is committed to cleaning up "grot spots" around the country—I am glad to see that none of them is represented in this room, otherwise I would have to name and shame them. A clear set of companies are willing to put their money where their mouth is when it comes to the problem of litter. Bearing in mind the caveats that the hon. Gentleman mentioned, tobacco companies could join that number.

Mr Betts: The Committee did not say that no one should engage, but we placed strong caveats on any engagement, for obvious reasons. In the end, we said it was down to local authorities to make a decision, but we also thought the Government might make a contribution from the tobacco tax levies.

The other interesting thing about our discussion on the involvement of tobacco companies was that we had two Ministers—one from the Department for Communities and Local Government and one from the Department

for Environment, Food and Rural Affairs—who gave us completely different evidence. They sat and disagreed with each other in front of the Committee. We had two different political parties coming up to a general election, so perhaps collective responsibility was breaking down in the last Parliament, for reasons different from those in this Parliament.

Again, in the end we said it was down to local authorities, but we emphasised over and over again that tobacco companies should in no way be allowed to pay out money as a salve for their consciences and to show that they are okay and not really the bad guys because they are making a public contribution. They are not okay; they sell a dangerous product, which the House has recognised through legislation in a number of ways in recent years, and I think we all support that. We do not want to do anything to give the tobacco companies a way into the public's good books.

The Tobacco Manufacturers Association made the interesting suggestion that tobacco litter is not that bad because portable, fold-up ashtrays mean that people do not have to drop ash. We said, "Great! Why don't you issue them free with all packets of cigarettes?" I have not noticed that that has happened in the months since they made that suggestion. Was it just a publicity gimmick to suggest that they are not as bad as everyone makes out? It is quite a good idea, but nothing has happened. We should encourage them to consider it again if they want to do something practical to alleviate the problem.

Kevin Hollinrake: The hon. Gentleman is speaking about tobacco companies, and I mentioned chewing gum, but my hon. Friend the Member for Banbury (Victoria Prentis) just reminded me of companies such as McDonald's. Our highways are often a litter-strewn disgrace, and while there are duties under section 89 of the Environmental Protection Act 1990 to keep those highways clean, there is conflict between local authorities, which have the duty, and Highways England, which is required to provide protection for local authority employees for health and safety reasons. Highways England charges for that, so highways are not being kept clean—they are cleaned only occasionally when someone complains. In my constituency, the A64 is a litter-strewn disgrace that deters the tourism that my areas relies on, yet there is no joined-up thinking about how to clean the highways. Do we need to consider that as part of the national strategy to which he referred?

Mr Andrew Turner (in the Chair): Order. Interventions must be short.

Mr Betts: I understand that this is a very long road, Mr Turner.

The Committee did consider that point, and I am going to come on to fly-tipping, which often happens on highways, in addition to ordinary littering. We considered two issues about vehicles and highways. One was about the division of responsibility between local authorities picking the litter up and Highways England being responsible for safety on the highways. We suggested that responsibility for litter be transferred to Highways England after consultation. The Government said no and that they wanted to have another look at how that might work, so I will be interested to hear more details about that from the Minister. I am not saying that the

Government are wrong, but we identified a problem and made a suggestion about how it could be resolved. It clearly needs a resolution, because what we have at present is unacceptable and is not working. If the Government come up with another idea, okay, but they ought to say that if their new approach does not work, they will come back and consider whether one agency should be responsible, because that is often the way to sort things out.

There is also the question of how we penalise the offence of dropping litter from cars. As I understand it, the offence is committed by the person who drops the litter, but the difficulty is that if a car whizzes past and litter comes out of it, can who dropped it be proved? The law in London is different, because the owner of the vehicle can be charged, irrespective of who throws the litter—it is for the owner to decide. The Committee suggested that that approach should apply nationally. The Government said that there was not enough evidence that the extra powers had led to an increase in fines in London, but I still urge the Minister to have a look at that option as it seems to be impossible to determine proof outside London, because if there are four people in a car and a cigarette packet or a sweet wrapper is thrown out of it, who actually threw that? We hope that the Government will consider adopting the London position.

We carefully considered the idea of taxing chewing gum to pay for the cost of clean-up. Cigarette material might be the most prevalent form of litter, but chewing gum is certainly the most difficult to clean—it is a nightmare. In the end, we said to the industry, "Look, this is the last-chance saloon. What are you going to do to help with the cost of this and the practicalities of clearing it up? Alternatively, how about producing chewing gum that is less difficult to get off the pavement if people drop it?"

The Government's response referred to a wonderful-sounding organisation called the Chewing Gum Action Group. We hope that it is doing good work, but we would like to hear what it is going to do and how the Minister will judge its success. If, despite its work, chewing gum is still being thrown around to the same extent, with no change in the materials used in gum to make it easier to remove, and if the industry does not volunteer to take up its share of the burden, will the Minister consider alternatives? The Committee intends to reconsider the issue—and, indeed, quite a few of the points made in our report—to determine whether progress has been made.

Another big problem is fly-tipping. All the data we have, imperfect though they are, show that litter is a problem. In our report's summary, we stated:

"England is a litter-ridden country compared to most of Europe, North America and Japan."

The Government disagreed and said that there was no evidence for that, probably because the figures are not available, but most of us can see with our own eyes when we go to other countries that things there look better in general. However, it is absolutely clear that the problem of fly-tipping has become worse in this country. There is no doubt at all about that, because there has been a 20% increase in the previous 12 months, as we were told in evidence.

The Government accepted the suggestion of adopting fixed penalty notices for fly-tipping to add to the range of options for local authorities so that they may prosecute

[Mr Betts]

more simply. Fly-tipping is a serious problem, but while a builders' merchant ought to be taken to court for a major incident such as dumping building material in a lay-by, for a discarded plastic bag, a fixed penalty notice would be the appropriate and proportionate response. It is extremely welcome that the Government will introduce such notices.

A further concern is that as local authorities get increasingly short of cash and look for savings, they charge for taking away bulky household goods. We encourage local authorities to team up with charities—a number of organisations do this—that will take away the goods, recycle and reuse what they can, and then take to the council site what they cannot. I talked to the British Heart Foundation, which operates such a scheme in certain parts of the country. That excellent scheme involves the charity recycling much of the furniture—sprucing it up, putting it on display and selling it off—and, by agreement with the local authority, taking what it cannot sell free of charge to the local council site.

I wish that more local authorities were involved in such schemes, because they could then tell people, "There is no charge for your bulky items. This organisation will take them for free." Items could be put to good use and recycled, and the scheme is good for the charity as well, because it will make some money. The Government also welcomed that suggestion, but it could be publicised further. Perhaps the Local Government Association will do something to get the information out to its members.

We also suggested that retailers that sold a good should take the old one away free of charge, with the cost perhaps being built into the original price of the item. The Government said that existing electrical regulations meant that a company selling electrical products had to provide disposal of the old product free of charge. The catch is that the company does not have to take it away free of charge—only the disposal is free. That is a loophole, because someone then still has to pay for an old product to be taken from the home. Will the Government consider toughening up that measure? Furthermore, those regulations apply only to electrical products, not to things such as beds or sofas, which can be even harder to get rid of. Will the Government try to find a way forward?

We also suggested improving information not only about littering, but about fine collection and penalty notices. The Government accepted that recommendation and will consider how to do that.

The report, which was considered and focused on the main issues, had a generally positive response from Government, but we did not get a totally satisfactory or complete response to some of the items, which I have highlighted. I hope that the Minister will address the issues that still need to be dealt with. In short, we need better stats and a sense of how we really get to grips with cigarette, chewing gum and fly-tipping problems.

Everything, of course, has to be seen against the background that local authorities face further spending cuts. As councils concentrate on absolutely vital statutory services such as adult social care, areas such as cleaning up litter are those that can suffer and experience reductions in spending. We do not want further problems. Local authorities ought to be imaginative, so we suggested

that they look at the modern bins available. Nottingham City Council has a lot of bins that give the council's control centre an indication of when they are available for collection. That means that someone does not have to be paid to go around emptying bins that are not full, as the council will respond when a bin is full, rather than having a rota for collection at certain times. Local authorities can therefore act to meet the challenge, but there are many issues for the Government as well. I look forward to hearing the Minister's response.

1.57 pm

Bob Blackman (Harrow East) (Con): It is an honour to serve under your chairmanship, Mr Turner, I think for the first time. My apologies for being slightly late and missing the introductory remarks of the Select Committee Chair, the hon. Member for Sheffield South East (Mr Betts), but I was at another meeting, which I was hosting.

I am one of the two surviving members of the Communities and Local Government Committee in the previous Parliament and the report we are discussing was our last one before the general election. Speaking personally, I compliment the Chair and everyone who participated in that inquiry, and all the other ones, because—as the hon. Gentleman said—we carefully considered a large amount of evidence in conflicting styles to produce a report with some comprehensive recommendations and conclusions.

We could not reach a unanimous view on one or two matters. It was not differing party views, but that some individuals in Committee had what we might describe as a more robust approach to dealing with responsibility for litter than others. I was one of them, as was the hon. Member for Rochdale (Simon Danczuk). We had a more stringent view of what we should do to people who deposit litter on our streets unnecessarily.

There is no doubt that the problems of littering and fly-tipping are extremely prevalent throughout the UK. Locally, they are probably the most important thing to affect individuals in how they feel about the place in which they live. It is clearly a local authority responsibility to ensure that the area is clean, but in many ways we should remember that it is people who deposit litter in the first place. If people do not deposit litter, the problem goes away.

I want to concentrate on some of the issues that came out of the Committee's report and the conclusions and recommendations on what we should do for the future. Then I will go a bit further and start thinking about some of the areas on which we took evidence, but which did not make it into the report that I hope the Government will start to look at. The first point is that actions have consequences. For example, the legislation to prevent smoking in public buildings such as cafés, shops and workplaces—which I strongly supported even though I was not in Parliament when it was happening—forced smokers out on to the streets. Previously, they would have smoked at their desks or in their places of work, but they now smoke outside and deposit their litter as and when they feel like it either on the street or—most of them—in receptacles, if provided.

As the Chair of the Select Committee said, cigarette butts are the most littered item and, as they are not biodegradable, local authorities unnecessarily spend

enormous amounts of money clearing them up. I have a potential solution that is not in the report but I promote it as the chairman of the all-party parliamentary group on smoking and health. The Government should increase the levy on cigarettes and tobacco products by about 5% above the rate of inflation every year, which would add about 37p to a pack of cigarettes, and all of that money should be dedicated to local authorities for two purposes. The first would be to ensure that they have the funding to take forward their duties on public health to aid smoking cessation and ensure that people do not start smoking in the first place. As the number of people smoking reduced, that would help to reduce litter. Secondly, and equally, local authorities could use part of the funds to clear up tobacco detritus, which includes not just cigarette butts but cigarette packets, cellophane and the other elements in the packs of tobacco that cause littering problems.

We also know that when people see litter around, they are less likely to feel that they should not throw litter to join that on the ground. If local authorities clear up the tobacco butts, which tend to accumulate in certain areas—particularly around stations, bus stops and other buildings—and then blow everywhere, people will be less likely to deposit other items of litter. That is a particular consequence.

On chewing gum, I am of the strong view that when people have finished chewing their gum, they deposit it where they like. In fact, only this morning I was in a Committee Room where some pleasant individual had deposited their chewing gum under the table. Why people do that I just do not know. I remember people did it at school, but surely in the mother of Parliaments—

Kevin Hollinrake: That far back?

Bob Blackman: I have a very good memory. Surely that should not be the case in a Committee Room in the House of Commons. I could take you, Mr Turner, to parts of London where you will see the pavement littered with people's chewing gum that has been splodged on the ground and it is almost impossible to remove it. It is unsightly and unhealthy, and it causes immense damage to the local street scene.

Almost the only way to remove chewing gum is steam cleaning or an equivalent. That is expensive, because it requires operatives and it is a lot of work, so few local authorities actually do anything about it. There clearly should be a tax on chewing gum and that money should be passed to local authorities for the specific purpose of clearing up the chewing gum deposited on our streets.

I also believe in the importance of educating young people. I strongly support the Clean for the Queen programme, which is an excellent programme, among others—I know that my hon. Friend the Member for Banbury (Victoria Prentis) will promote other aspects of taking action in particular areas. That is a great thing to do. We need to educate young people in particular about the importance of not littering on their streets.

Victoria Prentis: Will my hon. Friend give way on that point?

Bob Blackman: I thought I might get an intervention on that point.

Victoria Prentis: Does my hon. Friend agree that a child who is encouraged to pick up litter in a scheme such as Clean for the Queen grows up to be an adult who does not throw litter? That is very much part of the impetus behind our push for such schemes.

Bob Blackman: I thank my hon. Friend for that. Encouraging good habits at a young age is definitely the way forward. One of the problems in my local area is the fast food restaurant near the school: we see from the litter how long it takes young people to eat their food as they walk back to the school. They deposit it where they choose and the consequences are littered streets and concerned residents. Even worse, some young people throw it in someone's garden. They think, "I've finished with this. What do I do with it? I'll throw it in the garden."

On numerous occasions I have told my local authority to provide litter bins on the routes between schools and the fast food restaurants. I remember an exchange with some officers who said, "We're not going to do that, because the consequence is the litter bins will become full and then we'll have to pay someone to empty them." We might think, "Hang on a minute, surely it is cheaper to do that than to clear up the litter," but logic did not prevail in that case. I think there is a semblance of a duty—we took a lot of evidence on this—on fast food restaurants to keep the place clean.

Jim Fitzpatrick: I am sure the hon. Gentleman agrees that not all fast food outlets operate with the same disregard. In my constituency, as my hon. Friend the Member for Sheffield South East (Mr Betts) said, McDonald's is good. It employs people to clean up around its restaurants and it organises volunteer days for its staff to do my local park. Some fast food chains take a responsible approach to the matter.

Bob Blackman: I thank the hon. Gentleman for that intervention. McDonald's is clearly a shining example of what should be done. Its food is all right—I would not say it was great, but lots of people love it.

Kevin Hollinrake: Will my hon. Friend give way on that point?

Bob Blackman: Certainly if it is on the quality of products at McDonald's.

Kevin Hollinrake: My hon. Friend talks about McDonald's being a shining example, but its products have a huge amount of packaging. If it was somehow forced or encouraged to reduce packaging, that might also help to provide a solution to the problem.

Bob Blackman: Clearly the packaging that McDonald's and other fast food restaurants use is a matter for them, but the consequences of packaging are not limited to fast food—there are whole ranges of unnecessary packaging. However, the point is whether we should look at duties on fast food restaurants to act in the same responsible way as McDonald's.

In my constituency we have a perennial problem with a Kentucky Fried Chicken drive-through restaurant where people drive in, park up the road, eat their chicken and throw the bones on the floor—they literally

[*Bob Blackman*]

drop them out of their car windows—for local residents to suffer. Surely we can ensure that the fast food restaurants have a duty to keep their areas clear. I leave the implementation of that to the great thoughts of my hon. Friend the Minister, but we must say, “The consequences of you selling your products are the costs of clearing up.” Let us look at some solutions to that.

Mr Betts: I did not cover this point in my introduction, but the hon. Gentleman is right. My Committee gave specific praise to McDonald’s because of what it does and said all fast food restaurants, takeaways and so on should have a legal responsibility to clean up in their areas. The Government came back and said that they did not want a general duty, but that local authorities have powers to act under the Anti-social Behaviour, Crime and Policing Act 2014 where there is a persistent problem. I wonder whether many local authorities use that power; I am not sure if figures are kept about that. Going down that route presumably has quite a considerable cost for local authorities. Does the hon. Gentleman think we ought to push the Government a little bit harder, to see what we can effectively do about this?

Bob Blackman: I thank the hon. Gentleman who chairs the Select Committee. We have to press the Government further on this issue, and we will clearly return to it in this term. If the Government do not take action, we will as a Committee almost certainly conclude that further action is required. If the Government do not come up with a scheme, we will suggest an alternative.

Another area of social change in this country is that we are shifting to a lot more people living in private rented accommodation. People quite frequently live in such accommodation for short periods of six months to one year and then move to another area, which may involve moving from one local authority to another. That has consequences.

As a true localist, I applaud local authorities collecting domestic rubbish as they so choose. However, if we go to any London borough or any local authority up and down the country, we will find different coloured bins for different types of waste—be it general waste, dry recycled waste, food waste or garden waste. In some local authorities, there are five different bins, all with different colours. No information is supplied to individuals living in households in the area as to which rubbish they should put in which bin, except when the local authority issues the bins.

The problem is that when people move, they may then put rubbish in the wrong bins, and it is particularly people who come from another country to live in this country—I am not blaming them for this. They want to do the right thing; they want to dispose of their rubbish. They put the rubbish in the bin that they think is the right one. They may have moved from one local authority to another, so they just use the same colour bin. However, when the rubbish comes to be collected, the bin men arrive and say, “Nope. It’s the wrong rubbish in the wrong bin,” and just leave it there and move on to the next house.

As a consequence, the bins rapidly fill up and overflow, causing rats, mice and other vermin to congregate. Worse still, particularly in shared households, what

tends to happen is that people say, “I’ve got to get rid of my rubbish. What am I going to do with it? The local authority hasn’t collected my bin and hasn’t told me why. What I’ll do is put my rubbish in a plastic bag, wander down to the end of the road and deposit it on the corner.” Rats, foxes, dogs, cats and all sorts of vermin then chew the bags and the rubbish goes everywhere.

My suggestion is relatively simple. When someone moves into private rented accommodation, one of their duties is to register on the electoral register with the local authority. Surely local authorities should have a duty to issue people who move into the area and register for the first time with a simple guide to how to dispose of rubbish. It is not rocket science but, to my knowledge, that is not done anywhere in the country. Some enlightened places may do it, but the reality is that it is not generally happening. It would be so easy to do. It could be one sheet that goes out when someone registers to vote, saying, “Here’s advice on how you dispose of your rubbish.” At a stroke, we would remove quite a few of the problems that occur with fly-tipping. From what I can see, a lot of fly-tipping is a consequence of people not getting their domestic waste collected.

Another associated problem is that many local authorities are now choosing to charge for the collection of garden waste. I remember introducing wheelie bins for the first time in my local authority when I was a local authority leader. We had a great song and dance about it—“Throw all your rubbish in the bin. It’ll be collected once a week and we’ll sort it out for recycling and other purposes.” It was a great idea. For the first time, garden waste was collected, free of charge. The problem is that as local authorities then separated out the various different types of service, they cottoned on to the fact that they do not have to collect garden waste free of charge. They therefore then imposed a charge on collecting garden waste, which is deeply unpopular and is a monopoly service, because no one else provides it.

The reality is that the charges are very different depending on where they are in the country. I have done a study demonstrating that in London my own borough, which is introducing the charge from April, will have the highest level. That is a deterrent straight away to people registering for the service. People who have gardens and are therefore likely to generate garden waste will dispose of their garden waste somehow. One problem with the charge is that those people will say, “Actually, I’m not prepared to pay for a service that I think should be provided by the local authority free of charge”—and has been, by the way, for a number of years—“so I’ll find another way of disposing of it.” Fly-tipping will become more prevalent as a result.

It is certainly true that where charges have been imposed, fly-tipping of garden waste in particular has increased quite dramatically. That is a consequence of charging for services that people see as part of the council tax they pay. The Government need to look at that carefully. I take the view that the charges for such services should be kept under review, because it cannot be correct that equivalent authorities are charging very different prices for the same service. Something is going wrong somewhere when that is the case.

Mr Betts: I understand the problem. It certainly caused a great deal of concern in my constituency when charges were introduced. The problem was that it is not

the council that introduced the charge; it is Veolia, the contractor. Veolia fixes the charge and refuses to take instalment payments, so people have to pay it up front. That is a deterrent to people, particularly those on low incomes. There is a challenge when contractors—ones that make a lot of money out of this—introduce that sort of charge for the service.

Bob Blackman: That is a clear concern. It depends, of course, on the contract that has been set up between the local authority and the supplier. In London—I cannot speak for the hon. Gentleman’s area—we have done quite a detailed study of this issue, and it is local authorities implementing the charges, not contractors. In my borough, it is a direct service—it is not even being provided by an outside contractor, which demonstrates that there is a particular problem.

Jim Fitzpatrick: To reinforce the point made by my hon. Friend the Member for Sheffield South East (Mr Betts), there was a perversity when bulk refuse charges were introduced in Tower Hamlets, in that the concerned citizens who were reporting bulk refuse were the ones being told, “You have to pay the charge for the removal of that piece of bulk refuse,” even though it had been fly-tipped by somebody from somewhere else. Tower Hamlets had to go back to free collection of bulk refuse, because otherwise citizens would not report it out of fear that they would have to pay for the removal of something that was not their responsibility.

Bob Blackman: I recognise the hon. Gentleman’s point. That has happened in a lot of local authorities up and down the country.

I will move on to bulky waste, to which the Chair of the Select Committee also alluded. There are duties for certain items to be collected when someone buys a replacement, but I think we will all have seen beds, sofas, garden furniture and ordinary furniture just dumped on the streets and left to rot. The reality is that much of that, and mattresses in particular, could be collected at the same time as people are buying new ones. I have seen certain local authorities that routinely go around and collect mattresses that have been left in particular areas. In areas with houses in multiple occupation, landlords will turn out the beds on a routine basis, especially when there has been a turnover of people living in those properties. When there are mattresses on the street, they have to be collected and dealt with. Surely there should be a duty on suppliers, as part and parcel of the process of delivering mattresses, sofas and other items, to collect and take away the old ones and dispose of them free of charge to the individual who is buying the new product. The Government should look at that in order to reduce costs.

The other issue with fly-tipping is that it is definitely on the increase. We have to combat it in every way, shape or form. Two types of fly-tipping are of particular concern. There is fly-tipping on the public highway, which hon. Members have mentioned, along with fly-tipping on street corners and all sorts of areas of the public highway that tend to be out of sight. People just wander along and either dump their rubbish from a car or, alternatively, dump it on service roads, whether to shops or domestic properties, as access points to garages. They are often the biggest problem of all, for the simple

reason that they are on private land, so local authorities will say, “Nothing to do with us; you have to pay for that rubbish to be removed,” whereas residents say, “Well, it’s nothing to do with us. We didn’t dump it there in the first place.” The rubbish then builds up and up, till it becomes a health hazard and finally the local authority has to step in, remove it and try and identify who was responsible. It is often good luck if they find anything associated with the individual who dumped it in the first place. Often that is not possible.

I suspect this will be difficult, but we will have to look at what the duties are to collect fly-tipping on private land and whether any can be passed on to local authorities or whether there is some other way of dealing with fly-tipping on service roads. I know this is of great concern to many residents up and down the country, and there do not seem to be proper regulations to control it.

Mr Betts: To deter fly-tipping, we said we wanted to see powers to impound vehicles engaged in fly-tipping. One very positive thing that we probably ought to report—and, again, congratulate the Government on—is that they brought those regulations into force on 6 April. That was really welcome. In serious cases, a vehicle engaged in fly-tipping can be impounded and taken away, which is a really strong penalty and deterrent.

Bob Blackman: I thank the Chair of the Select Committee again for making that point about a good thing that the Government have done.

All in all, this is a comprehensive report, with some simple recommendations about which most right-minded people would say, “Well, let’s implement those.” There are some dilemmas for the Government in their deliberations on fly-tipping and littering, but I would welcome the Minister’s views on how some of the ideas we have floated today can be taken forward and implemented across the country, while allowing local authorities to develop new strategies to deal with fly-tipping and littering as appropriate in their local communities. It is also about making it clear that there are duties to keep areas clean and duties on individuals to ensure that they do not dump rubbish and act in an antisocial manner.

In conclusion, it was a pleasure to work on this report. It upsets most residents across the country to see rubbish thrown everywhere. Clearly this is an area where a clean-up is necessary.

2.24 pm

Jim Fitzpatrick (Poplar and Limehouse) (Lab): It is a pleasure to see you presiding over our proceedings this afternoon, Mr Turner, just as it is to follow the hon. Member for Harrow East (Bob Blackman). It is good to see the Minister and the shadow Minister, my hon. Friend the Member for Heywood and Middleton (Liz McInnes), in the Chamber. I look forward to their responses to the report and the Minister’s elaboration on the Government response.

I commend my hon. Friend the Member for Sheffield South East (Mr Betts), the Chair of the Select Committee, on an excellent report. I confess that despite having read through it, I had not noticed the time gap between the inquiry and the publication of the report, and the

[*Jim Fitzpatrick*]

Government's response. I only picked that up when he commented about it in his opening remarks, and that is of interest in itself. I also read the Government response to the report with interest. I thank Allison Ogden-Newton, the chief executive of Keep Britain Tidy, Rosalind Finney, the public affairs manager of the Marine Conservation Society, and Ms Pat Wharton, who leads the British Cleaning Council, for their briefings to help me to pull together some of my comments.

I should declare that I was previously a Minister of State at DEFRA and responsible for Keep Britain Tidy—I will come on to recommendation 20 in the report in a minute. I am also now, having taken over from the predecessor of the hon. Member for Thirsk and Malton (Kevin Hollinrake), chair of the Tidy Britain all-party group, of which he is an active member, as is the hon. Member for Banbury (Victoria Prentis). Perhaps the hon. Member for Harrow East will want to join us as well in due course.

I will mention a few aspects of the key issues raised by those who sent me briefings, although I will not detain colleagues for long. A national litter strategy has been raised by Keep Britain Tidy, and the Committee's report mentions that in recommendation 20, which opens up by saying:

"The failure to make a noticeable improvement in litter levels in the last 12 years points to a lack of vigour, if not complacency, within Government over the past decade."

Well, I take my part of the responsibility for that and apologise to the Select Committee for not satisfying it in its analysis of where different Governments have been on this issue. It is obvious from the speech made by the Chair of the Committee and the report that this is not a party political issue. We have all failed the country and we all need to do better. The Select Committee has pointed the way and the Government are clearly accepting some of its advice.

The report goes on to refer to a point that was raised with me by Keep Britain Tidy:

"We recommend that the Government create a national litter strategy for England with a clear framework for action. This must be underpinned with a coordinating role for local councils within their respective areas."

Paragraph 50 of the Government response states:

"We will therefore seek to work with local government and relevant stakeholders to develop a national Litter Strategy".

If the Minister forgives me for saying so, that does sound a little weak in terms of urgency, but I am sure that he will give us a positive explanation.

Victoria Prentis: One thing that I, for one, would like to see embedded in the national litter strategy is an annual spring clean. While that might not always be called Clean for the Queen, does the hon. Gentleman agree that something along the lines of GB Tidy—Get Britain Tidy—would be a way forward?

Jim Fitzpatrick: The hon. Lady makes a good point. Get Britain Tidy gives more motivation than Keep Britain Tidy, because I think we all recognise that there are many areas in the country—she referred to some earlier—that are not up to the standard that we would want. She therefore makes a sensible suggestion. The Government's announcement regarding 21 March very

much goes in that direction and it will be interesting to hear from the Minister whether this will be an annual event in due course.

Keep Britain Tidy also stated that the suspension of the national litter survey is a problem. When the strategy does come forward—it is due by 2018—the latest data to use as a benchmark against it will be three or perhaps even four years old, so we are losing the ability to identify where we are against where we want to be, which will make things difficult.

I commend my local authority of Tower Hamlets which, like every local authority, is trying to deal with the problem, but experiencing great difficulty. One initiative it introduced recently, which other local authorities have also introduced, was to give every bin in the borough an identification mark so that people could use a smartphone to take a picture of a full bin with its bar code, which would automatically alert the local authority that the bin is full and should be emptied. It will be well worth noting how effective this brand-new method will be, but it is a recent technology that may help because when people are using bins that they should not be using, for whatever reason, the local authority can be notified that something needs to be done.

The Marine Conservation Society has asked whether beach and aquatic litter will be included in the survey, when it emerges. In response to previous inquiries, the Government have claimed that the marine strategy framework directive covers this issue, but the MCS says that the directive's only measure on litter covers plastic bags, which are only one aspect of litter on beaches and in aquatic areas. Will the Minister say whether more types of litter could be included?

The second main item raised by Keep Britain Tidy, which is covered by recommendations 2, 13 and 14 of the Committee's report, is the cost of litter and the success or otherwise of fixed penalty notices, which was mentioned by my hon. Friend the Member for Sheffield South East. The key issues raised included the need for accurate collation of data and an analysis of the success or otherwise of such efforts. The Government response to the Committee's recommendation—I am paraphrasing—said that the matter was noted, so it is not clear which way the Government will go. That does not deal with the question of whether fixed penalty notices are successful, or how much more successful they may be in due course.

The key point from Keep Britain Tidy, MCS, the British Cleaning Council and the Select Committee, which has already come through during the debate, is about messaging. Local authorities are doing their best, but we need a sense of national urgency regarding litter—the hon. Member for Banbury talked about this—because we all know that, compared with a lot of other countries, many parts of Britain are embarrassing and we must do better.

The Government should be commended, as the Select Committee does in recommendation 21, on national clean-up day on 21 March. We need national momentum, so that clean-up day, like Clean for the Queen, is to be commended. The hon. Lady recently held an excellent event in the Jubilee Room to promote Clean for the Queen and to spread the message to parliamentary colleagues, so she should be commended on her efforts.

Notwithstanding whether we have national initiatives such as Clean for the Queen, many local groups are active in this area. The hon. Lady cited one in her constituency, and my favourite in my constituency is the 2nd East London scout group, which goes out regularly to clean areas in the constituency, dragging parents, relatives, MPs and others along to help. That is a fantastic example of the sort of educational start to life that we want to see mirrored among all our young people.

Keep Britain Tidy raised two further issues with me: tobacco and litter from vehicles. The Select Committee spent quite a lot of time on these matters, as its Chair outlined, and that is reflected in recommendations 5, 16, 17 of the report. The Government and many local authorities—the Minister will tell me whether I am wrong—seem to duck the tobacco question because while tobacco causes damage to the human body, the Government do not seem to want to face up to the tobacco companies. My hon. Friend said there might be a way of using their financial power through such methods as the tax levy that the hon. Member for Harrow East mentioned. Their product causes the difficulty, so they should have some responsibility, with consumers of that product, to deal with it. Recommendation 5 in the Select Committee report addresses that point.

The Select Committee commented on litter from vehicles in recommendation 16. Paragraph 35 of the Government's response says:

“A regional working group, through the Keep Britain Tidy Network of local authorities and other stakeholders, will ensure that a strategic approach to preventing litter can be achieved.”

Keep Britain Tidy has told me that clarity in the legislation would be great, but it seems that there is more work to do. The hon. Member for Thirsk and Malton spoke about using a civil penalty rather than a criminal penalty to make the option of levying fines, especially on young drivers, more attractive to local authorities, which might not want to criminalise young people early in their lives for an offence that is serious in terms of the environment, but more of a misdemeanour compared with many criminal offences, even though it should be punished.

The Marine Conservation Society feel that beaches and aquatic issues have not been given sufficient attention. Keep Britain Tidy supports several of the Select Committee's conclusions. The Committee set out a number of questions and points of concern, and it has clearly done an excellent job in raising this important issue, highlighting weaknesses, identifying points of concern, making recommendations and promoting a more strategic framework.

The Government response is slightly defensive, which goes back to the Select Committee's criticism of all Governments over the past 12 years. Perhaps we could and should do more, but given austerity and the economic situation, the Government naturally believe that resources may not be available. The issue involves the fabric of our country, however, and investment to deal with litter could have a positive effect in many different ways.

I will end on a positive note. Keep Britain Tidy reports that Clean for the Queen, the initiative that the hon. Member for Banbury brought to the House, has been signed up to by more than 200 local authorities and 60,000 volunteers. There will be 1,000 events, so it is already a success, even though it has not happened yet. I am sure the Government's national clean-up day

on 21 March will be a success, and we look forward to leadership on that from the Minister and the shadow Minister.

The Select Committee says that the Government need to become more serious about the matter. That is very much the case, and if they set an example by getting serious, I am sure that the country will respond. I am grateful to the Committee for bringing the report to our attention.

2.37 pm

Liz McInnes (Heywood and Middleton) (Lab): It is a pleasure to speak in this debate and to serve under your chairmanship, Mr Turner. I thank the hon. Member for Thirsk and Malton (Kevin Hollinrake)—before he leaves the Chamber—for his contribution, as well as my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick), and the hon. Members for Banbury (Victoria Prentis) and for Harrow East (Bob Blackman) who, I am pleased to say, are remaining in their place. I also thank my hon. Friend the Member for Sheffield South East (Mr Betts), the Chair of the Select Committee, for his eloquent introduction to this debate and for highlighting these important issues. My hon. Friend the Member for Poplar and Limehouse outlined clearly some of the Select Committee's recommendations, but you will be pleased to hear, Mr Turner, that I do not intend simply to repeat what has already been said.

Litter and fly-tipping have been, and remain, a huge problem in this country. They are a blight on England—on our roadsides, public areas and public spaces. Unfortunately, cuts to local government funding are forcing many councils to make savings by closing municipal tips, which could increase fly-tipping. The closure of the local tip in Heywood in my constituency led to great concern among residents, many of whom contacted me to share their worries that such action would exacerbate the growing problem of fly-tipping.

I welcome the Select Committee's recommendation on penalties for fly-tipping. The introduction of a fixed penalty notice for the fly-tipping of household items, which form the bulk of the incidents, would involve the lower standard of proof required for a civil penalty. I also welcome the recommendation, to which many hon. Members have referred, that the relevant industries introduce a scheme to take away unwanted household appliances and furniture when replacements are delivered. Additionally, it is vital that councils foster partnerships with charities that are willing to collect such items free of charge, as many councils do. Just because an item is being replaced, that does not make it obsolete, and there are many excellent local charities that will find good homes for appliances and furniture that are still usable.

As many hon. Members pointed out, incidences of fly-tipping are on the increase. I am concerned that that is being exacerbated not only by councils operating fewer municipal tip sites, but by some councils, again in response to cuts in central Government funding, introducing charging for items and waste deposited at those sites. We are in a bit of a quandary. The Government want local councils to become self-financing by 2020 and are encouraging innovation to enable them to generate their own funding. Many councils will see charging for waste disposal as a method of income generation, but it

[Liz McInnes]

must not be forgotten that that in itself could lead to an increase in fly-tipping. The hon. Member for Harrow East made a similar and very valid point in relation to councils charging for the removal of garden waste.

That is why I welcome the Select Committee's recommendation to introduce a national fixed penalty notice for small amounts of fly-tipping, which would require the lower standard of proof required for a civil penalty. I welcome the Government's commitment to give councils the power to tackle small-scale fly-tipping through penalty notices, as an alternative to prosecutions.

The Select Committee rightly points out that no data on incidences of litter are held centrally by the Government. I am pleased that the Government appear to welcome the idea of having access to those data and, importantly, that they say:

"we will explore ways of obtaining it without imposing an additional reporting burden on local authorities."

I fully support the Government's sentiment. Although they appear to be expecting local councils to do more and more with less and less, it is vital that we try not to impose additional burdens on our already hard-pressed councils. My hon. Friend the Member for Sheffield South East highlighted the long period of time between publication of the Select Committee report and receipt of the Government response, so I hope that the Minister can offer some explanation for that.

Litter is of great concern to our constituents, and it is right that the Government should be taking positive action. I am a great supporter of, and have participated in many, community clean-ups and litter-picks. I applaud the idea of a community clean-up day. Clean for the Queen has been referred to. Personally, I would prefer a clean for the community day, although in an ideal world, no one would drop litter and community groups could spend their time on activities that really do improve their local areas, such as bulb and flower planting.

The issue of cigarette litter was highlighted by the hon. Member for Harrow East. There is a real job to be done of educating smokers. Many of them seem to think that cigarette butts are biodegradable, but they are not—once dropped, they remain very much fixed until they are cleared away. I feel that a portion of the tobacco tax should go towards the cost of street cleaning to local councils, but I fully appreciate councils' sensitivities about being seen to be endorsing tobacco companies in any way. I will be interested in the Minister's comments on that.

Bob Blackman: Will the hon. Lady comment on the solution that I raised—a tobacco duty escalator? The money would be passed on to local authorities so that they could fulfil their duties, and that would have the benefit that local authorities would not need to have anything to do with the tobacco industry, although they would be given the money that was raised.

Liz McInnes: I thank the hon. Gentleman for those comments. The Government's response says that they will leave it up to local councils to decide whether they wish to work with tobacco companies. That is a sensible way of dealing with the matter, but personally I do not have an issue with tobacco companies putting in funding to clear up the litter that their users create, which does

not show the tobacco companies in an especially positive light. An escalator could be one way of dealing with the situation, but I appreciate that other hon. Members have different views, so I would be interested to hear what the Minister has to say.

I am in danger of doing what I said I would not do—repeating all the points that everyone has made—but the report makes valid points. I have not yet touched on the responsibilities of chewing gum manufacturers and fast food companies. The Select Committee is not yet recommending a tax on chewing gum, but it does say that,

"this is the last chance for the industry to put its house in order."

Like my hon. Friend the Member for Sheffield South East, I was quite entertained by the idea of the Chewing Gum Action Group, but behind that name there is some serious work to be done, including perhaps more information on packaging about how chewing gum should be disposed of—and not in the time-honoured tradition of sticking it under the school desk. I am really disappointed to hear that that practice goes on in this place as well. There is a job of education to be done not just among schoolchildren but, unfortunately, among some people here.

We have to see the situation of litter and fly-tipping against the background of cuts to local council funding, but I hope that the report's positive recommendations can be accepted and acted on in an amicable, cross-party manner. This issue affects all our constituents, regardless of our political persuasion. As my hon. Friend said, many of the recommendations have been taken on board by the Government, and I hope that the Minister will now comment on those areas highlighted during the debate as still requiring more work and consideration.

2.47 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): It is always a pleasure to serve under your chairmanship, Mr Turner. I thank the Communities and Local Government Committee for its report on litter and fly-tipping and thank the Chairman of the Committee, the hon. Member for Sheffield South East (Mr Betts), and other hon. Members for an excellent debate. It is one of those debates that is relatively unusual in the House, in that it is on a subject that, on balance, probably unites us more than divides us.

Littering and fly-tipping cause great concern to residents, councils and this Government. They are antisocial environmental crimes that pose risks to human health and animal welfare, spoil relationships between neighbours and their wider community, and affect the way people feel about the place that they call home. There is evidence that high levels of litter can restrict the economic growth of an area, reduce property prices and increase residents' fear of crime. For local authorities, it is also a significant issue. It costs them hundreds of millions of pounds every year to clear litter and illegally dumped waste from our streets and public spaces. As far as this Government are concerned, they should not have to do that. Litter and fly-tipping are avoidable problems. It is simply not right that the behaviour of a selfish minority ends up blighting our landscapes while imposing costs on landowners and local taxpayers. A change in our

culture is needed to get Britain back to the “green and pleasant land” that we are so renowned for across the globe.

This is about personal responsibility, which means consciously not littering, even when it is mildly inconvenient to dispose of our rubbish properly. Integrity is doing the right thing even when no one is watching. Of course there are practical ways in which the Government can help. We welcome the Select Committee’s report and agree with many of its recommendations to combat the problems of litter and fly-tipping.

Local authorities are at the heart of our communities. They deliver front-line services to the public and are vital in meeting the challenge of eradicating litter and fly-tipping. Although litter and fly-tipping are clearly problems, the majority of local authorities can be commended for the fact that they are consistent in maintaining standards. In many cases, that has even been the case during a difficult period in which local government has had to do more with less, which does not make the Government at all complacent in its determination to reduce litter and fly-tipping. We need to clean up and change people’s culture, values and attitude to their environments.

This should not be a top-down approach. The Government are committed to localism and the transfer of power to local communities to deal with litter and fly-tipping problems, which require a local approach tailored to the characteristics of the area and the community in which the problems occur. Like the rest of the public sector, local authorities have worked hard over the last five years, but they still need to be thinking innovatively about how they can make litter and fly-tipping-related savings while protecting existing street cleansing services and standards.

The Chair of the Select Committee mentioned the work in Nottingham. The same has been happening in Bath and North East Somerset, where they use Bigbelly smart bins, which are electronic-type bins that tell the council when they are full. Bath and North East Somerset Council estimates that the way the bins work—the council goes out to empty them only when they need to be emptied—has saved 390 labour hours a month, which is a significant saving. I would like more local authorities to take the same sort of lead as Nottingham City Council, and Bath and North East Somerset Council. Many councils are putting in a significant amount of money. There have been a number of different estimates of that money, but we think they are probably putting about £700 million a year into dealing with litter.

As the Chair of the Select Committee mentioned, there is pressure on the provision of social care, bearing in mind that the population is getting older, yet it is important to point out that while growing old is inevitable, littering and fly-tipping are not. In the end there is a choice, and I would much rather that councils were able very easily to make the choice to put additional money into social care provision, rather than having to put so much money into the problem of litter and fly-tipping.

The Government still have a role to play, because no matter how good and innovative councils become, they need the support and the backing of the Government to tackle the problem. During the Select Committee inquiry, the Government agreed that their role was to enable local action in three ways: setting clear overall standards for cleanliness, ensuring legal powers to enable councils

to take effective action, and ensuring that costs can be passed to those responsible for causing the problem. Our immediate priorities to achieve this will deliver on our manifesto commitments to review the case for increasing the fines for littering offences and to allow local authorities to tackle small-scale fly-tipping through fixed penalties as an alternative to prosecutions. That is something that a number of hon. Members, including the hon. Member for Heywood and Middleton (Liz McInnes), have raised today, and I am glad that there is significant support for that approach.

We want to work with local government and relevant stakeholders to develop a national litter strategy. The hon. Member for Poplar and Limehouse (Jim Fitzpatrick) was a little concerned about the wording in the Select Committee report, but I reassure him that we want a robust strategy to deal with litter and fly-tipping. The Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Penrith and The Border (Rory Stewart), and I are absolutely focused on trying to achieve a robust litter strategy and we are working very closely to do so. We want a strategy that will enable effective and co-ordinated anti-litter work across England, focusing on affordable and measurable ways to change behaviour, reduce litter and improve the local environment. That is a priority for our communities, which deserve a lasting legacy of clutter-free towns and cities, and a countryside of which we can all be proud.

We have already begun to work with producers of commonly littered items, major retailers, some of the leading charities and NGOs in the sector, and local councils. We need to do more with those organisations to ensure that we really get to grips with and tackle the problem. In addition to those immediate priorities, the Government have agreed with the Committee’s recommendation to try to make a national litter-pick an annual event.

I am delighted that so much publicity has been given to the Clean for the Queen event. The hon. Member for Heywood and Middleton and I have not disagreed on much, but personally I think that Clean for the Queen is a fantastic statement for us to make. However, we should not split too many hairs. The point is that on 3, 4 and 5 March, we will all come together as communities up and down the country, supporting each other to clean up those areas. I encourage any hon. Members who are not already signed up to a clean-up on that weekend to get involved. It is great to see so many hon. Members involved, and it was good to see my hon. Friend the Member for Banbury (Victoria Prentis) here. She has done a lot with Keep Britain Tidy over the past few weeks to encourage hon. Members to get involved.

I note the comments of the Chairman of the Select Committee about the time it took for the Government to respond to the report. I apologise for the delay. I regret that we did not reply within a more reasonable timeframe. He acknowledged that the report was released very shortly before the purdah period and the ensuing general election, and I think he mentioned that the report cuts across several Departments. It actually cuts across many Government Departments and, although our response was positive, it was not provided as quickly as usually would be the case. I hope he takes my comments in the spirit in which they are intended.

[*Mr Marcus Jones*]

The hon. Gentleman mentioned data. That is a hugely important point. We are certainly working with an advisory group. The hon. Member for Poplar and Limehouse mentioned Keep Britain Tidy, which is part of that advisory group alongside a number of other important organisations in the area. We are trying to bring forward a package to ensure that we collect the necessary data so that the work of our litter and fly-tipping strategy is measured in relation to its success.

The hon. Member for Sheffield South East mentioned fixed penalty notices, which I assure him we are carefully considering. Fixed penalty notices should be a last resort, but they are an extremely important enforcement tool in the box to make people think twice about dropping litter. We are carefully considering what we can do to increase penalties to ensure that fixed penalty notices are a significant deterrent. We will not impose additional penalties without properly consulting the public first, which is right.

The hon. Gentleman mentioned smoking litter, as did my hon. Friend the Member for Harrow East (Bob Blackman)—I will address his points in a moment. I agree with what the Chair of the Select Committee says about that problem. He mentioned a tobacco levy, on which the Government consulted last year. It is obvious from that consultation that if we put any sort of levy on the tobacco companies, they would pass it straight on to the end user, which we have to take seriously. Effectively, he is looking to levy an additional tax on tobacco and cigarettes that would come back to the Treasury and, through my Department, go directly to local authorities to address some of these issues. It is slightly above my pay grade to make such commitments—it is an issue for the Treasury—but his point is on the record.

Mr Betts: I was nodding across the room to the hon. Member for Harrow East (Bob Blackman) when the Minister said that the levy would be passed on to smokers. Ultimately, they are the ones who drop the litter. A little contribution from them towards local authority costs does not seem completely unreasonable, does it?

Mr Jones: I will only say that there would be an additional cost to end users, who already contribute significant amounts to the Treasury in taxation. When that money comes into the Treasury, some of it goes to local authorities in relation to their duties. Some of that money, by implication, must be spent on addressing the problem. I am not suggesting that the points the hon. Gentleman and my hon. Friend the Member for Harrow East are making should never be considered, but they are taxation matters, which should be considered carefully by the Treasury.

Mr Betts: I will take the Minister a little further down that road into areas that he probably does not want to go into. When we get to 2019-20 and the full localisation of business rates, there will not be any Treasury contribution towards local authorities from tobacco tax or any other form of tax. Would that not be a different situation, in which there might be a need to reconsider whether there should be some Treasury contribution from tobacco tax towards the clean-up of tobacco litter?

Mr Jones: The hon. Gentleman is tempting me down a path that I will certainly not tread, but in a moment, in response to questions asked by hon. Members, I will cover a pertinent point about the full retention of business rates.

Bob Blackman: I thank the Minister for his remarks; I am interjecting on two points. First, the cost to the national health service of smoking-related diseases is greater than the Treasury's income from tobacco products, so the position is not balanced. Secondly, local authorities have a public duty to encourage smoking cessation and to clear up the litter caused by smoking. The issue is how they get that funding, particularly at a time when the Government have chosen to reduce funding for public health. The proposed levy is therefore a way of providing local authorities with more money to fulfil their duties.

Mr Jones: As I have said, these are matters for the Treasury. My hon. Friend has got his point on the record today, and I am sure Treasury Ministers will be listening intently to this debate and will therefore have heard what he has said.

My hon. Friend made some interesting comments about finding chewing gum under a desk. I decided to take a pair of shoes back to my home in my constituency this weekend, and when I put them in my bag this morning there was a great big piece of chewing gum on the bottom of them. As he would expect, I was not best pleased. I appreciate exactly what he says about the challenges we face with chewing gum. The Chewing Gum Action Group has been mentioned, and its work was perhaps understated. That important group is working to address these issues. The companies that produce chewing gum are members of the group. It is important that the Government engage with those companies to ensure that we are doing all we can and that they are showing and taking a lead on ensuring that their products do not end up on pavements and floors across the country.

My hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) mentioned highways. There is a pilot project in the midlands that aims to enhance joint working between Highways England and local authorities, with the aim of sharing teams and assets so that they can support each other to improve our A roads across the midlands. We are carefully looking at how that is currently working. Making the Highways Agency legally responsible for collecting litter is not as straightforward as has been said—primary legislation and complicated alterations to funding arrangements would be needed. It is important that we see how the pilot pans out before taking it forward.

The idea of fines for throwing litter from cars has been mentioned, and again we will carefully consider it through the national litter strategy and enforcement. We are well aware of the problem, and my hon. Friend the Member for Harrow East mentioned instances where people get takeaway food and drive up the road, with the rubbish ending up in a hedge, in the bushes or in somebody's garden. That is an important point, and it is something that we need to consider carefully.

The hon. Member for Sheffield South East mentioned the LGA, which has an extremely important role in this agenda. The LGA is part of our advisory group, and it

will be an important organisation in getting across some of the messages that we need to get across to local authorities. Many comments have been made about reductions in spending, and obviously I am well aware of the challenges faced by local government. Those challenges have been managed extremely well over the past five years, for which I thank local government, but there is a critical point here. I mentioned earlier in my remarks that the issue is not just about the environment—the possible damage to wildlife and the fact that an area might look scruffy. It is a massive issue for local economies, because when an area is scruffy it is an indicator that the economy might not be doing as well as it could.

To return to the point made by the Chairman of the Select Committee about full retention of business rates, which will happen by the end of this decade, I think that all local authorities will look to raise additional business rate. Other funding streams for councils that are becoming more and more important are additional council tax, widening the council tax base and the new homes bonus. It is absolutely in every council's interest to ensure that it is doing its utmost to keep its area clean, tidy and free of fly-tipping for that reason alone. Effectively, it will become an investment to bring in additional revenue for councils.

I heard what the hon. Member for Heywood and Middleton said about household recycling centres, which several other Members mentioned as well. It is encouraging to see many councils working with charities that collect items, even from people's homes. It is extremely positive when items coming into recycling sites go straight into shops right next to the site; I have a very good example of that in my constituency. Goods go on sale that many people on lower incomes can easily access, and it reduces the prevalence of litter and fly-tipping.

On the point about household recycling centres and municipal tips, as the hon. Lady called them—that is the term that I have always used; in my local area we say “going up the tip”—and on the comments made by my hon. Friend the Member for Harrow East about councils charging for recycling of green waste and so on, it is obviously a decision for the local authority in question whether it wants to charge people to use a household recycling centre or to dispose of green waste. However, having experienced local government myself, I would say that those are services that local people expect to be provided, and they are concerned about it. As I said, in terms of the context of the change in how local government will be funded, I think that councils that do not think carefully about providing those services will meet challenges going forward in terms of generating the important income streams that they need.

Bob Blackman: When the Secretary of State came before the Committee to discuss these issues, we raised the point about monopoly services for which local authorities charge. We need to balance the cost of providing those services against the price that the local authority charges for those services. Given the wide disparity, will the Minister go back to his Department with the view that we need to review what is happening across local authorities to see whether there is any element of overcharging and profiting from such services that is then being used to subsidise other services?

Mr Jones: That is certainly a consideration that we have made in relation to other services controlled by local authorities, such as car parking. I hear what my hon. Friend says, and I would certainly be interested to hear any examples from hon. Members' constituencies, if the type of practice that he described is going on to the detriment of local people.

I think that I have covered many of the comments made by the hon. Member for Poplar and Limehouse. I welcome the initiative in Tower Hamlets and how the council is changing its thinking about emptying bins. It is halfway to the work being done in Nottingham and in Bath and North East Somerset. However, it is welcome to see a council looking differently at how it provides services and trying to innovate.

I was also encouraged to hear what the hon. Gentleman said about his local scout groups. It is important to get younger people involved in this agenda. Again, I think that we should consider it in terms of the litter strategy. My local scout groups have been very supportive. I have done a number of clean-ups in my constituency, including a river clean-up where the scouts came in canoes and helped clean out the river that runs through my constituency. Many young people are making a positive contribution in that way.

Jim Fitzpatrick: The Minister has covered the vast majority of points that I made. The only one on which I would press him is the Marine Conservation Society comment about the inclusion of marine, beach and aquatic venues in the national strategy. I volunteer with Thames21, which does fantastic work cleaning up the Thames, and the Government support it hugely. A lot of the litter is plastic bags, but obviously there is more to litter in those environments than just plastic bags. Can he assure us that marine, beach and aquatic environments will be incorporated into the national strategy?

Mr Jones: We are considering carefully all different environments. Although some people have not been as positive about it as others, I think that the charge on plastic bags has reduced plastic bag usage significantly, by an estimated 80%. That should decrease significantly the number of bags going into our rivers and canals, and into the sea off the coastline, which must be positive, particularly given the damage that they can do to wildlife.

I will not delay colleagues any longer. I thank them for this important debate about an issue that affects many people in our communities and about which thousands and millions of people across the country feel passionate. I have sensed that when I have made comments in press articles and received correspondence from across the country. We will introduce a strong and robust litter strategy, because this Government recognise that litter and fly-tipping are antisocial, and we need to crack down on them. We are absolutely determined to get on and do so.

3.18 pm

Mr Betts: It has been a good, constructive and generally agreeable debate, in the sense that we agreed on most of the issues. I thank the Minister for his apology, which I accept—and I am sure I can do that on behalf of the Committee. I suspect that responsibility was not totally

[Mr Betts]

within his Department, as he has delicately explained with reference to the complications of getting many Departments to agree on a reply.

We started with general agreement about the need for a national strategy and the national clean-up day. We can probably see the effects of the clean-up day fairly quickly; the national strategy may take a bit longer, but I am sure that the Committee will keep a close eye on it.

The Minister was right to say that local authorities are at the heart of the whole issue. They have the responsibility for dealing with litter directly or co-ordinating the activities of others who deal with it. Our recommendations were mostly directed at Government, but generally they were about asking for extra powers for local authorities, to enable them to do their job in a variety of ways. We had generally positive responses and agreement on fixed penalty notices—their extension to fly-tipping and the increase in the level of penalties—on which the Minister said there is consultation; the impounding of vehicles used for fly-tipping; and pilots on trunk roads to look at littering from cars. All those things seem to be positive ways to move forward, and the Government have responded to the Select Committee recommendations either by agreeing to carry them out—in some cases having done so already—or by looking at how they can be carried out in the future.

There are things that local authorities can do irrespective of those issues. The smart bins that we talked about, on which there is general agreement, and engagement with charities on the collection of bulky household items are among them. Individual authorities can implement them,

and can learn from other local authorities. That is at the heart of localism in the end; things may be done well in one area, and other areas say, “Yes, that’s a good idea. We will do it also.”

The Select Committee will want to return to the matter and consider various issues. In the end it is one thing to debate here, but another to get improvements on littering and dealing with litter. I am sure that we will want to keep an eye on, in particular, the serious problems of tobacco littering, chewing gum, fly-tipping and fast food, which we identified as real problems. We will be interested in the Government’s progress on the trunk road issue and littering from cars, which the Minister said the Government would look at again. In the end, to be effective the Select Committee will need better data on which to monitor performance. The Minister has accepted that and I think he has a working party looking at the question. We will be interested to see what comes out of it, because it will be crucial. Although there may be anecdotal evidence, we can only really tell whether things are improving from the data that are collected. We need better data for the future.

I think we have all enjoyed the debate. I hope we have, and that it has also been constructive and useful.

Question put and agreed to.

Resolved,

That this House has considered the Seventh Report from the Communities and Local Government Committee of Session 2014-15, on Litter and fly-tipping in England, HC 607, and the Government response, Cm 9097.

3.21 pm

Sitting adjourned.

Written Statements

Thursday 25 February 2016

BUSINESS, INNOVATION AND SKILLS

Informal 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.

I represented the UK at the informal EU Foreign Affairs Council (Trade) in Amsterdam on 2 February 2016. A summary of those main discussions follows.

China Market Economy Status (MES)

Trade Commissioner Malmstrom presented the arguments on both sides of the EU granting China “market economy status” (MES) within the WTO and set out how to do so would change the methodology for calculating new anti-dumping measures. The Commission would carry out further impact assessment work on this matter and continue to consider the different approaches the EU could take to granting MES to China.

Discussion revolved around the need for good evidence gathering and analysis, and consideration of how to protect a sufficiently wide range of EU industries going forward from any unfair competition.

I said that if we wanted China to abide by its international obligations, then we needed to do the same. That said, the EU was right to continue to explore how to tackle unfair trade and to continue encouraging the Chinese to address domestic distortions and overcapacity, notably in the steel sector.

TTIP

Malmstrom said conclusion by the end of the Obama Administration would require us to address all but the most sensitive “endgame” issues before the summer. Progress had been better in some areas than others. The Commissioner referred to a possible “stock-take” before the summer. It was within the context of tough negotiations on procurement with the US and others that the Commission had revised its proposal for an International Procurement Instrument (IPI) which would be considered by future Trade FACs.

All member states spoke in favour of an ambitious and balanced agreement. I said the US seemed genuine about wanting a deal this year and that we should seize the opportunity lest it disappear for some time.

The WTO Agenda

The Commissioner said that the outcome of Nairobi had surpassed expectations, demonstrating that the WTO could still deliver. Discussions in Davos had confirmed this view. It was in the EU’s interest to try to reinforce the multilateral agenda but there was a need for debate on which issues to pursue and how. The Commissioner mentioned digital trade and e-commerce, investment and competition as possibilities, preferably for multilateral negotiations; open plurilaterals were the next best option. Member states broadly welcomed the Commissioner’s assessment.

Member states also underlined the importance of WTO members ratifying and implementing of the agreement on trade facilitation, agreed at the Bali Ministerial in 2013. Around a further 40 ratifications are needed for the new agreement to enter into force.

[HCWS552]

Pre-Competitiveness Council

The Minister for Small Business, Industry and Enterprise (Anna Soubry): My noble Friend the Parliamentary Under Secretary of State for Business, Innovation and Skills (Baroness Neville-Rolfe) has today made the following statement.

The Competitiveness Council is taking place in Brussels on Monday 29 February. The Council will discuss matters relating to the internal market and industry. There will be no discussion of research, innovation or space. I will be representing the UK.

There are no legislative items on the agenda for this Council.

The first item will be a “competitiveness check-up” during which the Commission will give a presentation on the state of play of the real economy, focusing on start-ups, scale-ups and SMEs.

The next item is a policy debate on the circular economy package. This issue will be discussed in parallel by the Environment Council on 4 March.

We then expect to receive a presentation by both the Commission and the presidency of the Council of the EU (“the presidency”) on the steel industry before an exchange of view among member states. This item follows from the stakeholder conference on energy intensive industries which was held on 15 February and itself was an action arising from the extraordinary Competitiveness Council on steel in November 2015 last year. Minister for Small Business, Industry and Enterprise, the right hon. Anna Soubry, represented the UK at the conference and sought faster action by the Commission to deal with unfair trade practices. Single Market and Industry Commissioner Elzbieta Bienkowska underlined that the Commission did not tolerate practices such as dumping and would continue to use trade defence instruments where necessary.

The next item on the agenda is presentation by the presidency on the European semester and the implementation of country specific recommendations to tackle barriers to growth. The discussion is likely to focus on how recommendations can help support the competitiveness agenda.

The final substantive item on the agenda is a policy debate and adoption of the Council conclusions on the single market strategy for services and goods.

There are four any other business items on the agenda: information from the presidency on the state of play of the unitary patent and unified patent court; information from the presidency on patents and plant breeders rights; information from the Commission on the current state of play of the renewed framework for transatlantic transfers of personal data (EU-US privacy shield) and an update from the Commission on the current legislative proposal of cross-border portability.

Our objectives for the Competitiveness Council are to:

Ensure that it gives a strong steer to the Commission that rapid and ambitious implementation of the single market strategy is a priority; and build on the discussions regarding the steel sector held at the extraordinary Competitiveness Council (November 2015) and stakeholder conference on energy intensive industries.

[HCWS553]

DEFENCE

Multinational Peacekeeping: Egypt

The Secretary of State for Defence (Michael Fallon): The UK will deploy a squadron of Royal Engineers to provide short-term engineering support to the Multinational Force and Observers (MFO), a non-UN multilateral

peacekeeping organisation in Egypt. The MFO was created by an agreement between the Arab Republic of Egypt and the State of Israel to monitor the terms of the 1979 Treaty of the Peace and continues to make an important contribution to peace and stability in the region. The deployment begins in March 2016 and will involve approximately 100 personnel from the Corps of the Royal Engineers carrying out a range of infrastructure improvement works at the MFO main operating base in Sinai for up to 12 weeks.

The UK has a long history of supporting the MFO, and currently provides the MFO with an Engineer Officer of the rank of Major to serve on the Force Commander's Staff.

In the Strategic Defence and Security Review 2015, the Government strengthened the UK's commitment to international peacekeeping. This deployment further underlines our support to regional peace and security.

[HCWS555]

FOREIGN AND COMMONWEALTH OFFICE

Foreign Affairs and General Affairs Councils

The Minister for Europe (Mr David Lidington): My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended the Foreign Affairs Council on 15 February and I attended the General Affairs Council on 16 February. The Foreign Affairs Council was chaired by the High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini, and the General Affairs Council was chaired by the Dutch presidency. The meetings were held in Brussels.

FOREIGN AFFAIRS COUNCIL

A provisional report of the meeting and conclusions adopted can be found at:

<http://www.consilium.europa.eu/en/meetings/fac/2016/02/15/>

In her introductory remarks Ms Mogherini welcomed the application from Bosnia for its application for EU membership and urged Bosnia to maintain the pace of reforms. On Libya, Ms Mogherini welcomed as a positive development the presidency Council's revised list of Cabinet Ministers. Ms Mogherini also updated the Council on the recent meeting in Munich of the middle east peace process quartet. She also welcomed the launch of NATO's maritime operation in the Aegean.

Climate Diplomacy

The Council underlined the importance of European climate diplomacy in encouraging implementation of the global agreement on climate change reached in Paris in December 2015. It set out the parameters for a 2016 climate diplomacy action plan, prioritising implementation of the Paris agreement and addressing the causes of climate change.

Moldova

The Council discussed the situation in Moldova and adopted Council conclusions on the reforms Moldova needed to carry out in line with its association agreement.

In discussion Ms Mogherini emphasised the need for the EU to refrain from taking sides or intervening directly in Moldova's internal affairs.

Syria

The Council discussed the political, security and humanitarian situation in Syria. Ministers were briefed on the outcome of the Syria donors conference held in London on 4 February, and the international Syria support group (ISSG) meeting in Munich on 11 February. The Foreign Secretary made clear in an early intervention that Russia had the power to end the violence and bring the Syrian regime to the negotiating table. He warned that the situation in Aleppo risked creating a massive humanitarian crisis and a new wave of migration. He highlighted the importance of implementing the outcomes of the London conference, and praised the commission and member states for their generosity. The financial pledges and commitments to provide education and jobs to Syrian refugees was vital.

Lunch with the Lebanese Foreign Minister

Over lunch, Ministers exchanged views with the Lebanese Foreign Minister, Gebran Bassil, on the situation in Lebanon and the region, including the refugee and migration situation. The Foreign Secretary emphasised the need to focus both on humanitarian and development support. Member states expressed support to Lebanon, in particular for hosting over 1.1 million refugees, and to the Lebanese armed forces for maintaining stability. Member states also urged Lebanon to break the political deadlock in regard to the presidential vacuum.

Belarus

Council conclusions were adopted on Belarus. In conclusion Ms Mogherini said EU-Belarus relations had for many years been trapped in a cycle of hope, disappointment, sanctions and difficult engagement. However, trends had been more positive over the last few years, including on Ukraine and important, albeit limited, steps on human rights and democracy. The Council reached a political decision not to extend restrictive measures for 170 individuals and three companies whose listings are currently suspended. However, it left in place the arms embargo and restrictive measures for four individuals involved in unresolved disappearances.

Ministers agreed without discussion a number of measures:

The Council adopted conclusions on climate diplomacy.

The Council adopted conclusions on EU priorities at UN Human Rights Fora in 2016.

The Council adopted conclusions on Burundi.

The Council adopted conclusions on Somalia.

The Council approved the EU's position regarding the agenda set for the 14th meeting of the EU-Kyrgyz Republic Co-operation Council.

The Council prolonged EU restrictive measures against two persons and one entity in Zimbabwe until 20 February 2017, while removing the names of 78 persons and eight entities from the list of those targeted by the measures.

The Council set a financial reference amount of €825,000 to cover the expenditure related to the mandate of the EU Special Representative for Human Rights from 1 March to 28 February 2017.

The Council extended the mandate of the civilian EU integrated border management assistance mission in Libya by six months, until 21 August 2016.

The Council adopted the draft European Union programme of exercises and exercise-related activities under the CFSP 2016-20.

GENERAL AFFAIRS COUNCIL

A provisional report of the meeting and conclusions adopted can be found at:

<http://www.consilium.europa.eu/en/meetings/gac/2016/02/16/>

The General Affairs Council (GAC) on 16 February 2016 focused on follow up to European Council conclusions, preparation of the February and March European Councils and the inter-institutional agreement on better regulation.

EUROPEAN COUNCIL FOLLOW UP AND PREPARATION OF THE FEBRUARY EUROPEAN COUNCIL

The GAC prepared the agenda for the European Council on 18-19 February, which the Prime Minister attended. The agenda included the UK's EU renegotiation, migration and eurozone recommendations as part of the European semester process. I emphasised that more work needed to be done before the February European Council on both renegotiation and migration. On migration, I called for a more strategic approach and a focus on full implementation. I also highlighted the contribution made by the London conference on Syria and called for pledges made at the conference to be honoured.

Preparation of the March European Council

The GAC also briefly prepared the agenda for the European Council on 17-18 March, which the Prime Minister will attend. The agenda will again cover migration and the European semester. The Council noted that discussion would also flow from outcomes of the February Council.

Inter-Institutional Agreement on Better Regulation (IIA)

The presidency updated the GAC on the ongoing IIA negotiations, with a view to a more detailed discussion at the March GAC.

Under any other business, Bulgaria updated the GAC on the recent blockades by Greek farmers at border checkpoints on its border with Greece.

[HCWS551]

HOME DEPARTMENT

State of Policing: England and Wales

The Secretary of State for the Home Department (Mrs Theresa May): Yesterday, Her Majesty's Chief Inspector of Constabulary laid before Parliament his annual assessment of policing in England and Wales in accordance with Section 54 of the Police Act 1996. Copies are available at: www.justiceinspectors.gov.uk/hmic and in the Vote Office.

Today, HMIC has updated its website with the judgments from the 2015 Police Efficiency, Effectiveness and Legitimacy (PEEL) inspections. This is the first full PEEL assessment that has been published and it forms a key element of HMIC's role in shining a light on police performance and informing the public about performance across a broad range of policing activities. The information is available at: www.justiceinspectors.gov.uk/hmic.

I am very pleased to see that more than half of forces have been judged as "good" or "outstanding" across all three key areas. Those forces that have received an "outstanding" judgment should be congratulated for the service they provide to the communities they serve.

I am, however, disappointed to see that so many forces are judged to "require improvement" for at least one of the key areas. Police and Crime Commissioners must hold Chief Constables to account for delivering high quality policing that meets the needs of communities. Those communities will expect action to address the areas for improvement identified by the inspectorate and will, I am sure, be looking for strong improvement over the coming year.

[HCWS554]

INTERNATIONAL DEVELOPMENT

Turks and Caicos Islands

The Minister of State, Department for International Development (Mr Desmond Swayne): I wish to bring the House up to date with respect to the loan guarantee from the Department for International Development (DFID) to the Turks and Caicos Islands Government (TCIG).

On 28 February 2011, my right hon. Friend, the then Minister of State for International Development (Alan Duncan) informed the House that DFID had finalised a guarantee in favour of Scotiabank (Turks and Caicos) Ltd to provide TCIG with access to a maximum capital amount of US\$260 million over five years. He argued that the assistance would allow TCIG to implement budget measures which would lead to achieving a fiscal surplus in the financial year ending March 2013.

I am pleased to announce that on 22 February TCIG repaid its remaining borrowing under this guarantee on schedule and with an outstanding borrowing need of just US\$28 million. It was able to raise this amount without further recourse to the UK Government for support and is expected to repay that loan over the next three-and-a-half years.

TCIG has progressed from deficits of US\$77 million in financial year 2010-11 and US\$29 million in 2011-12 to a surplus the following year and strong surpluses thereafter. TCIG and the TCI public service had to make a number of difficult decisions and sacrifices. Financial management and oversight has been strengthened. Essential investment was maintained, including an expansion of the international airport that has allowed a significant increase in flights from US cities. The successful conclusion of DFID's guarantee is a credit to the resolve of the TCI public service, TCIG, the Governor's Office and UK-financed technical experts.

[HCWS550]

JUSTICE

Offender Management

The Parliamentary Under-Secretary of State for Justice (Mr Dominic Raab): I would like to provide the House with an update on the progress of our electronic monitoring

programme which will introduce new satellite tracking technology to improve the supervision and management of offenders and suspects.

This is a huge opportunity to reduce reoffending, cut costs for taxpayers and keep the public safe.

That is why we are committed to delivering a new generation of tags through contracts designed to encourage innovation, deliver an end-to-end system for monitoring offenders and provide for future technological developments.

With this new technology we can be creative and look at how we can use satellite tags to devise new sentencing options for the courts. We want to use technology to make sure we not only deliver the punishments that society rightly expects but also improve supervision in the community and support offenders to change their lives.

The Under-Secretary of State for Justice, my hon. Friend the Member for South West Bedfordshire (Andrew Selous), announced to the House on 13 July last year that there had been significant problems with this programme, leading to considerable delays. As a result, we initiated a review into the programme, looking at how to get the programme back on track. This review examined progress made on the programme to date and how best electronic monitoring technology can meet our ambitions for the future, and considered the experience of other jurisdictions around the world that have developed GPS tagging schemes.

Developing bespoke tags has been challenging and it is now clear that it will be more appropriate to pursue our goals using off-the-shelf technology which is already available. That is why the Ministry of Justice will be terminating our contract to develop a bespoke tagging product with Steatite Ltd and will shortly begin a new procurement process for proven tags already on the market.

This decision will mean we can proceed with wider changes to the way we manage the programme. We will simplify our approach in order to meet the challenges of technical and business integration and continue to drive and monitor delivery from the other suppliers.

This remains a challenging programme, which we will continue to keep under review.

As the Prime Minister announced during his speech on prison reform on 8 February, we will begin pilots later this year which will inform how we use GPS tracking technologies to best effect in the future. These pilots will be run in a variety of settings in conjunction with criminal justice partners and will be designed to test how GPS technology is used and how it affects behaviour. The pilots will be independently evaluated and the results will inform policy decisions on the future use of this important tool.

Furthermore, following the conclusion of the pilot in south London of sobriety tags as part of an alcohol abstinence monitoring requirement, the Secretary of State for Justice has approved the expansion of the scheme to the whole of London to give courts in the capital the means to tackle the damaging effects of crime committed while under the influence of alcohol. An evaluation of sobriety tagging in London will inform our decisions about wider national roll-out.

[HCWS549]

Third Parties (Rights against Insurers) Act 2010

The Parliamentary Under-Secretary of State for Justice (Mr Dominic Raab): My noble Friend the Minister of State for Civil Justice, Lord Faulks QC, has made the following written statement.

I have today laid the draft Third Parties (Rights against Insurers) Regulations (“the draft Regulations”) before both Houses of Parliament. The draft regulations have to be approved by a resolution of each House of Parliament before they can be made. Subject to that approval being given, I intend to make the regulations without delay. I will announce the commencement date of the Third Parties (Rights against Insurers) Act 2010 (“the 2010 Act”) as amended by both the Insurance Act 2015 and the regulations in due course but the date will not be earlier than three months after the regulations have been made.

[HCWS556]

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