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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Wednesday 9 March 2016

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

CABINET OFFICE

The Minister for the Cabinet Office was asked—

Civil Service: Progression

1. **Oliver Colvile** (Plymouth, Sutton and Devonport) (Con): What steps the Government are taking to ensure that people from all social backgrounds can progress in the civil service. [903980]

2. **Rehman Chishti** (Gillingham and Rainham) (Con): What steps the Government are taking to ensure that people from all social backgrounds can progress in the civil service. [903981]

The Minister for Civil Society (Mr Rob Wilson): We want to ensure that the civil service is fully representative of the nation it serves and benefits from the widest pool of talent in our communities and from every part of Britain. We have made considerable strides to increase diversity already, and we will shortly publish our strategy for social mobility, in which we will set out how we will further increase social diversity in the civil service.

Oliver Colvile: As my hon. Friend knows, Plymouth is a low wage, low skills economy, but it is also the home of the seventh-largest university in the UK. What opportunities are there in the civil service in Plymouth for people who do not have university degrees?

Mr Wilson: My hon. Friend reminds us that there is big talent in Plymouth, and we want to make the most of it. Over this Parliament, as part of our broader commitment to 200,000 apprentices across the public sector, we will invest in more than 30,000 new civil service apprenticeships, which will offer a range of rewarding opportunities for people without university degrees, including opportunities already available in Devon and Cornwall. I am delighted to say that I have an apprentice in my private office. I hope that one of our apprentices will one day be Cabinet Secretary—and if that person is from Plymouth, so much the better.

Rehman Chishti: I welcome the news that the Government have recently introduced name-blind recruitment across the civil service. What are they doing to prevent unconscious bias at later stages of the process?

Mr Wilson: Name-blind recruitment has been implemented in 75% of the civil service. We are working with other major workforces across the public sector further to embed name-blind recruitment. In addition,

all civil service recruiters are required to undertake mandatory training to avoid unconscious bias before they embark on any recruitment exercise, and this includes panel members involved in sift and interview for fast stream apprenticeship schemes and executive recruitment.

Kelvin Hopkins (Luton North) (Lab): I welcome what the Minister says, but does he agree it is important to recruit civil servants who will be lifelong servants of the state and the public and whose sole commitment is to public service?

Mr Wilson: Of course, and obviously we want to attract the best talent possible into the civil service. That is why we commissioned the Bridge Group report, which found that the fast stream, in particular, was deeply unrepresentative. We are taking considerable action to change that, however, including, as I just said, with name-blind recruitment, by publishing the pay ratio between the median and highest-paid employees and by creating over 200,000 apprenticeship opportunities in the public sector for young people.

Ms Margaret Ritchie (South Down) (SDLP): What efforts is the Cabinet Office making to deal with the requirements of women who, unlike their male counterparts, might face difficulties because of the pressures of family life?

Mr Wilson: I thank the hon. Lady for her question, which follows International Women's Day yesterday. More than half of civil servants are women and more than a third of top civil servants in positions of leadership are now women, which compares favourably with, for example, FTSE 100 companies. However, there is much more to do to increase female representation in senior leadership roles, and we have introduced a number of initiatives, such as measures to increase gender diversity; a better system of entitlement for shared parental leave; more tailored support before and after maternity leave; and greater encouragement for job sharing.

Mr Peter Bone (Wellingborough) (Con): I am pleased that the excellent Minister says there is no bias in the civil service—except, in terms of social background, if someone happens to want to leave the EU. How does he square that with neutrality?

Mr Wilson: My hon. Friend is ingenious in getting the EU into the question. Everybody in the civil service will, in the future, have an equal opportunity to get on in life.

Derek Twigg (Halton) (Lab): One way of helping people from all social backgrounds to progress in the civil service is to move many more jobs, especially senior civil service jobs, out of London and into the regions, particularly areas such as the north-west. At the moment, someone has to come to London to progress in the civil service.

Mr Wilson: The hon. Gentleman is right; there has been a London bias to some extent within the civil service. We are therefore opening regional hubs. We will open one additional assessment centre in the north this year, with more regional assessment sites to follow. We will ensure that the fast stream is as attractive to people in all regions as it is to those in London.

Gloria De Piero (Ashfield) (Lab): In 2014, 718 people from working-class backgrounds applied for the civil service fast stream: eight succeeded. Is the Minister outraged by that, or is he wondering “How on earth did eight working-class kids sneak in?”?

Mr Wilson: If the hon. Lady is saying that we have a lot more work to do, I absolutely agree with her. Almost one in three people in Britain today are in working-class occupations, compared with a mere 4.4% of those who receive offers to fast stream, making the civil service significantly less socio-economically diverse than the University of Oxford. We know there is a lot more to do, but we are taking the necessary action.

Digital Government

3. **Ben Howlett** (Bath) (Con): What progress the Government has made on its plans for digital government. [903982]

The Minister for the Cabinet Office and Paymaster General (Matthew Hancock): Good morning, Mr Speaker. Our plan is to make people’s lives easier by reforming digital technology across government. We have now published over 24,000 open datasets, and are transforming more and more public services.

Ben Howlett: I thank the Minister for that response. Effective and secure data sharing is critical for 21st century government. Charities and research bodies have struggled for decades to access and evaluate data effectively, which has often slowed down world leading research. Does the Minister agree that the consultation on better use of data in government could lead to long-term complications around information governance in government being resolved?

Matthew Hancock: I do. The better use of data consultation is about maximising opportunities for proportionate, secure and well-governed data sharing, including allowing world-leading research and statistics greater access to datasets as part of a wider programme to modernise and simplify the UK’s data landscape.

Nick Smith (Blaenau Gwent) (Lab): While our population is rising, voter registration is going down. As part of the digital government programme, what further databases will the Minister use in support to boost voter registrations?

Matthew Hancock: The hon. Gentleman makes an important point. We are using links to local government databases actively to work, through digital and other means, to ensure that everybody who has the right to vote gets the opportunity to do so.

Matt Warman (Boston and Skegness) (Con): Whether it be patient data or voter registration, it is vital that the Government have a coherent overarching digital strategy. Will the Minister update us on the digital strategy?

Matthew Hancock: My hon. Friend has enormous experience in this area, and I look forward to publishing the update of the digital strategy very soon. In the meantime, we are getting on with implementing it.

Hywel Williams (Arfon) (PC): Under the requirements of .gov, the language choice button on each government page has to appear at the bottom right—and in very small letters. That means that many Welsh speakers do

not realise that the language choice is open to them, as it is in so many Government documents now. Will the Minister look at moving the language button to the top of the page and making it rather more prominent?

Matthew Hancock: I am an enormous supporter of the Welsh language, and we are working hard to make sure that Government documents are always, where needed, translated into Welsh. I shall certainly look at the location of the button on the page, but we do a lot of user-friendly research to work out where the buttons ought to be.

Trade Union Bill

4. **Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): What assessment he has made of the applicability of the provisions of the Trade Union Bill to officials of the devolved Administrations. [903983]

The Parliamentary Secretary, Cabinet Office (John Penrose): Our assessment is that since employment and industrial relations are reserved matters under the devolution settlement with Scotland, and are not conferred on Wales, the laws that govern them are decided collectively here in Westminster for the whole of the UK. This means that they will apply to all employers in the UK, including those in the devolved Administrations, as part of our country’s single market in goods and services, which has successfully enriched our intellectual, cultural and economic life for centuries.

Drew Hendry: Restricting facility time is likely to limit the Scottish Government’s ability to work effectively with trade unions on a range of issues, because they will not have the capacity to engage. The Scottish Government have already voiced concerns about the Bill. Will the Minister now listen and restrict its applicability so that it does not apply to public sector employees in Scotland?

John Penrose: The Trade Union Bill includes primarily an approach to try to make the facility time settlement transparent. It aims to publish data on facility time costs and expenses to allow politicians and voters to understand what the costs are and to see whether they are being spent efficiently. I think that that should be applied and welcomed right across the UK.

Tommy Sheppard (Edinburgh East) (SNP): Since the SNP Government came to power in Scotland in 2007, the number of industrial disputes has fallen by 84%. I note this on a day on which junior doctors are yet again on strike and on the streets in England. I think that the public will draw their own conclusions about who can best manage industrial relations.

Given the Minister’s last reply, what sanctions does he intend to take to compel the Governments in the devolved Administrations to implement the draconian measures in the Trade Union Bill?

John Penrose: I hope the hon. Gentleman did not mean that the law makers in the various devolved Administrations are considering becoming law breakers. I am sure he did not. All of us here are involved in creating, and amending, laws for the United Kingdom as a whole, and I think it would set a very dangerous precedent for all of us to start saying that we will disregard those who do not please us.

Civil Service: Policy Making

5. **Jessica Morden** (Newport East) (Lab): What plans he has to move policy-making civil servants out of London and into the regions. [903984]

The Minister without Portfolio (Robert Halfon): Departments determine their workforce needs, and the civil service has a significant United Kingdom-wide presence. We are considering new Government hubs and strategic locations outside London as a way of further consolidating our office estates. I know from my own area that parts of Public Health England, for example, are moving from London to the east of England, which means £500 million of investment and thousands of jobs.

Jessica Morden: The Government have decided to close the office of the Department for Business, Innovation and Skills in Sheffield and move it to London, and we have now learnt that the vast majority of policy makers for the northern powerhouse are based in London as well. We in Newport have benefited hugely from the location of civil service jobs in, for instance, the Intellectual Property Office and the Office for National Statistics. Given the Government's recent woeful track record, will the Minister make it clear today that those jobs are valued, will be protected, and will remain in Newport?

Robert Halfon: The northern powerhouse is about devolution, not about jobs in London. The Government have a passion for Newport, and for Wales in general. Not only did the NATO summit encourage investment, but, as the hon. Lady knows, the Friars Walk regeneration project means more jobs and finance. When my right hon. Friend the Paymaster General visited the ONS office recently, he expressed huge admiration for the work of its staff, and committed himself to its long-term future. Only this week, it was announced that the ONS was recruiting 30 economic researchers to graduate posts. It is developing a skills base that will enable it to become a centre of expertise for data handling, and the hon. Lady should be celebrating that in her constituency.

Mr James Gray (North Wiltshire) (Con): When Labour lost power in 2010, there were 181 Government-owned buildings in central London. The equivalent number today is 54, because the present Government have got rid of 130. How much further will this go, given that it indicates a wish to move jobs out to the regions?

Robert Halfon: My hon. Friend makes an important point, and the figure should be about 20 by the end of the decade. It is worth noting that the number of civil servants based in London has fallen by more than 7,500. As my hon. Friend says, the number of buildings in London has fallen from 181 to 54, which has meant savings of more than £2.8 billion for the taxpayer.

Mr Gregory Campbell (East Londonderry) (DUP): The Minister suggested it was Government policy to try to ensure that civil service employment opportunities were spread throughout the United Kingdom. Does he agree that it is a good idea—on the grounds of value for money, and on other grounds—for everyone to get out of the London and Westminster bubble and out into the real world on a more regular basis?

Robert Halfon: I could not have put it better myself. As I have said, there are 800 civil service buildings outside London. We have important targets for developing important strategic hubs for the civil service all over the country, and more people who get out of the Westminster bubble, the better.

Louise Haigh (Sheffield, Heeley) (Lab): We know that the Minister's friend the Paymaster General is very close to the Chancellor, and that he therefore likes to insert the words "northern" and "powerhouse" into every speech he makes. However, as we heard from my hon. Friend the Member for Newport East (Jessica Morden), 98% of senior jobs in the northern powerhouse department are now based in London, and—with no sense of irony—Sheffield policy-making jobs in the Department for Business, Innovation and Skills have been moved to Whitehall. The test for the Minister, when he finally gets the promotion that he has been seeking and that he so richly deserves, will be whether he has more senior and policy-making civil servants in London or fewer. Does he have it within him to live up to our expectations?

Robert Halfon: I genuinely cannot understand the premise of the hon. Lady's question. She should be proud, as are councils in the north of England, that the northern powerhouse is devolving powers right across the region. We are one of the most radical Governments when it comes to devolution. Her councils in the north support it, and I am sad that she does not.

Infrastructure and Projects Authority

6. **Sir Oliver Heald** (North East Hertfordshire) (Con): What assessment he has made of the effectiveness of the Infrastructure and Projects Authority since its establishment as a merged entity. [903985]

The Chancellor of the Duchy of Lancaster (Mr Oliver Letwin): As the Infrastructure and Projects Authority has been in existence only for the past two months, it is a little early to give the House an evaluation of its effectiveness. However, I am completely confident that by combining Infrastructure UK and the Major Projects Authority, we will be better able to monitor from beginning to end the projects that the Government are engaged in.

Sir Oliver Heald: Following Infrastructure UK's success with Crossrail, does my right hon. Friend think that the pooling of expertise in the new merged body bodes well for Crossrail 2, which will have a positive effect for people in Hertfordshire?

Mr Letwin: Broadly, yes. Of course, the final decision on Crossrail 2 will be made only following the recommendations of the National Infrastructure Commission chaired by Lord Adonis, but I am confident that when we get there, and if Crossrail 2 does occur, the fact that the IPA will be in there from the beginning right until the last moment will improve the project's prospects of being delivered to schedule and on budget.

Freedom of Information Act 2000

7. **Margaret Ferrier** (Rutherglen and Hamilton West) (SNP): What plans the Government have to extend the coverage of the Freedom of Information Act 2000. [903986]

The Minister for the Cabinet Office and Paymaster General (Matthew Hancock): We announced our response to the independent commission on the freedom of information last week. The commission did not make a formal recommendation about extending the coverage of the Act, but we will take action to extend pay transparency across the public sector.

Margaret Ferrier: I am pleased to note that the Government appear to have retreated from their plan to introduce fees for freedom of information requests. Does the Minister agree with me and many of my constituents that it is in the public interest for the Freedom of Information Act to be extended to cover private companies when they are contracted to provide public services?

Matthew Hancock: As I have said before at the Dispatch Box, I am a strong supporter of freedom of information, and I want to record my thanks to the commission, which did hard work and made sensible suggestions for improvements. The issue that the hon. Lady has raised is a complex one. For instance, we do not want to deter small businesses from supplying into government. We will consider what was written by the commission, even though no formal recommendation was made.

Mike Wood (Dudley South) (Con): Will my right hon. Friend join me in welcoming the commission's conclusion that it would be inappropriate to introduce further charges for requests under the Act? Can he reassure my constituents that the Government have no plans to do so?

Matthew Hancock: I can absolutely give my hon. Friend that assurance. As we said last week, we will not introduce fees because we think that it is important for people to use freedom of information to find out what is going on inside public bodies, including local authorities and more broadly, to ensure, rightly, that taxpayers' money is spent better because the people who are spending it are held to account.

12. [903991] **Jo Stevens (Cardiff Central) (Lab):** The Minister has just talked about extending the Act to cover private providers doing public service contracts, and he mentioned small businesses. Clearsprings runs a Home Office contract in my constituency relating to asylum seekers' accommodation, but it is failing the taxpayer and the thousands of vulnerable asylum seekers living in its accommodation, safe from the scrutiny of the Act. Will he confirm that the Act will be extended to cover large companies such as Clearsprings?

Matthew Hancock: I cannot give the hon. Lady that assurance, not least because, having considered this question and listened to representations from both sides of the argument, the commission did not make a formal recommendation on this matter. I can tell her, however, that FOI can be used to scrutinise those who set up the contracts that businesses, large and small, supply into.

Topical Questions

T1. [903995] **Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con):** If he will make a statement on his departmental responsibilities.

The Chancellor of the Duchy of Lancaster (Mr Oliver Letwin): The responsibilities of the Cabinet Office remain much as they were last month. We continue to ensure that the Government fully and effectively implement their programme across Whitehall and the wider public sector.

Mrs Trevelyan: Will the Minister update the House on the progress that has been made to ensure that every serving member of our armed forces, wherever they are in the world, will be entitled to vote in the forthcoming EU referendum? Will he guarantee that they will receive their ballots in good time, and will he please confirm how we will ensure that every vote is counted?

Mr Letwin: My hon. Friend has been completely tireless in her attempts to ensure that armed forces personnel can vote in the referendum, and rightly so. I can confirm the Prime Minister's commitment given to her that we will enable all the armed forces to vote. I am happy to tell her that the chief counting officer for the referendum has now directed that postal ballots will be sent to the armed forces between 23 and 27 May to ensure plenty of time for their votes to be counted.

Anna Turley (Redcar) (Lab/Co-op): When the Government introduced new gagging clauses on charities in receipt of Government grants last month, they credited a report published by the think-tank the Institute of Economic Affairs, in which the policy was a key recommendation. Just four months prior to that, the Minister for the Cabinet Office received a £4,000 donation from the chairman of the IEA, Neil Record. That is surely just a coincidence, but in order to avoid any misunderstanding will the Minister, who has said that he is committed to freedom of information, publish all communications between the IEA and his Department as well as all the submissions and advice that he received from the civil service?

The Minister for the Cabinet Office and Paymaster General (Matthew Hancock): I did not have any discussions with the IEA on this. It is about ensuring that taxpayers' money is spent on good causes and the right things, not on lobbying Government. It is right that taxpayers' money should be spent on the things for which it was intended, not on ensuring that lobbyists can take politicians out for lunch.

T5. [903999] **Karl McCartney (Lincoln) (Con):** Does my right hon. Friend agree that recording laws on vellum is a millennium-long tradition and an important part of our unwritten constitution? The House should look to preserve it.

Matthew Hancock: I certainly do. Keeping a record of our laws on vellum is a long-held tradition, and we should safeguard our great traditions. I am looking forward to the debate on this tomorrow. In 1,000 years, I want people to be able to look at the laws that we pass in this House, so I hope to see a strong turnout in support.

T2. [903996] **Debbie Abrahams (Oldham East and Saddleworth) (Lab):** The Government are finally reviewing Atos contracts after several National Audit Office and Select Committee reports going back four years have highlighted poor performance and a lack of value for money for taxpayers. In addition, there have

been devastating impacts on disabled people. Why have the Government taken so long to do that? Will the Minister also confirm that the anticipated savings have not been made?

Mr Letwin: The hon. Lady simply ignores the fact that the Government have taken the action, which should have been taken long ago and which the previous Labour Government completely failed to do, to deal with contractors who are not up to scratch. We are dealing with contracts that are necessary to improve matters and are improving them so that people get the services they deserve, which is why all our welfare programmes are now back on track.

Mr Speaker: Order. There is far too much noise in the Chamber. Colleagues should be able to hear.

T8. [904002] **Philip Davies** (Shipley) (Con): A constituent of mine who works for Her Majesty's Revenue and Customs in Shipley has contacted me after being told by his managers that he is unable to help the campaign to leave the EU in the forthcoming referendum and even to deliver leaflets in his own time. Given that Government Ministers are free to campaign in a personal capacity to leave the EU, why are the Government not extending the same courtesy to civil servants?

Matthew Hancock: My hon. Friend's constituent should follow the rules set out in section 4.4 of the civil service management code, which shows in what circumstances civil servants can engage in political activity. The Government of course have a clear position on the referendum: we want to stay in a reformed European Union. I am sure that my hon. Friend will be the first to say that it is only because of our Prime Minister's munificence, tolerance and generosity of spirit that Ministers are allowed to disagree in public with the Government position at all.

T3. [903997] **Patrick Grady** (Glasgow North) (SNP): The anti-advocacy clause has been widely condemned by civil society and is now subject to an e-petition in this House about its impact on academic grants. Will the Minister explain why it was brought in with no scrutiny in the House, and will he urgently review it in the light of the public outcry?

Matthew Hancock: The hon. Gentleman fails to recognise that taxpayers' money should not be used to lobby Government. Those who argue against the clause are arguing that the taxes paid by hard-working people should be on spent on lobbyists. I disagree. The clause has been in operation for over a year in the Department for Communities and Local Government, where it was found to be working well, which is why have expanded it across the whole of Government.

T10. [904004] **Sir Henry Bellingham** (North West Norfolk) (Con): Given that there is now a presumption in favour of building first on brownfield sites, will Ministers work with local authorities in Norfolk to help identify suitable sites?

Mr Letwin: Yes, we will indeed. We are also taking steps to make sure that we release the greatest possible amount of public sector brownfield land, so that in places such as my hon. Friend's constituency and mine

we see building in places where people welcome and accept it, to provide homes for our people, to the benefit of the taxpayer.

T6. [904000] **Melanie Onn** (Great Grimsby) (Lab): In the last Parliament, the Government's departmental plans set clear policy targets and the date they pledged to achieve them by. This time, no dates are given and the aims are as vague as "continue to be the most transparent government in the world". Are the Government deliberately preventing the public from holding them to account or do they genuinely not know what they are doing for the next four years?

Mr Letwin: I am sorry that the hon. Lady obviously has not read the items on the website; a multitude of specific dates for specific programmes are given, and we will continuously update this as we go through the Parliament. It is true that we are the most transparent Government ever in this country and one of the three most transparent Governments in the world. Maintaining that is quite a good goal, and I would have expected her to welcome it.

Mr Speaker: Last but not least, I call Marion Fellows.

T4. [903998] **Marion Fellows** (Motherwell and Wishaw) (SNP): Thank you, Mr Speaker. Almost two thirds of people in Scotland want to see charities speaking up for those affected by Government policies, which is why the Scottish Government and the Scottish National party are against the new anti-advocacy clause. Will the Minister commit to assessing the impact it will have on Scottish charities?

Matthew Hancock: Once again, we have a request from the SNP for hard-working people to pay their taxes and for those taxes then to be used to lobby the very Government that are giving out the grants. That is wrong in principle. We have been using this clause in practice for more than a year and because it was working well we have extended it across government.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [903965] **Karin Smyth** (Bristol South) (Lab): If he will list his official engagements for Wednesday 9 March.

The Prime Minister (Mr David Cameron): This morning, I had meetings with ministerial colleagues and others, and in addition to my duties in this House, I shall have further such meetings later today.

Karin Smyth: People in Bristol South look forward to their share of the Government's promised 3 million apprenticeships but they question how this is going to happen. On the eve of National Apprenticeship Week, can the Prime Minister tell us: does he have a delivery plan or is he making it up as he goes along?

The Prime Minister: We achieved 2 million in the last Parliament, we are confident of achieving 3 million in this Parliament and we do have a delivery plan. It is based on large companies continuing with their plans

for apprenticeships; we want small companies to do more; we want the public sector to join in with larger apprenticeship plans; and we regularly review progress towards the target.

Q7. [903971] **James Berry** (Kingston and Surbiton) (Con): Many of my constituents get the train into central London every morning for work and they are concerned about the terrorist threats posed by Daesh here in the capital. Will my right hon. Friend update the House on the progress being made in tackling the source of that threat in Iraq and in Syria?

The Prime Minister: I totally understand what my hon. Friend has said, and it was very striking what assistant commissioner Mark Rowley said last week about the dangers we face. What I would say is that domestically we are protecting counter-terrorism policing, and investing in our intelligence and security services, as we did in the last Parliament. On Iraq and Syria, we are making good progress at pushing Daesh back. So this is something we need to do both domestically and overseas. I have to say that I was completely appalled to see yesterday that the Labour party has readmitted someone to the party who says that the 9/11 suicide bombers “must never be ‘condemned’” and who belongs to an organisation that says:

“We defend the ‘Islamic State’ in Syria and Iraq”.

Those are appalling views and I hope the Leader of the Opposition will throw this person out of the party, rather than welcoming him in.

Jeremy Corbyn (Islington North) (Lab): I hope the Prime Minister will join me in mourning the death today of the fifth Beatle, George Martin, who gave us wonderful music that will last for all time.

Last week, the Prime Minister told the House that we had

“a strong economy with a sound plan.”—[*Official Report*, 2 March 2016; Vol. 606, c. 941.]

If the economy is so strong, why this week has he forced through a £30 per week cut hitting some of the poorest disabled people in the country?

The Prime Minister: First, let me join the right hon. Gentleman in what he said about George Martin, as he was an absolutely massive figure, a giant in popular music, and responsible for some tunes that will live on for ever more.

I find it disappointing that the right hon. Gentleman cannot comment on the point that I made earlier, as it seems to me that, as party leaders, we have a responsibility for our own parties. He asked about the strength of the economy. We do face an uncertain international environment, and all the experts are warning about the dangers that we face, but, as we speak today, we have inflation at 0%, unemployment at 5%, our economy is growing, wages are growing and we are cutting the taxes that people are paying. That, combined with reforming welfare—and we are reforming welfare—is the way to get our deficit down, continue with growth and help deliver for working people in Britain.

Jeremy Corbyn: I do not believe that the majority of people in this country are content to see someone diagnosed with cancer today and unfit to work next year reduced to poverty because of the cuts that this Government are putting through.

In the summer Budget last year, the Chancellor found another £6.6 billion to reduce corporation tax for big business. That was despite the fact that our corporation tax is already lower than in any other G7 nation. Today, Action for Children, the Children’s Society and the National Children’s Bureau show that local authority spending on children and young people has been cut by £2 billion—71%. Does that not demonstrate a wrong choice by the Prime Minister?

The Prime Minister: Let us look at what has happened to corporation tax receipts since we cut corporation tax. That is the question, because the point of setting tax rates is to raise money rather than to make a political point. The fact is corporation tax receipts are up by 20% under this Government, so we have more money to spend on children, children’s services and education, whereas if we put up tax rates, as the right hon. Gentleman seems to be suggesting, we would get less money in; that is the result. The Opposition care about making a political point; we care about raising revenue and providing good services.

Jeremy Corbyn: I ask the question: if there is more money available to be spent on children’s services, why are there another half a million children living in poverty in Britain because of the policies of the right hon. Gentleman’s Government? If we really do have the strong economy that he claims, why did the Chancellor warn last week that

“we may need to make further reductions”?

Who will those reductions fall on—the disabled, pensioners, young people or women? Will he rule out attacking those groups?

The Prime Minister: The right hon. Gentleman will hear the Budget next week, when my right hon. Friend the Chancellor, who has an excellent record in steering this nation’s economy, stands up to give it. The right hon. Gentleman just made some remarks about child poverty. Let me tell him what has actually happened since 2010. There are 680,000 fewer workless households. Let us think about what that means. It means 680,000 households where someone is bringing home a wage, putting food on the table, and, under us, paying less taxes. There are 40,000 fewer households where no member has ever worked, and there are 480,000 fewer children living in workless households. That is real change for those children. That is about tackling child poverty by having a growing economy, growing real wages, falling taxes, and increased childcare—all things never delivered by Labour.

Jeremy Corbyn: The problem is the number of households that are suffering from in-work poverty because of insecure jobs, because of zero-hours contracts and because of low wages. As the Prime Minister well knows the poorest have paid the most for the cuts, and women have paid for 81% of those cuts.

On 99 previous attempts to ask questions of the Prime Minister, I have been unclear or dissatisfied with the answers, as indeed many other people have. On this auspicious 100th occasion, may I ask the Prime Minister to help out a young man called Callum? Last week, the Prime Minister told the Engineering Employers Federation that we have a skills shortage—a good admission. Callum,

a bright young man who wants to make his way in the world, asks, “Will the Government acknowledge”—*[Interruption.]* Perhaps the Prime Minister does as well. Callum asks:

“Will the Government acknowledge the importance of Sixth Form Colleges and post-16 education services in Britain?”

The Prime Minister: First of all, let me congratulate the right hon. Gentleman on getting to 100 not out—I am sure that will be welcomed across the House.

What I would say to Callum is that we are introducing in our country a situation where we uncap university places so as many people who want to go can go, and that we will be introducing, in this Parliament, 3 million apprentices. That, combined with better funded sixth forms and better funded further education colleges, means that we have actually got a proper education system that can really drive opportunity in our country.

Let me just come back once more on child poverty. Let me give the right hon. Gentleman the figures: 800,000 fewer people in relative poverty than in 2010—300,000 fewer children in relative poverty than in 2010. That is the Labour measurement used, so when he gets to the Dispatch Box, he can tell us he was wrong about child poverty.

Jeremy Corbyn: The Prime Minister seems to be answering the last question but one, so could I kindly bring him back to the question I asked from Callum, and point out to him that there has been a 10% cut in real terms in sixth form and further education, and adult education has been cut by 35% during his time as Prime Minister?

Construction output in Britain has shrunk for two consecutive quarters now. Surely that is a matter for concern. Is this not really a bit of a sign that this economic recovery is being constructed on sand?

The Prime Minister: First of all, let me just confirm we have protected 16-to-18 education in this spending round. The right hon. Gentleman talks about construction; of course, we want to see every part of our economy growing, and our economy is growing, unlike so many in what is a difficult and dangerous world right now. But if you look at our construction plans, you will see that, because we have got a strong economy, we are able to commit to HS2, we are able to commit to the biggest road programme since the 1970s and the largest rail programme since Victorian times, together with huge infrastructure projects in energy and in other areas. Those things are only possible because we have got a strong and growing economy. We know what Labour would do: his spending plans are a risk to the nation's finances, his tax plans are a risk to every family in the country, and we know from Scotland what he wants to do, which is to put up taxes on people earning over £20,000. That is their plan, and it would wreck the country's finances.

Jeremy Corbyn: We have a construction industry in recession at a time that there is an acute need for new housing. Construction apprenticeships have fallen by 11% since 2010. We have the lowest rate of house building since the 1920s—almost 100 years ago. Will the Prime Minister look again at this issue, stop the cuts to skills training and cuts to investment that are holding

back our country—holding back the skill ambitions of so many young people—and invest in them and in our future?

The Prime Minister: I do have to pick up the right hon. Gentleman on his statistics, because we have seen a massive boost to apprentices and apprenticeship funding under this Government—2 million in the last Parliament, 3 million in this Parliament.

On housing, let me just give him the figures: house building under Labour fell by 45%. Since then, it has increased by two-thirds. Over 700,000 new homes have been delivered since 2010. If you look at what is happening now, completions are up, housing starts are at their highest level since 2007—last year housing starts were nearly double the low point of 2009. They wrecked the economy, they created that instability; we have been building a strong economy—that is what we have got to stick with.

Q8. [903972] **Mark Spencer** (Sherwood) (Con): Unemployment in Sherwood has halved since 2010. Given that the Chancellor of the Exchequer will make his Budget statement next week, can the Prime Minister assure the House that he will continue to support quality education, employment generation and infrastructure to get to jobs, so maintaining a Conservative ladder of aspiration?

The Prime Minister: My hon. Friend is absolutely right. The school improvement programme that we are driving forward, combined with uncapping university places and investing in apprenticeships, is giving people a ladder of opportunity to make the most of their lives and the most of the employment opportunities that are clearly being created in our country, where there are 2 million more people in work. I also know he has a particular interest, in his constituency, in extending the Robin Hood line, and he is meeting rail Ministers to try and deliver this. That is exactly the sort of infrastructure project that this Government want to get behind.

Angus Robertson (Moray) (SNP): The refugee crisis is the biggest issue facing Governments across Europe. We now know that, under a UK Government programme, in Folkestone, trafficking victims were locked up without food, asylum-seeking children were forced to sleep on concrete floors, patients with diarrhoea were denied access to showers, and a naked woman was allegedly beaten at a detention centre. Is the Prime Minister ashamed of that?

The Prime Minister: I will look carefully at the points the right hon. Gentleman makes. I would say that our asylum system is fair, and Britain down the ages has given asylum to people who are fleeing torture and persecution. When it comes to resettling Syrian refugees, it was instructive at this week's European Council to see a chart that showed how many countries have actually resettled Syrian refugees. Britain has done far better than any other country, bar Germany.

Angus Robertson: This week the Scottish Refugee Council called for an investigation into allegations about the way that asylum seekers are treated and housed in Glasgow. It wants the Home Office to commission an independent inquiry into claims of substandard housing

and dehumanising treatment of refugees by the private company contracted to provide accommodation services by the Prime Minister's Government. Will he commission that investigation?

The Prime Minister: We are happy for those issues to be properly investigated, and the Home Affairs Committee in this House of Commons has just done a report into the way that asylum housing is commissioned. If the Scottish Parliament wants to carry out those investigations, of course the United Kingdom Government will co-operate with that. We must ensure when we take people in that they are properly housed and looked after, and that their children are schooled, because that is the sort of generous country we are.

Q9. [903973] **Andrew Stephenson** (Pendle) (Con): I welcome the Government's excellent See Potential initiative to encourage employers to hire ex-offenders. I speak as someone who employs a female ex-offender via the excellent Working Chance charity, so will the Prime Minister assure the House of his commitment to ensuring that employers in the public, private and charity sectors play their part in providing greater opportunities for ex-offenders?

The Prime Minister: I absolutely agree with my hon. Friend, and I salute what he has done to help ex-offenders. If people are applying for a job, they have at some stage to declare the criminal record they have and the offences they may have committed. The question is: do they have to do it absolutely at the CV stage? We think that they should not. We believe in the idea of banning the box, and the civil service will introduce that so that people do not have to include that information on their initial CV, and they might at least get the chance of an interview and not be ruled out. That is what we are talking about. When we talk about life chances for people in our country, and giving people a second chance to make a go of their life, we are putting our money where our mouth is.

Q2. [903966] **Richard Burgon** (Leeds East) (Lab): If the British people vote to leave the European Union, will the Prime Minister resign—yes or no?

The Prime Minister: No.

Q10. [903974] **Anne Marie Morris** (Newton Abbot) (Con): It is much to the Government's credit that more than 2 million jobs have been created since 2010, but nearly 1 million of those have gone to non-UK EU nationals. Does the Prime Minister agree that the EU's free movement of people is damaging the employment prospects of UK nationals and has contributed to the 1.6 million British people who remain unemployed? That has not been compensated for by an equivalent level of jobs for UK nationals in other European countries.

The Prime Minister: If my hon. Friend looks at the figures for the last five years, she will see that two thirds of the rise in employment has been from jobs going to British people. Where I agree with her is that, with the welfare reform that we have introduced for EU citizens and the tougher control of migration from outside the EU, we should see welfare reform in the UK as the flipside of migration control. We want to ensure that it always pays for British people to train up and do the jobs that are being made available, and we should see

immigration control and welfare reform, together with a growing economy, as a way of getting more of our people into work.

Q3. [903967] **Julie Elliott** (Sunderland Central) (Lab): Does the Prime Minister agree with me that it is very important to make the positive case for Britain remaining in the EU: each of us get £1,200 back for every £120 we put in; we have lower prices; we have more choice in shops; and we have easier travel for holidays and businesses? Will the Prime Minister explain how our membership of the EU benefits so many aspects of our lives?

The Prime Minister: The hon. Lady makes an important point, which is that, in all the arguments about single markets, sovereignty and all the rest of it, we can sometimes lose sight of some of the simple consumer benefits of being a member of the European Union. She mentions cheaper air travel, ease of travel and not having any tariffs. These are things we take for granted now, but they were simply not the case 40 years ago. I agree that that is a strong part of the very positive case we should make for remaining in the EU.

With the hon. Lady's own constituency in mind, we should also point to the enormous success of the British car industry, which now employs and is responsible for more than 140,000 jobs. That is a great European success story. A lot of those cars go to the European market and we want to make sure that that continues tariff-free.

Q12. [903976] **Mr Ranil Jayawardena** (North East Hampshire) (Con): Our security is guaranteed under NATO, and the Government's action to meet our 2% commitment is most welcome. I recently visited RAF Odiham in my constituency, where the Chinooks, which do so much for the United Kingdom and our friends overseas, are based. Will my right hon. Friend look at plans to improve the quality of accommodation for airmen and airwomen in RAF Odiham, which I am sure he agrees they deserve?

The Prime Minister: I thank my hon. Friend for that question. Let me, through him, pay tribute to the Chinook pilots and the crews who service those helicopters. I have visited Afghanistan something like 13 times in the past few years. Their bravery, professionalism and brilliance in flying, often at very low levels, is absolutely remarkable. They have rightly been decorated and commended for the work they do. We have an upgrade programme for the Chinooks, which will mean new helicopters replacing part of the existing fleet that is becoming worn out. I think I am right in saying that some £2 million has been spent on RAF Odiham, but if more is needed we will make sure that that happens.

Q4. [903968] **Catherine McKinnell** (Newcastle upon Tyne North) (Lab): In 1949, aged 11 months, my constituent William Bradney was diagnosed with polio. He has worked from the age of 15 and he continues to work at 67. However, following a clearly flawed personal independence payment assessment, he is set to lose his Motability car—potentially within three weeks. He says that will leave him unable to leave the house and unable to work. Will the Prime Minister urgently review my constituent's case and the cases of the 14,000 disabled people who have lost this essential lifeline?

The Prime Minister: I will certainly have a look at the case, because what we have found so far with PIP payments is that we are actually spending more money on disability, rather than less money on disability. I will look very carefully at the case. The whole point about PIP, as compared to disability living allowance, is that there is more of a proper medical assessment process to find out what is required. Through the hon. Lady, may I say to her constituent that I am sure he, like others, will welcome that we are so close to eradicating polio entirely from our world? The Government are committed to going the extra mile and making that happen.

Q15. [903979] **James Cartlidge** (South Suffolk) (Con): Schools in South Suffolk were delighted this week to see the publication of the Government's consultation on fairer funding. Given that the first part of the consultation will focus on the core principles, does my right hon. Friend agree that one of those principles must be that rural schools face unique and unavoidable costs that are not well funded under the current formula?

The Prime Minister: I certainly agree with my hon. Friend. It is right that we are examining the formula and trying to achieve better fairness. I think everyone can now see that the gap between the best-funded schools and the worst-funded schools has become too great. I also agree that it is vital that the specific needs of schools in rural areas are properly considered. That is why our consultation proposes that we should direct additional funding to small schools in sparsely populated areas.

Q5. [903969] **Mr Khalid Mahmood** (Birmingham, Perry Barr) (Lab): To follow up a question from my right hon. Friend the Leader of the Opposition, official figures show—[*Interruption.*] It's not funny. Official figures show 12,000 vacancies in construction that are hard to fill due to a lack of skilled applicants. Can the Prime Minister explain why, under his Government, the number of construction apprenticeships has fallen?

The Prime Minister: The point is we are building more houses, investing more in construction and training more apprentices. The money is there from the Government, and the apprenticeship levy on larger businesses will make sure that we can fund apprentices long through this Parliament.

Sir Henry Bellingham (North West Norfolk) (Con): The Prime Minister will be aware of a recent tragic fatality on the A17 in Terrington St Clement in my constituency. While we await the result of a full inquest and the police inquiry, does he agree that it is vital that the local parish council is fully consulted on new safety measures?

The Prime Minister: I have heard about that tragic accident and, on behalf of everyone, I send our sympathies and condolences to those involved. My hon. Friend is right to say that, in so many of these cases, the parish council has a lot of expertise about areas of roads that are not safe and things that could be done. Of course, it should be listened to in this and other cases.

Q6. [903970] **Dr Roberta Blackman-Woods** (City of Durham) (Lab): We celebrated mother's day on Sunday and International Women's Day just yesterday, and Conservative Members were, rightly, keen to celebrate

women on both occasions. Why, then, have this Government introduced cuts to public services, a freeze to child benefit and reductions in work-related benefits, which have left mothers £13 billion worse off?

The Prime Minister: The one thing I share with the hon. Lady is that it was right to celebrate mother's day. I shared it with my mother, but I think I have probably said enough about her for the time being. It was also a privilege yesterday to welcome to No. 10 some inspirational women from all walks of life, to mark International Women's Day.

I am not saying that this Government have solved all these problems, but we have more women in work and they are getting higher pay, paying lower taxes, getting more childcare and retiring with better pensions. When it comes to the things that Government need to do, we are appointing more women to senior positions and public appointments, and the honours system is now properly reflecting women. [*Interruption.*] Someone shouted out, "What about the pay gap?" The pay gap is now at its lowest published level. We have abolished the pay gap for under-40s. When it comes to protecting women, this is the Government who criminalised forced marriage, introduced the duty to report female genital mutilation, set out a specific domestic violence measure, and introduced Clare's law so that people can find out about violent partners.

I accept that there is more to be done, but let me say this to the Labour party: one thing you can help with is no more segregated political meetings. Let us end the process of having people with bigoted religious views treating women as second-class citizens. I think you should all take the pledge—no more segregated meetings!

Dr Andrew Murrison (South West Wiltshire) (Con): The UK still has relatively poor superfast broadband and far too many mobile "not spots". Great work has been done, but what discussions will my right hon. Friend have with the Chancellor, in advance of next week's Budget statement, about how we can improve coverage further, particularly for rural small businesses in areas such as mine?

The Prime Minister: My hon. Friend is absolutely right to raise this issue. Since 2010, we have nearly doubled the number of homes and businesses with superfast broadband. We are on track on the 90% and 95% targets, but clearly more needs to be done. This is an issue for Members across the House. Ten years ago, we were all rather guilty of leading campaigns against masts and all the rest of it. Our constituents now want internet and mobile phone coverage. We need to make sure that we change the law in all the ways necessary, that the wayleaves are granted, that the masts are built, that we increase coverage and that everyone is connected to the information superhighway.

Q11. [903975] **Martyn Day** (Linlithgow and East Falkirk) (SNP): Seventy-six per cent of the cost of a bottle of whisky is tax. Last year the Government's 2% cut on duty increased revenue to the Treasury by £102 million. Does the Prime Minister accept that one of our greatest export products is taxed too much, and will he join me and the Scotch Whisky Association in calling for a further 2% reduction in duty in this year's Budget?

The Prime Minister: My right hon. Friend the Chancellor and I have consistently backed Scotland, Scottish whisky and this vital industry, but let me say this to the hon. Gentleman: on the day that the profit and loss account for Scotland has come out, we can see that Scotland would face a £15 billion gap if it were outside the United Kingdom. I dread to think what taxation would have to be levied not just on whisky, but on petrol, work, incomes and homes. That is the prospect of life outside the United Kingdom, and that is why I am so glad we voted to stay together.

Sir William Cash (Stone) (Con): The Government have just presented three White Papers to Parliament under their self-imposed legal duty to provide information under the European Union Referendum Act 2015. The Minister for Europe, during proceedings between the two Houses, gave me an undertaking that the Government information under that Act would certainly, as he put it, be accurate and impartial. The three recent White Papers are not. My right hon. Friend the Prime Minister is the enforcer of the ministerial code, which demands that Ministers give accurate information to Parliament. Will he issue instructions to Foreign Office Ministers to review and correct those White Papers?

The Prime Minister: First, let me say to my hon. Friend that we believe in the sovereignty of Parliament. Parliament dictated that those documents would be published, and that is why they are being published. On the question of their content, their content has been prepared by civil servants under all the appropriate codes. If he does not agree with some of the content, I would say to him and to other colleagues: challenge the content. Have an argument about the content. Stop arguing about the process.

Q14. [903978] **Jim Dowd (Lewisham West and Penge) (Lab):** The Prime Minister's notes will indicate that I raised with him the question of the national wildlife crime unit earlier this year. I am delighted to report that its funding has been secured for the next four years, and I take full responsibility for that. I read it on my website, so it must be true. As my mother used to say, it never hurts to say thank you, and I do so. On a similar matter, may I ask the Prime Minister how his manifesto commitment to outlawing the use of wild animals in circuses is progressing?

The Prime Minister: I thank the hon. Gentleman for raising such effective questions with such good effect. On circuses and wild animals, we have a manifesto commitment. We did not manage to meet it in the last Parliament. We license these things so strictly that I think we are now talking about one or possibly two circuses—[*Interruption.*] Two; thank you very much. We are still committed to legislating when parliamentary time allows.

David Mackintosh (Northampton South) (Con): Later today, colleagues from across the House and I will launch the all-party group on ending homelessness. Will my right hon. Friend join me in welcoming the work of organisations around the country, including the Northampton Association for the Accommodation of the Single Homeless and the Hope Centre in my constituency? Will he pledge that, as a Government, we

will do all we can to help homeless people and to address the causes of homelessness so that we can end the problem once and for all?

The Prime Minister: I certainly welcome my hon. Friend's launch of that all-party group. We need to work both on rough sleeping, where we face particular challenges at the moment—there are some good operations under way to try to deal with that—and on homelessness, at the heart of which is the need to build more houses. That is why we have an £8 billion housing programme to build 400,000 houses and we hope to build, by the end of this Parliament, 1 million new homes. That is the key. All the arguments about homelessness, in the end, come down to providing effective homes.

Siobhain McDonagh (Mitcham and Morden) (Lab): A friend of mine works a 39-hour week, including Sundays and bank holidays, on the shop floor at B&Q. Can the Prime Minister imagine my friend's shock when he discovered that he would lose money as a result of the introduction of the living wage? That is because to introduce it, B&Q is cutting allowances. As a result, my friend will take home £50 a week, or £2,600 a year, less after the hourly rate goes up. Will the Prime Minister and his Chancellor ensure in their Budget next week that nobody who works on a shop floor will take home less money?

The Prime Minister: We want to see people taking home more money, and that is why we have introduced the national living wage, which will reach £9 an hour by 2010, and we are cutting the taxes of people like the friend to whom the hon. Lady refers, who will be able to earn £11,000 from 1 April before paying any taxes at all.

Andrew Percy (Brigg and Goole) (Con): A recent study led by Imperial College has shown that biomass, if progressed through contracts for difference, could save bill payers and the Treasury billions of pounds. This industry supports thousands of jobs in the Humber, and in the constituencies of my hon. Friends the Members for Selby and Ainsty (Nigel Adams) and for Cleethorpes (Martin Vickers). There is a sustainable business model. The biomass comes from the US and Canada. Will the Prime Minister look at this, so that we can try to get it into the CfD programme?

The Prime Minister: I will look at that, but what we all have to realise is that the levy control framework—the extra amount of money that we are prepared to put into renewable energy—is a finite amount. In the end, we have to make sure that we get cost-effective electricity and that we go green at the lowest cost. That is the aim, but I will look carefully at what my hon. Friend says.

Mr Speaker: Finally, I call Mr Barry Gardiner.

Barry Gardiner (Brent North) (Lab): It used to be said that an English family's home was their castle, but following the Government's Housing and Planning Bill, new tenants in social housing will be on fixed three to five-year contracts. Does the Prime Minister think it is right that a student beginning their secondary education may face eviction at the very time they are coming up to their GCSEs or A-levels?

The Prime Minister: For more people, we want their home genuinely to be their own, which is why we are extending the right to buy from council tenants to housing association tenants—so that millions of people will be able to own their own home. As for future tenancies, we want to make sure that social housing is there for the people who need it most. No current tenant is going to be affected. That is why we think this housing Bill will see more homes built, more homes owned, more homes rented and will be good for housing in our country.

Several hon. Members *rose*—

Mr Speaker: Order. We will come to points of order. I think hon. Members raising points of order should

have an attentive audience, which seems more likely once those leaving have done so quickly and quietly.

What is more, I am sorry to disappoint hon. Members, whose eagerness is evident for all to see, but points of order of course come after the urgent question and the statement. As I am sure these are very genuine points of order, hon. Members will come scurrying back to the Chamber in order to air their concerns at the appropriate moment.

Meanwhile, we have quite a considerably important and rich parliamentary offering—[*Laughter.*] I am grateful to the hon. Member for North Dorset (Simon Hoare)—in the form of an urgent question from a very senior denizen of the House.

EU-Turkey Agreement

12.37 pm

John Redwood (Wokingham) (Con) (*Urgent Question*): To ask the Prime Minister if he will make a statement on what new financial and other obligations apply to the UK in the EU-Turkey agreement.

The Minister for Europe (Mr David Lidington): Agreements reached in principle at the EU-Turkey summit on Monday represent a basis on which in future all migrants who arrive in Greece could be returned to Turkey. That would, if implemented, break the business model of the people smugglers, and end the link between getting in a boat and getting settlement in Europe. That is something that the Prime Minister and the Government have been arguing for nearly a year.

The agreement would not impose any new obligations on the United Kingdom in respect of either resettlement or relocation. As we are not members of the Schengen area, we are able to maintain our own border controls and make our own decisions on asylum. Nor would the United Kingdom be obliged to resettle any additional refugees. We are already resettling 20,000 of the most vulnerable Syrians directly from the region through our own national scheme. We will not be part of the process of liberalising visas—that is a matter for Schengen countries—and we will still require visas for Turkish citizens to visit Britain.

The European Union also agreed on Monday to consider in due course extending the current financial support to help Turkey. There are currently no formal proposals for further funding on returns, and we will wait to see any proposals before commenting. We have already agreed to pay our £250 million share of the existing €3 billion Turkey refugee facility, and I made a written ministerial statement about that earlier this week. This builds on our existing £1.1 billion bilateral support for the Syria crisis and the additional bilateral commitment that we made at the recent London conference on Syria. The Turkey refugee facility is designed to provide immediate humanitarian support and also to fund the schools, hospitals and housing required over the longer term to support refugees and the communities that host them.

The agreement at the EU-Turkey summit on Monday will ensure that the €3 billion commitment agreed at last November's EU-Turkey summit is properly and expeditiously disbursed. Intensive work will take place over the coming week with the aim of reaching final agreement at the next European Council on 17 and 18 March, after which my right hon. Friend the Prime Minister will make a statement to the House as usual.

John Redwood: One of the reasons why I asked for this urgent question was that the statement from the EU Heads of State or Government issued yesterday makes it very clear that the visa liberalisation applies to all member states of the European Union, not just the Schengen area. I quote from the official document, which says that the EU Heads of State or Government agreed

“to accelerate the implementation of the visa liberalization roadmap with all Member States with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016”.

Will the Minister therefore be seeking clarification and amendment to this statement, given that he told us that these visa requirement waivers will not apply to all member states, or will he negotiate some kind of opt-out to make it very clear that those waivers will not do so? It will obviously be a matter of concern if the text issued from the Heads of State or Government meeting is at variance with the clear statements that we have been getting from Ministers here and through the media in the past few hours.

Secondly, I am surprised that the Minister has not mentioned that there was an agreement to an accelerated process to get Turkey to join the European Union as a full member, so will he comment on the United Kingdom's position on the pace of the proceedings to get Turkey into the European Union, on what arrangements, if any, he thinks will need to be made when Turkey joins over freedom of movement, on whether there would need to be transitional arrangements, and on whether Britain would wish to be part of the freedom of movement area without proper transitional arrangements and protections?

Thirdly, I find it curious that we still do not know what we might be paying. If our share of the €3 billion is £250 million, plus the contribution that we have made through the EU budget, presumably we are looking at more than £250 million on top of that if the sum is doubled from €3 billion to €6 billion, because I presume that that will also be a levy on the member states. This should be properly reported to the House of Commons because it is an additional contribution to the EU, on top of the normal budget.

Mr Lidington: Let me respond to my right hon. Friend's three questions. We already have an opt-out from Schengen; that is written into the treaties. Similar arrangements apply to Ireland and Denmark in slightly different respects. The legal measure that would be used for any liberalisation of visa arrangements for Turkey would be a Schengen measure that would be brought forward under the appropriate treaty base, so it would not apply to the United Kingdom, Denmark or Ireland. I made it clear in my initial response to my right hon. Friend that the Government do not intend to liberalise our visa arrangements with Turkey.

On my right hon. Friend's second point, it has of course been the policy of successive British Governments, including the one in which he served with such distinction, to support the eventual accession of Turkey to EU membership. That is not going to happen in the near future. The statement of the Heads of State or Government said on Monday that they would prepare for the decision on the opening of new chapters in the accession negotiations as soon as possible. To open a chapter such as chapter 23, which deals with the rule of law, might well be very helpful to strengthen the dialogue that we shall be having with Turkey about the rule of law, human rights and the standards that are expected of candidate members of the European Union but, again, no agreement has yet been reached on any aspect of opening new chapters, and many member states will have their views about that.

On my right hon. Friend's point about Turkish accession—or any new member's accession—and freedom of movement, the Government have said repeatedly that we will not agree to any further EU enlargement

unless we first have in place new arrangements for transitional controls on freedom of movement so that we do not take on the risk, as we did in 2004, of very large movements of people in the aftermath of a new accession. Every decision to do with EU membership requires unanimity, so every country has a veto on every such step.

Thirdly, my right hon. Friend asked about finance. As I said, there are no formal proposals on the table. There is an ongoing negotiation at EU level in which there are many different moving parts. My right hon. Friend the Prime Minister will make a statement after the European Council next week, but the refugee facility agreed last year is budgeted for and is causing the Commission to reprioritise its various spending programmes, which seems a sensible thing for it to do.

Pat Glass (North West Durham) (Lab): The countries of the middle east and the European Union are now confronted by the biggest refugee crisis since the end of the second world war. In the past 12 months alone, more than 1 million people have entered the EU by sea, mostly from Turkey to Greece. Does the Minister agree that the only way to deal with the crisis is to work with our European neighbours and other countries affected in the region, including Turkey? We welcome the fact that European nations are working together to try to find a solution, rather than having a situation of individual countries trying to find individual solutions to what is clearly a collective challenge.

We must recognise that we all have a responsibility to ensure that the language that we use reflects the fact that we are talking about fellow human beings in the most difficult of circumstances. Does the Minister therefore agree that it was deeply irresponsible of the Prime Minister to refer to people who are frightened, tired and fearful—families, vulnerable women, children and old people—as a “bunch of migrants”?

Does the Minister agree that the only way to reduce the overall flow of refugees is to tackle its root cause: the slaughter of the Syrian civil war? It would therefore be helpful if he could give us his latest assessment of progress with the ceasefire. The EU and Turkey say that they have agreed the broad principles of a plan to ease the migration crisis. How many of the promised 20,000 Syrian refugees have we settled? What additional financial contribution will the UK be making? When does the Minister expect any additional payments to be made? Can he set out how that money will break the business model of the smugglers exploiting the most vulnerable in the most dangerous way? How will we ensure that the money will be spent on what it was intended to be spent on? Who is monitoring this, and how? With the threat of conflict and climate change across the world, does the Minister agree that this shows exactly why we need to work together internationally, including by being a member of the EU, rather than walking away from our shared interests and responsibilities?

Mr Lidington: I agree with the hon. Lady that it is in this country’s interests, and in the interests of every European country, that we put together a determined and coherent response to the crisis. I also agree that no single European country—not Greece, Germany, the UK or anyone else—can solve this human tragedy, or stop the wicked work of the people traffickers who are exploiting it, on its own.

The hon. Lady asked about the ceasefire in Syria. The latest information indicates that it is holding, but it is not holding perfectly—that will be no surprise to any Member. The Prime Minister, along with other European leaders, had a conference call with President Putin a few days ago to take stock of how things now look, and to urge him to work towards a political settlement and a political transition in Syria, which we continue to believe represents the long-term answer to try to rebuild that country and to give people hope that they can have a safe and secure life there.

The hon. Lady asked how the business model of the people traffickers would be harmed by the agreement reached last week. One key element of the deal—I emphasise again that it is yet to be finalised—would be that somebody who went in a boat and was intercepted or processed having reached one of the Greek islands would face being sent back to Turkey. They would then be put to the back of the queue for legal resettlement, so the incentive for people to entrust their safety to the people carriers would be removed.

The hon. Lady asked about the number of arrivals in this country under the Syrian refugee resettlement scheme. The number is now running at more than 1,000, so this is going on track and much as we had planned. I ought to recognise the role that the devolved Administrations and local authorities of all political colours have played in trying to make the scheme successful, and in making the process as easy as possible for the people whom we are trying to help.

Dr Liam Fox (North Somerset) (Con): My right hon. Friend correctly says that there is no obligation on the United Kingdom to take in extra migrants under the deal, but will he confirm that, once any of the 1 million migrants who have come to Europe in the past year and the 1 million who are expected are given EU citizenship, they will all technically have a right to come to the United Kingdom, as long as we remain in the European Union?

Mr Lidington: The fact that we are outside Schengen means that we impose border checks on everybody, including EU citizens. We stop and turn back EU citizens when we have good reason for thinking that their presence in the United Kingdom would be a threat to public safety.

On my right hon. Friend’s specific point, the overwhelming majority of those who have been granted refugee status in Europe have been granted that in Germany, which is where people are trying to get to. The proportion of all refugees in Germany who get German citizenship is roughly 2.2%, and the numbers are small because the German citizenship procedure is so rigorous. It takes eight to 10 years before somebody can get German citizenship. To achieve that, they need to have a completely clean criminal record, to show that they have an independent source of income and to pass an integration test, including by demonstrating a knowledge of German. Some of the fears that have been expressed are rather exaggerated, given the reality of the German situation.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): SNP Members share the deep concerns expressed by the United Nations that the proposals would contravene refugees’ right to protection under European and

[*Ms Tasmina Ahmed-Sheikh*]

international law. Vincent Cochetel, the United Nations High Commissioner for Refugees Europe regional director, said yesterday that an agreement on this basis would not be consistent with either European or international law. With that in mind, what legal advice has the Minister received on the proposals from his officials? Will he set out how the Government will promote accountability and transparency around the €3 billion that is due to be given to Turkey by the end of March? Finally, what action have the Government taken within the process to promote human rights in Turkey and to hold Erdogan to account for his recent actions against his own citizens?

Mr Lidington: On the hon. Lady's final point, we speak all the time to Turkish colleagues about human rights and rule of law matters. As I have said, we believe that the EU accession process—particularly chapters 23 and 24, if they can be opened—provides the best means for seeking those reforms in Turkey, which I think would command support on both sides of the House.

The statement of the Heads of State or Government says in terms that all those arrangements must comply with international law, so every Government have taken that on board. We should not forget that Turkey has provided refuge to about 2.6 million people who have fled from Syria. A large number of those people have been living in safety in UN-administered camps inside Turkey for many months, and sometimes for years. Please let us not forget to acknowledge the hospitality that not just the Turkish Government, but the ordinary people of Turkey, have shown.

Mr David Jones (Clwyd West) (Con): The opening of chapter 23 negotiations simply serves to confirm that the EU has indeed agreed to accelerate the process of considering Turkey's application for accession to the EU. Does my right hon. Friend consider it right even to enter such negotiations when Turkey's human rights record is extremely worrying, not least in respect of its Kurdish population?

Mr Lidington: We certainly hope that the Turkish Government will resume as soon as possible the peace process with the Turkish Kurds, which appeared to be making quite some progress up to perhaps six months ago. On my right hon. Friend's other point, as I have said, there has been no agreement yet as to whether any particular chapter or any number of chapters of the accession negotiations should be opened. The Heads of Government will return to that next week at the European Council. There would have to be unanimous agreement by every EU member state to each and every decision to open a new chapter, or to agree that progress had been made on any element of a new stage in Turkish accession negotiations. This is not a swift process.

Keith Vaz (Leicester East) (Lab): Under the deal, Turkey has received €3 billion, and it has asked for a further €3 billion by the end of 2018. When will those negotiations start? Given that 90% of those entering the EU illegally do so with the assistance of criminal gangs, why have the Minister and the EU not ensured that Turkey will be paid on a performance-related basis for the number of people traffickers it brings to justice?

Mr Lidington: People traffickers need to be brought to justice in whichever jurisdiction they operate, but it is sometimes the case that the people committing the crimes involved in trafficking at the sharp end and organising the boats are not the people at the top of those organisations. As the right hon. Gentleman knows, we are talking about very professional, well-organised and well-funded international criminal networks that often indulge in drug smuggling as well as in people smuggling. They are transnational companies that are engaged in criminal enterprise.

There has been no agreement yet on anything beyond the €3 billion refugee facility that was agreed in November last year. Since that agreement, Turkey has taken a number of steps to help Syrian refugees, such as by making it possible for them to get legitimate work within Turkey and opening up work permit arrangements for them.

Nadine Dorries (Mid Bedfordshire) (Con): All hon. Members will have heard very disturbing reports recently of a newspaper office in Turkey being closed down for doing nothing more than publishing critical commentary about the Turkish Government. Will the Minister please inform the House whether the member states of the European Union value ever closer union and freedom of movement over and above the rights to freedom of speech of the individual?

Mr Lidington: The EU and the United Kingdom Government made it very clear last week that we continue to see freedom of the press and freedom of expression in the media as a cornerstone of the values that we champion at an international level. Adherence to those principles is written into the European treaties, and no country that fails to subscribe to them can expect to receive EU membership.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The principle of closing off the dangerous smuggler routes and instead providing safe legal routes to sanctuary is clearly sensible, but the Minister will know of the legal, practical and political problems with the plans put forward. He rightly makes it clear that there will be no changes to Turkish visa arrangements for Britain, but I suspect that in many other areas of the proposals there will be significant changes in the week ahead. In particular, have the British Government raised the plight of Afghan and Iraqi refugees? We know that about half the lone children who claimed asylum in Europe in January were from Afghanistan. What provision will be made for them?

Mr Lidington: The right hon. Lady makes a reasonable point, and the position of people who have come from other war-torn countries needs to be seriously considered, but we need always to bear in mind the basic principles of the 1951 UN convention on refugees: first, that to get refugee status one must demonstrate a well-founded fear of persecution; and secondly, that when somebody flees they are expected to apply for refugee status in the first safe country they reach, and not try to pick and choose, perhaps at the behest of people traffickers, between various safe countries.

Sir Edward Garnier (Harborough) (Con): May I press my right hon. Friend further on the human rights and rule of law abuses in Turkey? Last year Lord Woolf, the former Lord Chief Justice; Sir Jeffrey Jowell, the

international jurist; Sarah Palin, the human rights barrister, and I wrote a report—I provided a copy to him, the Foreign Secretary, the Prime Minister and the shadow Foreign Secretary—outlining the serial and appalling human rights and rule of law abuses by the current Turkish Government. Will the Minister alter or firm up the Government's attitude towards Turkish accession to the EU? While these abuses continue, there should be no question of opening any chapters at all, even though we need Turkey as a member of NATO and its agreement to help with the migration problem.

Mr Lidington: We certainly continue to regard adherence to the principles of human rights, freedom of expression and belief and so on as things that should be at the heart of the reform work of any country seeking to join the EU. I put it to my right hon. and learned Friend, however, that the evidence from other accession negotiations is that we can secure much swifter and more significant progress towards the reforms we all want to see when we sit down and start working on the detailed benchmarks and progress measurements in those chapters of an EU accession that deal specifically with rule of law matters.

Mr David Winnick (Walsall North) (Lab): The amount of money the EU gives to Turkey is fully justified—I hope that more will come—for the reasons the Minister has explained, but will he accept, following on from previous questions, that the President of Turkey has done his best to undermine democratic rights in that country? We have seen the outright intimidation of critics; last week, a newspaper was taken over by his henchmen and turned into a mouthpiece for the regime; and more recently, the same thing happened to a news agency. Does he realise that there can be no question of Turkey becoming in any way associated with the EU while this intimidation of critics continues and so long as the President does a good impression of trying to follow Putin?

Mr Lidington: As I have said before, we continue to talk frequently to Turkish officials and Ministers at all levels about the importance we ascribe to human rights, the rule of law and freedom of expression, and that will remain a core element of our dialogue with Turkey.

Sir Gerald Howarth (Aldershot) (Con): Further to the question from the hon. Member for Ochil and South Perthshire (Ms Ahmed-Sheikh), I am not clear on the Government's position on the legality of the mass transfer of intercepted migrants back to Turkey. What instructions are being given to the captain of Royal Fleet Auxiliary Mounts Bay for when it intercepts a boatload of migrants? Has the captain been authorised to take those people back to Turkey? Will they be accepted back into Turkey? How does that fit with the comments from the UNHCR last night?

Mr Lidington: I am not sure whether my hon. Friend was in the House for the statement that my right hon. Friend the Secretary of State for Defence made on Monday about the naval operation. The NATO operation is engaged in initial reconnaissance and surveillance of illegal crossings. It then passes that information on to the Turkish authorities so that the Turkish coastguard can respond and carry out interceptions. At the moment, that work is not being done by NATO vessels.

Mr Pat McFadden (Wolverhampton South East) (Lab): Anyone watching the refugee scenes across Europe over the past year knew that we could not carry on as we were and that we needed to act in concert with others, in terms of both the consequences and the causes, which are rooted in war and conflict. I agree with the Minister, therefore, that no individual country can deal with the consequences alone. May I urge him to reject any approach that says Britain's answer should be to pay nothing, do nothing and pull up the drawbridge?

Mr Lidington: This country has a long and proud tradition of seeking to help people in dire need, wherever they are in the world, and build political stability in areas within what I might describe as our own neighbourhood. There have been plenty of examples in our history and European history where the failure to grip problems decisively led to worse conflict, human suffering and political problems for European Government than would have been the case had action been taken earlier.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): May I press my right hon. Friend further on the legality of the deal? As I understand it, the UN's top official on refugees, Filippo Grandi, has expressed real concern about an arrangement that involves a blanket return of anyone from one country to another. I am particularly concerned because it looks as if the EU is trading one set of refugees in Greece for another in Turkey. I cannot see any guarantee in the arrangement that there will be any drop-off in numbers. In fact, I am beginning to find the arrangement very worrying.

Mr Lidington: As I said earlier, under this agreement, if it can be finalised next week, we will for the first time break the link between people getting into a boat or being rescued from a boat in the Aegean and their gaining the right to enter a resettlement or relocation process inside the EU. Instead, there will be an agreed legal route for people to go from the camps to European countries. That will provide a serious disincentive for people to place themselves in the ruthless and exploitative hands of the people traffickers.

On the matter of legality, the statement of the Heads of State or Government says in terms that whatever arrangement they might reach next week should be in accordance with both European and international law.

Greg Mulholland (Leeds North West) (LD): I wish to associate the Liberal Democrats with the comments on free speech and also with those we have just heard about the very troubling one-for-one refugee agreement, which raises both practical and moral concerns. The Minister is a very honourable man; surely he cannot be comfortable with an agreement that requires refugees to risk their lives travelling to the EU in return for another refugee, but only one from Syria, to get safe passage. That is entirely unacceptable.

Mr Lidington: The purpose is to put in place a set of arrangements that remove the incentives for people to entrust their safety to the people traffickers. Unless we are able to do that, the risk is exactly that the flow of people and the appalling casualties that result from that flow of people across the Aegean will continue.

Sir Edward Leigh (Gainsborough) (Con): As always, the Minister is putting in a very skilful performance, but the issue of whether Turkey should join the EU is terribly important. I am disappointed that once again the Foreign Secretary is not replying from the Dispatch Box. I do not think he has answered one urgent question of the last five. We like the Foreign Secretary so much that we would like to see more of him at the Dispatch Box.

On the question of Turkey joining the EU, the Minister has been absolutely clear today that it is Her Majesty's Government's considered opinion that Turkey should be a member of the EU. Apparently, we have allowed ourselves to be blackmailed into progressing this matter. Given the closure of the main opposition paper, *Zaman*, this week, will the Minister confirm as a matter of fact that because the EU believes so passionately in the free movement of people, once Turkey joins the EU, all 77 million Turks will be allowed to come to work and live here without any check or any opposition at all and there is nothing we can do about it?

Mr Lidington: As I said earlier, we are not yet at the point where anything has been finally agreed. My right hon. Friend the Prime Minister will make a statement after next week's European Council. Support for Turkey eventually to join the European Union is an objective that has been shared by Conservative and Labour Governments alike since before I entered the House of Commons. My hon. Friend is not correct to say that this is going to be rushed. That is certainly not the history of previous accession negotiations: they take many years, and there is a right of veto for every member state over every single decision associated with an accession process.

One issue that has to be sorted out during an accession negotiation is precisely what the arrangements for movement of people are going to be. As the Prime Minister has said on many occasions, the United Kingdom is not going to agree to any further new members of the European Union until we have new and different arrangements in place to ensure that a new member joining the EU cannot again lead to the very large migratory flows that we saw after 2004.

Jim Shannon (Strangford) (DUP): Turkey has indicated that it needs £6 billion to help address the problem of refugees, but it is much better to address the refugee crisis where it begins—and one of those places is Turkey. Will the Minister tell us what discussions he has had with the Turkish Government to ensure that the moneys allocated are sent to the places that need it most and to ensure that those of ethnic or Christian beliefs are able to receive them as well?

Mr Lidington: The money assigned in our bilateral spending and at EU level is going to people in need in Turkey and the surrounding states. There is a separate facility to give humanitarian support to refugees and asylum seekers in Greece, but the large sums of money I have talked about so far are being spent in Turkey. The answer to the hon. Gentleman's question is that both the United Kingdom and the European Union disburse that money largely through the United Nations relief agencies such as UNICEF and through the major reputable non-governmental humanitarian relief organisations, precisely so it can go to help those in need and that we can know exactly where it is going.

Mrs Anne Main (St Albans) (Con): Those of us who are in favour of leaving the European Union are being pressed regularly on the need to provide certainty about what the world will look like outside, yet today the Minister's speech has been full of caveats, maybes and what may or may not happen. Does he now accept that this is what "in" looks like for those of us who are concerned about human rights issues, freedom of speech issues and other things that would come with Turkish accession, that there can be no certainty about the fear factor of staying in, and that it certainly is not safer to stay in rather than to leave?

Mr Lidington: The reason why, as my hon. Friend put it, I am "caveating" some of what I am saying is that although there was a negotiation at the summit on Monday, there has not yet been a final agreement. An effort is going to be made to reach a final agreement next week, and then my hon. Friend will be able to question the Prime Minister about the detail. I simply say to my hon. Friend—she and I differ on the question of EU membership—that the habit of working together within Europe to solve foreign policy challenges that cannot be met by any one European country on its own, not even the biggest and most influential, is a sign of health and a good reason for us to remain members of that organisation.

Derek Twigg (Halton) (Lab): Turkey, of course, has a pivotal position in all this. If it wanted to, it could make the moves to ensure that we have safe havens in Syria and stop a lot of people entering Europe that way. Equally, it has a very important role in stopping people traffickers. Have the British Government seen actual plans by the Turkish Government on how they intend to stop the people traffickers and stop people travelling across to Greece?

Mr Lidington: Talks are going on between our enforcement agencies, Frontex and Europol at European level and their Turkish counterparts. The hon. Gentleman will, I know, understand why I would not want to go into detail about those talks. The possibility of safe havens was discussed at the EU-Turkish summit, but there are many political, legal and military complications to taking that particular step. We have not ruled it out, but there is no agreement on it as yet.

Geoffrey Clifton-Brown (The Cotswolds) (Con): Surely the most important thing in all this is to deal with the problem at source—namely, Syria. What discussions were had at this summit with the Turks and the EU about how to put more pressure on all the parties at the Geneva process to make sure that we have a lasting peace agreement in Syria?

Mr Lidington: Those discussions did take place in the margins of the summit, although its purpose was to try to hammer out a way forward in dealing with the refugee crisis that is causing such difficulties both to Turkey and the European Union. I can assure my hon. Friend that the British Government and other European Governments are in constant contact with our Turkish counterparts about how best to bring an end to the appalling conflict inside Syria.

Mark Durkan (Foyle) (SDLP): The Minister must recognise that an adequate humanitarian response must involve more than simply asking Turkey to facilitate

mass expulsion under almost a barter scheme between different classes of refugees. Will next week's European Council meeting properly address the concerns about whether this scheme violates international law and human rights?

Mr Lidington: Yes. That is why the statement issued after Monday's summit said explicitly that the agreement we were seeking had to comply with international law.

Mr John Baron (Basildon and Billericay) (Con): This agreement relates to a wider issue of underfunding of refugee camps across the middle east by the international community. What are the Government going to do to reinforce the message from the United Nations that many of our international partners—not the UK; we have done our fair share—are not stepping up to the plate when it comes to the funding of these refugee camps, and that includes many countries within the EU?

Mr Lidington: My hon. Friend makes a very fair point. I think we can trace the surge from Turkey into Europe last summer in large part to the decision that the United Nations had to make to cut food rations and restrict educational opportunities inside the camps, which led more people to feel that they had no option but to place themselves in hands of people traffickers. As I think my hon. Friend will know, the United Kingdom co-hosted a Syria donors conference in London a few weeks ago, which produced pledges from the international community of more than \$10 billion. That is a welcome step forward, but I would be the first to say that we must now ensure that those pledges are turned into real money to help the people who are in desperate need.

Joan Ryan (Enfield North) (Lab): I absolutely agree that Turkey is a crucial partner in the efforts to resolve the situation in Syria, and that we should be doing more to support what it is doing to deal with the migrant crisis. I must tell the Minister, however, that the largest number of UK citizens of Turkish origin live in north London and in Enfield in particular, the vast majority being Kurdish and/or Alevi, and that they are very concerned about President Erdogan's refusal to acknowledge the decisions of the constitutional court, about the closing of newspapers, about the imprisonment of more than 30 journalists, about the curfews, about the restrictions on freedom of speech, and about the deaths of many innocent people who are their friends and relatives.

The EU and the accession process may well be the context in which those issues can be resolved—and I support the accession process in relation to Turkey—but can the Minister assure me that they will be raised with President Erdogan, and will not be brushed aside?

Mr Lidington: The UK raises concerns such as those in its dialogue with the Turkish Government at every level. We recognise that Turkey is in a better place today than it was under military rule, but we want to see our Turkish ally move with greater energy towards the full recognition of the rule of law and human rights to which its Government say they remain committed.

Several hon. Members *rose*—

Mr Speaker: Ah! It is very good for me to be able to call the hon. Member for Harwich and North Essex (Mr Jenkin) today.

Mr Bernard Jenkin (Harwich and North Essex) (Con): You are very generous, Mr Speaker, and I am very grateful.

May I put it to my right hon. Friend that this is actually a rather grubby deal? We all know that our Government in particular, but the rest of the European Union as well, are desperate to be seen to be trying to resolve the migration crisis. We also know that it is, to some extent, a self-inflicted crisis. The free movement in the Schengen area is a temptation and an attraction to refugees who want to get into the European Union so that they can travel everywhere. The EU's refusal to close down the Schengen agreement means that it wants to keep that invitation open, so it is doing a very grubby deal with a country that has a very indifferent human rights record to subcontract the deportation of the refugees back to their country of origin.

May I draw my right hon. Friend's attention again to what we have given up in this agreement? Let me return to the point made by my right hon. Friend the Member for Wokingham (John Redwood). The statement of the EU Heads of State of Government says that we are going

“to accelerate the implementation of the visa liberalization roadmap with all Member States”.

I do not doubt my right hon. Friend's sincerity, and I do not doubt that he intends that to apply only to the Schengen area, but will he take care to ensure that it does apply only to the Schengen area in any future drafting of the text of the agreement next week?

Mr Speaker: It seems to me that the hon. Gentleman has enjoyed a double helping. That is a very satisfactory state of affairs.

Mr Lidington: First, let me reiterate again that, as yet, there has been no deal. That is a matter for the discussions between now and next week's European Council meeting.

I am sure that my hon. Friend has studied the European Union treaties intensely, in which case he will know that a measure affecting visas or migration must be introduced on a treaty base on which the United Kingdom is not bound, but can choose whether or not to opt in. As the Prime Minister has made very clear, we are not going to participate in visa liberalisation with Turkey. That is a sovereign decision for us to make, and one that is recognised in the European treaties.

Andrew Gwynne (Denton and Reddish) (Lab): I think most reasonable people would support a mechanism that cuts off the people-trafficking routes and the dangerous routes across the Mediterranean, but what assessment will the Government make when this mechanism is in place to ensure that it is operating as the Minister envisages and that the money reaches the people whom we want it to reach—the refugees?

Mr Lidington: The hon. Gentleman makes a very fair point. Monitoring and review mechanisms must be part of any eventual agreement, and that is the sort of issue on which officials will be working in the coming week.

Mr David Burrowes (Enfield, Southgate) (Con): I share the concern expressed by the right hon. Member for Enfield North (Joan Ryan) about the increasingly illiberal and authoritarian approach of Erdogan to, in particular, minorities such as Alevi Kurds, but we must also pay credit where it is due. The refugees are imposing a great burden on Turkey, and its camps are of a much better standard than those in any part of Europe, not least France.

May I ask the Minister a question about the European Union's move on the liberalisation of visas and the opening of chapters? Will he confirm that, in the negotiations, the European Union will not renege on its commitment to ensure that no progress is made on those two matters before the republic of Cyprus has been recognised, and progress has been made towards a solution to the Cyprus problem?

Mr Lidington: My hon. Friend hints at one of the issues that have caused a stalling of the accession negotiations in recent years. That, too, will need to be thought about, and talked about, during the days before next week's European Council meeting. There has been no agreement, as yet, on the opening of any accession chapter.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Is not the logic of the proposals that if Turkey succeeds in stopping sea crossings, no refugees will be resettled from Turkey? Is that not a greater incentive than ever for Turkey to wave people on to the boats, and is it not clearer than ever that a better solution is to provide more safe, legal routes?

Mr Lidington: That is not the nature of the discussion that we are having with Turkey. I do not want to be unkind to the hon. Gentleman, but I think it is slightly simplistic to imagine that Turkey can just switch the taps on or off when it comes to flows of people and the activities of people traffickers. That applies particularly to the sea crossing to the island of Samos. Only 1,600 metres separate the Turkish and Greek coasts at that point, so once a dinghy has travelled 800 metres it is in Greek territorial waters. However, I think on Monday there was a clear commitment by both the Prime Minister of Turkey and EU leaders to finding a way forward, and a recognition that it was in the interests of both EU countries and Turkey for the issue to be settled through a coherent, well-planned strategy such as the one that is outlined in the statement issued by the Heads of Government.

Alec Shelbrooke (Elmet and Rothwell) (Con): Is not the Syrian issue one of the biggest problems that we face today? Has not the Russian action in Syria produced a large new wave of refugees who are leaving that war zone and being pushed into Turkey, and does that not mean that we must do all that we can to work with Turkey?

On 7 March, my right hon. Friend sent a letter to the European Scrutiny Committee, of which I am a member, emphasising that a great deal of the money that we are putting in is counting towards our international aid target of 0.7% of GDP. Everything that has been said today about Turkey's human rights record and about the question of its entering the EU is absolutely right, but does my right hon. Friend not agree that, in the

context of both those issues, we have more power and more influence in the EU than we would have if we were outside the EU and carping about it?

Mr Lidington: I completely agree with my hon. Friend. If we are not at the table, we will not be able to influence or shape those discussions in any way.

Mr Peter Bone (Wellingborough) (Con): We really do have an excellent Minister for Europe. He has been in post for a record number of years and he has always implemented Government policy on Europe, however much it has changed. I hope that he will be there after 23 June when we negotiate our exit from the EU. I want to ask him a question about certainty. Does he agree that the only way in which the British people can be certain that 77 million Turkish citizens will not have the right to come to this country is if we vote to come out of the European Union?

Mr Lidington: No, no. I am afraid I must urge my hon. Friend to intensify his study of the European treaties and, particularly, the European directives. The treaties make it quite clear that each and every aspect of an accession negotiation, including arrangements for controls on migration, must be agreed unanimously. Every member state, including the United Kingdom, has a veto on every aspect of an accession negotiation. He is making a mistake in imagining that things will happen in the way he describes.

David T. C. Davies (Monmouth) (Con): Will the Minister confirm that the majority of those coming into Europe from Turkey are men, and that the majority of them are coming from countries other than Syria that have a very poor human rights record in regard to women? How can we be certain that the mass migration into Europe will not have an impact on women's rights, which have been hard fought for on this continent?

Mr Lidington: We have a genuine humanitarian crisis in Syria that has displaced about 11 million people, either within Syria or to neighbouring countries. That is now being exploited by people traffickers—on that point, my hon. Friend is correct. They are trying to encourage people of other nationalities to come in and claim refugee status on the back of genuine refugee claims and genuine refugee need. That reinforces the importance of having a robust system of processing individual claims, so that we can distinguish between people who have a well-founded fear of persecution and those who are trying to move for economic reasons. The reason that the United Kingdom is giving help to Frontex and the European Asylum Support Office is precisely to strengthen the capacity of the Greek system in particular to carry out those processes and to distinguish between genuine refugees and those who are trying to move for other reasons.

David Rutley (Macclesfield) (Con): During the negotiations on the EU-Turkey agreement, did any discussions take place on the concerns raised by NATO's General Breedlove about Russia and Syria weaponising migration, a truly disgusting strategy?

Mr Lidington: It is on everyone's mind that the bombing of civilians by the Assad regime with Russian support in areas such as Aleppo is leading to the movement of

even greater numbers of people, initially into Turkey and Lebanon and then across the Aegean towards Europe. That reinforces the need for us to turn this fragile cessation of violence into a genuine peace process inside Syria and a political transition that might offer the hope of rebuilding the country.

Nadhim Zahawi (Stratford-on-Avon) (Con): I have been reading the statement, and the Turks clearly have some good negotiators. The Minister has already stated that our financial contribution to the first €3 billion will be €250 million. The statement says that there will be a further decision on additional funding. Will he confirm that, whatever that additional funding might be, we will still be making a further contribution to it?

Mr Lidington: No formal proposal has been tabled as yet. The United Kingdom contributes to EU measures agreed collectively by the EU, but we have also paid out significantly more through our bilateral contributions to meet the needs of refugees in Syria and other countries in the neighbourhood. I do not think we should be in the least ashamed of this country's role in helping those people in desperate need. One of the reasons I have been so proud to support this Government's commitment to the 0.7% UN target is that it gives us the resources and the flexibility to respond to humanitarian crises speedily, wherever in the world they happen to be.

Bob Stewart (Beckenham) (Con): Am I right in assuming that the captain of Royal Fleet Auxiliary Mounts Bay has rules of interdiction that allow him to report people-smugglers' vessels going across the straits between Turkey and Greece and to pick up people in distress, but not to stop any such vessels that do not wish to be picked up? If so, will the Minister tell us why that is the case? More to the point, if those rules pertain, what action are the Turkish security forces taking on the eastern seaboard of Turkey, which we are subsidising, to stop people-smugglers' vessels setting out towards Greece?

Mr Lidington: Turkey already assigns a large proportion of its coastguard resource to the Aegean. For the reasons that I gave in answer to an earlier question, intercepting every small boat making the relatively short crossing to one of the Greek islands is not as straightforward as is sometimes suggested. For greater detail, I refer my hon. Friend to the statement that the Secretary of State for Defence made in the House on Monday, in which he said:

“The primary purpose of the mission is to provide monitoring, surveillance and reconnaissance of the migration route across the Aegean, which will better enable the Turkish and Greek coastguards”—

and the EU Frontex mission—

“to intercept the boats and disrupt the business model of the criminal traffickers.”—[*Official Report*, 7 March 2016; Vol. 607, c. 27.]

Kevin Foster (Torbay) (Con): I was interested to hear the Minister confirm that Britain would not be required to be part of the visa waiver arrangements, given that we are not part of Schengen. However, we are part of another common travel area, with the Republic of Ireland. What discussions will the Government be having with the Republic of Ireland's Government about their approach to these issues?

Mr Lidington: My hon. Friend makes a reasonable and important point. Like the United Kingdom, Ireland is not in Schengen and therefore not obliged to participate in any visa liberalisation. We keep in close contact with the authorities in Dublin, because the existence of the common travel area means that we need to ensure that we take account of each other's decisions on this matter. I do not anticipate any difficulties in this regard—we normally think pretty much alike—but my hon. Friend is right to register that this is an issue that we need to keep in mind.

Madam Deputy Speaker (Mrs Eleanor Laing): And the prize for perseverance and patience goes to Mr Marcus Fysh.

Marcus Fysh (Yeovil) (Con): Thank you, Madam Deputy Speaker. Does my right hon. Friend appreciate that access to visa-free travel across Schengen for Turkish citizens might well lead to a large new influx of illegal immigration into Europe that could cause misery across the continent?

Mr Lidington: No, I do not think that there is necessarily a connection between illegal migration and the movement of people legally under some kind of visa waiver system. The reassurance that I can give my hon. Friend is that, because the United Kingdom is outside Schengen, we can, do, and will continue to impose whatever visa requirements and whatever checks on migration at our ports we consider to be right for the safety, security and wellbeing of the people of the United Kingdom.

NHS: Learning from Mistakes

1.39 pm

The Secretary of State for Health (Mr Jeremy Hunt): With permission, Madam Deputy Speaker, I would like to update the House on the steps that the Government are taking to build a safer, seven-day NHS. We are proud of the NHS and what it stands for and proud of the record numbers of doctors and nurses working for the NHS under this Government, but with that pride comes a simple ambition: our NHS should offer the safest, highest-quality care anywhere in the world. Today, we are taking some important steps to make that possible.

In December, following the problems at Southern Health NHS Foundation Trust, I updated the House about the improvements that we need to make in reporting and learning from mistakes. NHS professionals deliver excellent care to 650,000 patients every day, but we are determined to support them to improve still further the quality of that care, so this Government have introduced a tough and transparent new inspection regime for hospitals, a new legal duty of candour to patients and families who suffer harm, and a major initiative to prevent lives from being lost through sepsis. According to the Health Foundation, the proportion of people suffering from the major causes of preventable harm has dropped by a third in the last three years, so we are making progress, but we still make too many mistakes. Twice a week in the NHS we operate on the wrong part of someone's body and twice a week we wrongly leave a foreign object in someone's body. The pioneering work of Helen Hogan, Nick Black and Ara Darzi has estimated that 3.6% of hospital deaths have a 50% or more chance of being avoidable, equating to over 150 deaths every week.

Despite that, we should remember that our standards of safety still compare well with those in many other countries. However, I want England to lead the world in offering the highest possible standards of safety in healthcare. Therefore, today I am welcoming Health Ministers and healthcare safety experts from around the world to London for the first ever ministerial-level summit on patient safety. I am co-hosting the summit with the German Health Minister, Hermann Gröhe, who will host a follow-up summit in Berlin next year. Other guests will include Dr Margaret Chan, director general of the World Health Organisation, Dr Gary Kaplan, chief executive of the renowned Virginia Mason hospital in Seattle, Professor Don Berwick, and Sir Robert Francis QC.

We will discuss many things, but in the end all the experts agree that no change is permanent without culture change. That change needs to be about two things: openness and transparency about where problems exist; and a proper learning culture to put them right. With the new inspection regime for hospitals, GP surgeries and care homes, as well as a raft of new information now published on My NHS, we have made much progress on transparency, but as Sir Robert Francis's "Freedom to speak up" report told us, it is still too hard for doctors, nurses and other front-line staff to raise concerns in a supportive environment.

Other industries, in particular the airline and nuclear industries, have learned the importance of developing a learning culture, not a blame culture, if safety is to be

improved. Too often, the fear of litigation or professional consequences inhibits the openness and transparency we need if we are to learn from mistakes.

Following the commitment I made to Parliament at the time of the Morecambe Bay investigation, we will from 1 April set up our first ever independent healthcare safety investigation branch. Modelled on the air accidents investigation branch that has been so successful in reducing fatalities in the airline industry, it will undertake timely, no-blame investigations. As with the air accidents investigation branch, I can today announce that we will bring forward measures to give legal protection to those who speak honestly to investigators. The results of such investigations will be shared with patients and families, who will therefore get to the truth of what happened much more quickly. Unlike at present, however, those investigations will not normally be able to be used in litigation or disciplinary proceedings, for which the normal rules and processes will apply. The safe space that they will therefore create will reduce the defensive culture too often experienced by patients and families, meaning that the NHS can learn and disseminate lessons more quickly, so that we avoid repeating mistakes.

My intention is to use the reform to encourage much more openness in how the NHS responds to tragic mistakes: families will get the full truth faster; doctors will get support and protection to speak out; and the NHS as a whole will become much better at learning when things go wrong. What patients and families who suffer want more than anything else is a guarantee that no one else will have to re-live their agony. The new legal protection will help us to promise them, "Never again." Fundamental to the change is getting a strong reporting culture in hospitals under which mistakes are acknowledged, not swept under the carpet.

Today, NHS Improvement has also published a "learning from mistakes" ranking of NHS trusts, drawing on data from the staff survey and safety incident reporting to show which trusts have the best reporting culture and which need to be better at supporting staff who want to raise concerns. It will be updated every year in a new Care Quality Commission state of hospital quality report, which will also contain trusts' own annual estimates of their avoidable mortality rates and have a strong focus on learning and improvement. Furthermore, the General Medical Council and the Nursing & Midwifery Council guidance is now clear: where doctors, nurses or midwives admit what has gone wrong and apologise, the professional tribunal should give them credit for that, just as failing to do so is likely to incur a serious sanction.

The Government remain committed to further reform to allow professional regulators more flexibility to resolve cases without stressful tribunals. The culture change must also extend to trust disciplinary procedures, so NHS Improvement will ask for a commitment to openness and learning to be reflected in all trust disciplinary procedures and ask all trusts to publish a charter for openness and transparency, so that staff can have clear expectations of how they will be treated if they report clinical errors.

Finally, from April 2018, the Government will introduce the system of medical examiners that was recommended in the Francis report, which will make a profound change to our ability to learn from unexpected or avoidable deaths, with every death either investigated by a coroner or scrutinised by a second independent doctor.

Grieving relatives will be at the heart of the process and will have the chance to flag any concerns about the quality of care and cause of death with an independent clinician, meaning that we get to the bottom of any systemic failings much more quickly. The NHS is one of the largest organisations in the world and learning from mistakes and becoming the world's largest learning organisation is how we will offer the safest, highest-quality standards of care. I commend the statement to the House.

1.47 pm

Heidi Alexander (Lewisham East) (Lab): I thank the Secretary of State for his statement. The Opposition support any measures that will improve safety in our NHS and make it more open to learning from mistakes. However, we will also provide robust opposition and scrutiny when we think that the Secretary of State's actions are having the reverse effect.

Let me start by setting out where we support the Government. On the independent medical examiners, the Secretary of State will know that that is a reform that the Opposition have long pushed for. The previous Labour Government legislated in 2009 for the introduction of medical examiners, following the inquiry into the crimes of Harold Shipman. The call to introduce medical examiners was then repeated in the Francis report and in the report of the Morecambe Bay investigation, chaired by Dr Bill Kirkup. Indeed, last year's Kirkup report said:

"We cannot understand why this has not already been implemented in full".

We welcome the implementation of the medical examiners system, but it is concerning that it appears to have been delayed until April 2018. Will the Secretary of State say why progress in that area is so slow? Will he reconsider the timetable for their introduction given that April 2018 is more than two years away? Will he say more about how the reform will be funded? Local government faces further cuts over the coming years and while I understand that local authorities will be reimbursed for set-up costs, they will have to collect fees to fund the service. How will that work in practice? Is the Secretary of State confident that local government, which is already having to do more for less, will be able to take on the role of administering this process?

We also support the changes to the GMC and NMC guidance that the Health Secretary is announcing today, which will recognise the importance of an apology, but it is unclear how that is different from the guidance that came into effect last August. Indeed, the GMC first announced plans to change its guidance in this way more than a year ago, so can he say how his announcement today differs from the plans that were already in place?

On the learning from mistakes league, how will the 32 trusts that have a poor reporting culture be supported to improve? We know from listening to the testimonies of Sara Ryan, the mother of Connor Sparrowhawk, that the learning culture in some trusts just is not good enough. I know, from speaking to the small number of my constituents who have experienced failures of care, that the fight to get mistakes recognised is only part of the battle. They also want to know that the failures they have experienced will never happen to anyone else, yet all too often they are faced with a system that seems as though it simply struggles to learn.

Does the Secretary of State accept that he needs to do much more to develop a positive learning culture in our NHS? How in practical terms will he support clinicians and managers to improve services? Go to any health trust and we will find a director of finance and non-executive directors with financial expertise, but rarely will we see the same attention being paid to quality. Does the Health Secretary not agree that every trust board needs someone whose focus is not short-term firefighting, but co-ordinating and bringing together staff to drive improvements in quality?

I will always support sensible steps to improve safety and transparency in the delivery of health services, but what I cannot do is stand here today and pretend that other actions taken by this Government will not have a detrimental effect on patient care. The Health Secretary's kamikaze approach to the junior doctor contract means that no matter how the dispute ends, he will have lost the good will of staff, on which the NHS survives. How can he stand here and talk about patient safety when it is him and him alone who is to blame for the current industrial action, for the destruction of staff morale and for the potential exodus of junior doctors to the southern hemisphere? [*Interruption.*]

Madam Deputy Speaker (Mrs Eleanor Laing): Order.

Heidi Alexander: Thank you, Madam Deputy Speaker. I ask the Health Secretary: how can he stand here and say that he wants the NHS to deliver the highest-quality care in the world when the people he depends upon to deliver that care for patients have said, "Enough is enough"? How can he talk about patient safety when he knows that his £22 billion-worth of so-called "efficiency savings" in the next four years will lead to job cuts and will heap more pressure upon a service that is about to break?

I know the Health Secretary has been shy about visiting the NHS front line in the past few months, but if we speak to anyone who has any contact with the NHS, the message we will hear is clear: the financial crisis facing the NHS is putting patient care at risk. The independent King's Fund recently said:

"Three years on from Robert Francis's report into Mid Staffs, which emphasises that safe staffing was the key to maintaining quality of care, the financial meltdown in the NHS now means that the policy is being abandoned".

That is simply not good enough. For those people who have experienced failures of care and for those staff working in environments so pressurised that they fear for the quality of care they are able to deliver, the Health Secretary needs to get his head out of the sand. I say this to him: measures to investigate and identify harm are all well and good but there needs to be action to prevent harm from happening in the first place—fund the NHS adequately, staff it properly and you might just give it a fighting chance.

Mr Hunt: The hon. Lady had the chance to be constructive. I do welcome her commitment to a safer NHS, but we need actions and not just words from the Labour party if its conversion to improving patient care is to be believed. She mentioned the junior doctors' strike. Patients and their families will have noticed that, when it came to the big test for Labour—whether to back vulnerable patients, who need a seven-day NHS,

[Mr Jeremy Hunt]

or the British Medical Association, which opposes it—Labour has chosen the union. She brought up the topic, so let me just remind the House of what Nye Bevan, the founder of the NHS, said about the BMA:

“this small body of politically poisoned people have decided to...stir up as much emotion as they can in the profession...they have mustered their forces on the field by misrepresenting the nature of the call and when the facts are known their forces will disperse.”—[*Official Report*, 9 February 1948; Vol. 447, c. 36-39.]

Bevan would have wanted high standards of care for vulnerable people across the whole week and so should she.

The hon. Lady also challenged the Government on safety, so let us look at the facts. Under this Government: MRSA down 55%; clostridium difficile down 42%; record numbers of the public saying that their care is safe; the proportion suffering from the major causes of preventable harm down by a third during my period as Health Secretary; and 11 hospitals with unsafe care put into special measures and then taken out of special measures, with up to 450 lives saved according to that programme. Before she gets on her high horse, she should compare that with Labour’s record: avoidable deaths at Mid Staffs, Morecambe Bay, Basildon and many other hospitals; care so bad we had to put 27 hospitals into special measures; the Department of Health under Labour a “denial machine”, according to Professor Sir Brian Jarman; and contracts that reduced weekend cover in our hospitals passed by the last Government. They made a seven-day NHS harder—we are trying to put that right. The hon. Lady mentioned money, but she stood on a platform to put £5.5 billion less into the NHS every year than this Government. On the back of a strong economy, we are putting more resources into the NHS. A strong NHS needs a strong economy, and Labour had better remember that.

Let me look at some of the other points the hon. Lady raised. What I said in my statement about the GMC and NMC guidance was that, having said it would change, that guidance has changed and it is now clear that people are going to be given credit in tribunals for being open and honest about things that have gone wrong. She challenged me about the timing for the introduction of medical examiners, so let me remind her of the facts: the Shipman inquiry third report recommended medical examiners in 2003, Labour failed to implement that over seven years, and in six years we are implementing it, which is what I announced today. I am confident that there will not be additional burdens on local government.

The hon. Lady talked about the issue of supporting trusts that do not have the right reporting culture, and that is exactly what we are doing today, because we have published the names of not only the trusts that do not have a good reporting culture, but the names of those that do have a good reporting culture—trusts such as Northumbria Healthcare NHS Foundation Trust, Oxleas NHS Foundation Trust and many others. The trusts that are struggling with this can learn from them.

The hon. Lady says that I need to do more, but, with respect, let me say that the measures we have taken on openness, transparency and putting quality at the heart of what the NHS does and needs to stand for go a lot further than anything we saw under the last Labour

Government. I say to her that it says rather a lot that, on a day when this Government have organised a summit, with experts from all over the world, on how to make our hospitals safer, the Labour party is lining up with unions against safer seven-day services. I urge her to think again and to choose the more difficult path of backing reform that will help to make our NHS the safest healthcare system in the world.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): What a shame that the hon. Member for Lewisham East (Heidi Alexander) did not take the opportunity today to condemn the strikes. Supporting unions and not patients will not impress anyone.

May I welcome my right hon. Friend’s excellent statement, join him in paying tribute to the people who work in our NHS, and particularly welcome the setting up of the healthcare safety investigation branch and the system of medical examiners, which will contribute to better results and better outcomes in the health service?

The Secretary of State has taken a personal interest in sepsis, particularly by responding to the UK Sepsis Trust and Dr Ron Daniels, the Mead family, who tragically lost their son, William, and other relatives of patients who have died of sepsis. He knows that the ombudsman report of September 2013 contained many recommendations, including a request for a public awareness campaign, which could save lives. Will the Secretary of State tell us what progress he has made with that, because the relatives who are campaigning seem to have been waiting a long time for this public awareness campaign that they believe will help greatly?

Mr Hunt: I thank my right hon. Friend for her campaigning work on sepsis. Indeed, I have met the Mead family with her. She does a fantastic job with the all-party parliamentary group on sepsis. We announced a plan in January last year as this is a major area where we need to increase knowledge both inside the NHS and among the general public. As I mentioned a couple of weeks ago at a meeting organised by the all-party group, we are now looking at putting in place a public information campaign. We need to establish whether that should be about just sepsis, or whether it should be a more general public information campaign to help parents to understand when they need to worry about a fever, which is very common among small children and might be due to reasons other than sepsis, with meningitis being an obvious one. We are doing that detailed work now and we want to get this absolutely right, but I commend her persistence in ensuring that we deliver our commitments in this area.

Dr Philippa Whitford (Central Ayrshire) (SNP): I welcome the statement from the Secretary of State, particularly with regard to the establishment of medical examiners, which we have had in Scotland since last year. I, too, ask why there is a delay of another two years before that comes on stream. As a doctor, the thing that always seemed obvious to me was what might have made a difference with Shipman. Of all the things that have been enacted, someone reviewing deaths might have made that difference. I do not underestimate the importance of audit, and learning from routine audit, rather than depending on just whistleblowing.

In Scotland, we had an audit of surgical mortality in the 1990s. The first thing that that showed was the people dying who had not had a sufficiently senior surgeon involved in their case. That was discussed with the profession, and practice changed. Future years identified a situation with a consultant surgeon at the front line and a junior anaesthetist, but that, too, changed. The audit identified the lack of high-dependency nursing units for the sickest patients. I suggest that working with such an audit and the profession, as we have done for coming up to 20 years, would have allowed the evolution of a stronger, safer seven-day emergency service. I again call on the Secretary of State to commit to looking at a surgical approach, the things that are missing—access to scans and radiology—and perhaps more senior review and senior involvement. This is not about junior doctors and it is not blanket.

We also need to look at the ratio of staff. Francis and other research have shown the importance of nursing staff. Staff who do not have a minute to stop and think will make mistakes, and will not have time to report them. We need to make this easy. There must be a culture in which people have the time to minimise mistakes.

I have a final plea. The Secretary of State is offering more support to whistleblowers, but a review and reconciliation for those who have been badly treated in the past might give people more confidence that, if they step up and report something significant, they will not be hung out to dry, as has been the case previously.

Mr Hunt: I contrast the tone of the hon. Lady's response with that of the shadow Health Secretary. Although I by no means agree with everything she said, she does make some important points.

It is not the case that we have delayed the medical examiners scheme. In the previous Parliament, we had pilots so that we could understand exactly how the examiners would work. That is relevant to the hon. Lady's other point about audit, with which I completely agree. One thing that medical examiners will be able to do is to look for unexpected or unexplained patterns in deaths. Obviously, the vast majority of deaths are routine, predictable and expected, but those examiners will be able, looking at audit tools, to identify where there are things to worry about, which is why this is an important next step.

With respect to whistleblowers, I will reflect on what the hon. Lady says. We are trying to eliminate the need for things ever to get to the point where someone has to become a whistleblower. We want to ensure that people are supported to speak out about mistakes they have seen or made and concerns that they have, and that they are confident that they will be listened to. We are publishing a table today about the quality of the reporting culture. Much of the raw data that allow us to rank trusts on the quality of reporting data come from the NHS staff survey, which asks staff how valued they think they are, and how safe and easy it is to raise concerns. That is why this is a big step forward.

Mr Bernard Jenkin (Harwich and North Essex) (Con): I thank my right hon. Friend for his statement and for taking forward so many of the recommendations that were made a year ago in the Public Administration Committee's report on investigating clinical incidents in

the NHS. I particularly thank him for implementing the creation of a safe space, which has been a controversial and difficult subject because some people think that this is about hiding stuff, when in fact it is about getting people to speak much more openly and freely. Will he say something about how that will be implemented without primary legislation?

Mr Hunt: I thank my hon. Friend for his question. He and I have talked many times and thought very hard about how we can learn lessons from the air industry. He is one of the people who came to me first to say that if we want to set up an equivalent to the air accidents investigation branch, we need to give people in the healthcare world the same legal protections that others have when they are speaking to that branch, and that is at heart of the statement that I have made to the House today.

The point about safe space is very, very important. This is not about people getting off scot free if they make a terrible mistake. There is no extra protection here for anyone who breaks the law, commits gross negligence or does something utterly irresponsible. Patients still have those protections. What they gain is the comfort that we will get to the truth and learn from mistakes much more quickly. Every single patient and bereaved family says that the most important thing is not money, but making sure that the system learns from what went wrong. We will ensure that we construct the safe space concept, and I do not rule out extending that beyond the investigations of the healthcare safety investigation branch.

Kevin Barron (Rother Valley) (Lab): In welcoming the statement, may I say that, in my experience on the General Medical Council and on the Health Committee, the biggest cloud that hangs over the culture of non-reporting in the national health service is litigation? Last year it cost the British taxpayer £1.1 billion, £395 million of which went on legal costs alone. Should we not be looking at a no-fault liability scheme inside the national health service so that we can really encourage cultural change?

Mr Hunt: The right hon. Gentleman is absolutely right that the fear of litigation has a very pernicious effect, which we see across the NHS. Litigation is a huge drag on costs and we are reforming how it works. We have looked at what happens in other countries. In Sweden, for example, the creation of a no-blame culture has had the dramatic impact of reducing maternity and neo-natal injury. I hope that today's statement is a step towards that, but we will consider other reforms to the litigation process as well.

Sir Edward Garnier (Harborough) (Con): The Under-Secretary of State for Health, my hon. Friend the Member for Ipswich (Ben Gummer), and I had a useful debate this morning in Westminster Hall about clinical negligence cases, and what the Secretary of State has said this afternoon clearly touches on that. I might be being obtuse, but the statement seems to relate to the internal investigation of the poor or mistaken conduct of doctors by the disciplinary system, and not to the resistance to, or the conduct of, clinical negligence cases. I hope I am wrong about that, because we do not want, despite the best of intentions of the Secretary of

[*Sir Edward Garnier*]

State, as identified in the statement, to make the settlement of just clinical negligence cases more difficult, more expensive and more sclerotic. I read in the papers this morning that there would be a need for a court to give consent to the use of particular information. It might well be that this morning's trails were inaccurate and do not reflect what the Secretary of State intends, but I wonder whether he could disentangle internal and external reactions to poor conduct.

Mr Hunt: I shall do my best for my right hon. and learned—and eminent—Friend. We do not want to affect the legal rights of anyone who wishes to litigate against the NHS because they feel they have been treated badly. Those rights must remain, and we will protect them, but we want to make it easier to get to the truth of what happened so that we can learn from mistakes. The information uncovered by a healthcare safety investigation branch investigation could not be used in litigation proceedings without a court order. However, my belief is that having those investigations carried out by the branch is quite likely to speed up court processes, because I think it will establish on all sides, in greater likelihood, agreement about what actually happened in any particular situation. I hope that that will be beneficial, but if anyone wants to use the evidence in litigation, they will have to re-gather it, because we are concerned that, if doctors are worried that anything that they say could be used in litigation, they may be hesitant about speaking openly, and that represents the defensive culture that we are trying to change.

Norman Lamb (North Norfolk) (LD): I welcome the measures set out in the statement. The Secretary of State will not be surprised to hear that I want to focus on safety in mental health. The statement seems to be quite focused on acute hospitals. At the summit taking place today, will there be a specialist focus on safety in mental health? The Secretary of State will remember that the Government announced last February an ambition to achieve zero suicide, but he will be aware that there has been a significant increase in serious incidents and in the reporting of unexpected deaths and suicides. I do not know where that project has got to, but would he be prepared to meet me to discuss how we can develop the zero-suicide ambition, which has achieved such a reduction in deaths in the city of Detroit in the United States? The same can happen here if we have the same focus and ambition.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Before the Secretary of State answers that important question, I remind the House that we have a lot of business to get through today. Shorter questions and correspondingly shorter answers would be welcomed by those who are waiting to take part in other debates.

Mr Hunt: As ever, I commend the right hon Gentleman's interest in mental health. May I reassure him that this is very much about what happens in mental health and also the area of learning disabilities? In fact, some of the thoughts were prompted by what happened at Southern Health. It is absolutely vital that we investigate unexpected deaths in mental health as much as we do in physical

health. The measures we take will go across those areas, and I am more than happy to meet him to discuss the very laudable aim of zero suicides.

Dr Tania Mathias (Twickenham) (Con): May I applaud the Secretary of State for this culture of safety and learning? Will he consider increasing the use of exit interviews in the NHS? I have worked in the NHS, aid organisations and charities, and the NHS is the only one where I have not had an exit interview. May I suggest that decreasing the use of agency and locum staff, as we hope to do, provides an opportunity to learn from good staff about sharing good practice and avoiding bad practice? I absolutely applaud the world summit on patient safety, and I very much hope the Secretary of State has invited St John of Jerusalem eye hospital, from East Jerusalem. If that was somehow forgotten, please will he ensure that it is invited to the Berlin summit next year?

Mr Hunt: I feel prompted by my hon. Friend's question to investigate what I am sure is excellent practice at St John of Jerusalem eye hospital. If I may, I will take away her very good point about exit interviews. We also heard a good point about agency staff. Part of the thing that inhibits a learning culture is if a large percentage of staff are in an organisation only on a provisional or temporary basis, rather than being part of regular teams and therefore not being able to transmit lessons learned. That is why we have to deal with the virus of an over-reliance on agency staff in some parts of the NHS.

John Woodcock (Barrow and Furness) (Lab/Co-op): May I gently ask that the Secretary of State, if he is going to list Morecambe Bay in a litany of things to bash the previous Government over the head with, to do so while also acknowledging that the situation continued for some time under his Government and is still taking some time to turn around?

I wholeheartedly welcome the Secretary of State's focus on patient safety and his overall approach, and I pay tribute again to the Morecambe Bay campaigners, who have done so much to trigger this improvement. However, does he share my concerns about trusts such as Morecambe Bay being forced, for a number of reasons, including for safety, to use a large number of agency staff, and about the difficulty in changing culture when that staffing situation persists?

Mr Hunt: Let me commend the staff at Morecambe Bay, who have been through a very difficult patch. The trust has now exited special measures, which is a very exciting step for the trust, and there has been a huge amount of work to make that possible. It feels to me that they really have turned a corner at Morecambe Bay, and we should support the staff, who have done a great job in that respect.

The hon. Gentleman raises an important point about agency staff. In particular, it is challenging to get permanent recruitment to more geographically isolated places—we find that that is a problem not just at Morecambe Bay, but across the country. However, sometimes, it can be false comfort to get in large numbers of agency staff, as not only are they extremely expensive, but they cannot offer the continuity of care that is at the heart of a safer culture, so we have to find better ways to support places such as Morecambe Bay further to improve safety.

David Tredinnick (Bosworth) (Con): I congratulate my right hon. Friend on a range of initiatives, including the independent healthcare safety investigation branch, but I remind him that some of the problems that we face are staring him in the face, not least the difficulties in Leicestershire with the ambulance service. I thank the Under-Secretary of State for Health, the hon. Member for Ipswich (Ben Gummer), for seeing the right hon. Member for Leicester East (Keith Vaz) and me to discuss the problems that occur when 15 out of 25 ambulances in the county are queuing to discharge patients. The Under-Secretary talked about bringing in troubleshooters to resolve problems. Will the Secretary of State enlighten the House on what he proposes to do about these very evident problems? They require little investigation; they require action.

Mr Hunt: We do have a system-wide problem in Leicestershire and we are looking into it urgently. I thank my hon. Friend for raising the issue. He is absolutely right that when we talk about safety and being open about mistakes, that has to apply to the ambulance service as much as to every other part of the NHS.

Jim Shannon (Strangford) (DUP): May I also welcome the Secretary of State's statement to the House? In particular, I welcome the commitment to building a safer, seven-day NHS. In Northern Ireland, we have just announced 1,200 new nurses, 300 new professionals, extra money for autism and mental health care and, just this week, extra money to address waiting lists to build a safer, seven-day NHS—that is what we want.

The Secretary of State referred to learning from mistakes, the need for an extension of trusts' disciplinary procedures, openness to learning and a charter for openness and transparency. What discussions has he had with the Northern Ireland Assembly Minister, Simon Hamilton, about ensuring that that system can be replicated in Northern Ireland and by regional Assemblies and Administrations across the whole of the United Kingdom of Great Britain and Northern Ireland?

Mr Hunt: My colleague, the hospitals Minister, will have those discussions with the Northern Ireland Health Minister. However, the hon. Gentleman is right that if we are going to have a learning culture, it needs to be across the UK, not just in England. That is why I welcome the discussions we have with the Scottish NHS and the Welsh NHS. There are things that we can learn from each other, and we should be very open-minded in doing so.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): We must all strive to improve safety and quality in the NHS, but the Health Foundation report that the Secretary of State referred to stated that 40% of patients said there were too few nurses to care for them—this is three years after the Francis report. The Government say that the NHS must learn more, but what are they doing to learn from the inquiries that have been held?

Mr Hunt: Well, quite a lot. For example, we have increased the number of nurses by more than 10,000 since the Francis report was published, to ensure that we do not have a problem with safety on our wards. We recognise that it is incredibly important not to have short-staffed wards, and we are making more reforms in

this Parliament to ensure that we recruit even more nurses. It would be good to have some support from Labour on that.

Dr Andrew Murrison (South West Wiltshire) (Con): I congratulate my right hon. Friend on his statement, although I hope that it draws on experience from other healthcare economies, as well as on the aerospace sector. When things go wrong, it is right that the NHS is frank about it and, where necessary, compensates people for what may be long-term management issues. Currently, negligence settlements are based on provision in the private sector and do not necessarily anticipate that people will be treated and managed in the NHS, which means that the service effectively pays twice for mistakes. As the Secretary of State seeks to close the Simon Stevens spending gap, perhaps he will reflect on that. I would be grateful if he could say to what extent he thinks that excessive negligence claims are influenced by the rather perverse way in which they are currently calculated.

Mr Hunt: Someone looking at our current system independently might say that some things are difficult to understand, including the point raised by my hon. Friend and the fact that we tend to give bigger awards to wealthier families because we sometimes take into account family incomes when we make them. We are considering that area, but we are cautious about reducing the legal rights of patients to secure a fair settlement when something has gone wrong. In the end, this is about doing the right thing for patients, and the most effective way of reducing large litigation bills—I know my hon. Friend will agree with this—is to stop harm happening in the first place, and that is what today is about.

Mr Dennis Skinner (Bolsover) (Lab): If anybody should be learning from mistakes in the health service, it is the Secretary of State for Health. I have been down to the picket line today, as I have on every occasion, and I can tell him that it is hardening. There are more people on that picket line down at St Thomas' today than I have seen in all the months since the strike began. I am a bit of an expert on picket lines; I know what it is like. Quite frankly, the biggest mistake that the Secretary of State has made is to think that he can get away with imposing a seven-day week on hospital doctors and everybody else who works in the health service, because he wants to avoid proper premium payments. When I worked in the coal mines, miners got double pay on Sundays, and they got time and a half all day Saturday. It is time he recognised that not just hospital doctors but nurses, radiologists and all the others who will have to work a seven-day week should be paid the proper money. Otherwise, pack the job in, and then he'll be doing a service to the whole national health service.

Mr Hunt: Under our proposals, doctors will receive higher premium rates than lower paid nurses, paramedics and healthcare assistants. I thought the hon. Gentleman campaigned for the lower paid! The day that I stop this job will be the day that I stop doing the right thing for patients. He has constituents who need a seven-day NHS, as do I, and this Government will be there for them and will do the right thing.

Maria Caulfield (Lewes) (Con): I congratulate the Secretary of State on his statement this afternoon, and welcome the culture change that he is introducing to the NHS. My experience of working in the NHS under a number of Governments over the past 20 years was that when mistakes happened, a scapegoat was identified and it was thought that the problem had been dealt with. That is why people were reluctant to report problems, but often it is not one individual but a system of failure. We need to learn from that, so I welcome the Secretary of State's comments. Relatives and patients have said to me that they do not want just to identify the problem; they want to ensure that it never happens again, which is exactly what my right hon. Friend said. I chaired a primary care seminar this morning with GPs, doctors, nurses and pharmacists—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I am sure that the hon. Lady will quickly come to her question, or we will run out of time.

Maria Caulfield: Thank you, Madam Deputy Speaker. People are fed up with the NHS being talked down by Labour Members, and there was a plea to showcase the good work that is taking place in our NHS today.

Mr Hunt: It is so good to have someone with nursing experience in the House, and I hope that my hon. Friend will make an important contribution for many years to come. She knows what it is like on the front line, and why it is important to get this culture change. She also knows how important it is not to run down the NHS, which is doing extremely well.

Paula Sherriff (Dewsbury) (Lab): Last week I received an email that was frankly heartbreaking. My constituent's 84-year-old father, a proud and dignified man, was admitted to hospital with symptoms of a stroke, and he had to wait 14 hours for a bed. She went to visit him later that day and found him in bed wearing clothes on only his top half. He needed the toilet, and she was given a bottle to help him urinate.

Madam Deputy Speaker: Order. I am sure that the hon. Lady will quickly come to her question.

Paula Sherriff: That was no dignified way to treat that man. Will the Secretary of State agree to an urgent investigation into safe staffing levels at Mid Yorkshire Hospitals NHS Trust, because the nursing staff told my constituent that they did not have time to fulfil her father's basic nursing needs?

Mr Hunt: I am more than happy to look into that case, which is exactly the kind of thing that we are trying to stop with the measures we are bringing forward today.

Alec Shelbrooke (Elmet and Rothwell) (Con): I congratulate my right hon. Friend on once again ensuring that patient healthcare and outcomes are at the forefront of his thinking, and that of professional health service workers who do such a brave job and can sometimes be caught in the crossfire. Does he agree that comments from people on the front line supporting the doctors strike—such as Mr Usman Ahmed, who started a post on Facebook by saying:

“I've always hated the Conservatives—a complete and utter bunch of...”;

I shall leave it there as I would not like to offend you, Madam Deputy Speaker—show that they do not care about healthcare and are more interested in their own political gain?

Mr Hunt: This, I am afraid, is the problem with some elements in the BMA, who are putting politics ahead of patients. As we have heard today, that is the problem in the Labour party as well.

Rachael Maskell (York Central) (Lab/Co-op): Action on Sir Robert Francis's “Freedom to Speak up” review is very welcome. There are so many cases I could cite, but when a senior junior doctor reported unsafe levels of care in an intensive therapy unit, he was subject to unacceptable behaviour such as bullying and blacklisting, and now can only work as a locum. When he wrote to the Secretary of State, the Secretary of State refused to engage, listen and learn from his experience. Learning cultures have to start at the top with the Secretary of State. Will he set out how he will address retrospective cases of whistleblowing when people have been subject to discrimination?

Mr Hunt: I hope that the hon. Lady is not quoting selectively from my reply to the person concerned, because when people raise issues of patient safety with me, I usually refer them to the CQC, which is able to give a proper reply. I would be very surprised if I had not done that in this case. Retrospective cases are particularly difficult, and much as we want to help, it is difficult constitutionally to unpick decisions made by courts. We are trying to separate employment grievances from safety grievances and make that the way that we solve these difficult situations.

Mr Robin Walker (Worcester) (Con): Like many MPs, I have come across cases where this approach would help enormously, and I thank the Secretary of State for his statement. The same CQC report that praised staff and clinicians at Worcestershire Acute Hospitals NHS Trust for their good and outstanding care, also raised concerns about the management and safety at the hospitals. That was partly a result of too many interim managers, and a lack of ability to address and learn from mistakes made. I urge the Secretary of State to do everything in his power to work with the relevant organisations to put long-term permanent management in place at that trust, so that we take things forward and make our patients safer.

Mr Hunt: My hon. Friend speaks very wisely. Let me say that one thing that has been a mistake of successive Governments is a short-termist approach to NHS managers. We ourselves have looked for a scapegoat when something has gone wrong—an A&E target missed or whatever—and not backed people making long-term transformations. That is something we need to think hard about.

Jeremy Lefroy (Stafford) (Con): I thank the Secretary of State for his statement and for all the work he has done on this. I pay tribute to all those who have campaigned to bring patient safety to the fore, many from tragic experiences that they have had. What work is being done to ensure that medical schools and nursing schools have patient safety right there on the curriculum?

Mr Hunt: We have looked at the curriculum very carefully. In particular, we want to make sure that people understand their responsibilities to speak out if they see mistakes or things going wrong, and to help people to understand that this may not be the prevailing culture in the hospital they go to. We are looking to a new generation of doctors and nurses to help us in changing the culture for the better.

Amanda Milling (Cannock Chase) (Con): I, too, welcome my right hon. Friend's statement. Having met the parents, he will be aware of the tragic death of three-year-old Jonnie Meek at Stafford hospital. They have been looking for answers to their questions for some time. Will he confirm that the new healthcare safety investigation branch he has announced today will give families like Jonnie's the opportunity to find the answers they have been looking for much more quickly?

Mr Hunt: I thank my hon. Friend for her support for Jonnie's parents. This is a very sad case. The independent investigator in the case talked about the closed culture he encountered at two different trusts. Indeed, that is a very good example of the change in culture we need. I have worked with them. I hope we can secure a second inquest into Jonnie's death, so we can get to the truth. I am afraid it will be too late, but we want to get there eventually.

Jason McCartney (Colne Valley) (Con): As the Secretary of State is aware, my local clinical commissioning group starts a 14-week consultation next Wednesday on proposals to downgrade A&E at Huddersfield Royal Infirmary. Does he agree that patient safety must be the priority in those decisions, not the ruinous PFI deal signed by Halifax hospital in 1998, which is the backdrop to these appalling plans?

Mr Hunt: No one fights harder for his constituents on healthcare matters than my hon. Friend, and I commend him for that. The process he talks about will be led by clinicians. He is absolutely right that patient safety must be of paramount importance.

Will Quince (Colchester) (Con): My right hon. Friend is aware that we have one of the worst stillbirth rates in the developed world. Every stillbirth is a tragedy, and with more than 3,600 a year we must do all we can to avoid them, especially when half are preventable. I am co-chair of the new all-party group on baby loss. Does my right hon. Friend agree that it is only by looking at every single stillbirth and learning the lessons from them that we can get that number down by 20% by the end of this Parliament and by half by 2030?

Mr Hunt: My hon. Friend is absolutely right. I thank him for his work in this area. Maternity—stillbirths, neonatal deaths, neonatal injuries and maternal deaths—is the area where I hope we make the most rapid early progress in developing this new learning culture. There is so much to be gained. We can be the best in the world, but the truth is that we are a long way down international league tables in this area. None of us want that for the NHS. There is a real commitment to turn that around and I thank him for his support.

Madam Deputy Speaker (Mrs Eleanor Laing): The prize for perseverance and patience goes to Mr Mark Spencer.

Mark Spencer (Sherwood) (Con): I am grateful, Madam Deputy Speaker, even if my knees are not.

I congratulate the Secretary of State on providing a protected space for doctors, so they will be able to be honest and upfront when things go wrong, and on striking the right balance so that relatives and people who suffer wrongs in the NHS get to the bottom of what went wrong, why it went wrong and why it will not happen again.

Mr Hunt: I thank my hon. Friend. That is the heart of what we want to do. He of course has been very closely involved in the improvements we are trying to make at his local trust. If his knees are in pain, I can recommend a very good GP surgery in his constituency, one he very kindly showed me during the election campaign.

Point of Order

2.35 pm

Dr Liam Fox (North Somerset) (Con): On a point of order, Madam Deputy Speaker. I wonder if you can help to clarify an outstanding issue from today's urgent question. In the Heads of Government statement, which of course was issued in the name of our Prime Minister, it says very clearly:

“to accelerate the implementation of the visa liberalisation roadmap with all member states with a view to lifting visa requirements for Turkish citizens at the latest by the end of June 2016”.

In the House earlier today, the Minister for Europe said that this did not apply to the United Kingdom. It cannot apply to all states and not the United Kingdom. One of the versions must be incorrect. Through your good offices, Madam Deputy Speaker, I wonder whether we might get a written clarification from the Government as to which of these events in question is the truth.

Madam Deputy Speaker (Mrs Eleanor Laing): The House knows and the right hon. Gentleman knows that I am not responsible for the content of the statement made earlier today by the Minister. The Chair is, however, responsible for making sure that Members on the Back Benches have full and satisfactory answers from Ministers. I am quite certain that those on the Treasury Bench will have taken note of what the right hon. Gentleman has said and will act accordingly.

BILL PRESENTED

LASER PENS (REGULATION OF SALE, OWNERSHIP AND USAGE) BILL

Presentation and First Reading (Standing Order No. 57)

Rehman Chishti, supported by Maggie Throup, David Mackintosh, Mr Nigel Dodds, Gordon Henderson, Kelly Tolhurst, Paul Flynn, Dr Julian Lewis, Sir Gerald Howarth, Martin Vickers and Dr Tania Mathias, presented a Bill to make the sale, ownership and use of portable laser emitting devices with output power of more than 1 milliwatt unlawful in certain circumstances; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 22 April 2016, and to be printed (Bill 150).

Criminal Offences (Misuse of Digital Technologies and Services) (Consolidation) Bill

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

2.36 pm

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I beg to move,

That leave be given to bring in a Bill to consolidate offences relating to the misuse of digital devices, technologies, systems and services for the purposes of committing or preparing to commit or aiding, abetting, facilitating or concealing the commission of a crime or disposal of the proceeds of a crime; to make provision reflecting technological advancements, including the training of criminal justice personnel; to establish a duty for the Secretary of State to provide advice and guidance to the digital and telecommunications services industry aimed at reducing the misuse of digital technologies for criminal purposes; and for connected purposes.

There has been an unprecedented rise in crime assisted by digital technology over the past decade. Just as so many of us now spend so many of our waking hours in cyberspace, so too has organised crime found new territory in which to operate. Abusers have found new means to torment their victims, often under the veil of anonymity. Charities, agencies and police involved in tackling stalking and harassment, hate crimes and abuse are only too aware that criminals and abusers are using technology to target victims. The challenge here is to identify what is criminal behaviour and to respond appropriately.

Victims of cyber-abuse often do not turn to the police, either because they are unaware that an offence has been committed or because they do not believe that the police will react. The College of Policing estimates that half of all crimes reported to front-line officers has a cyber element. Police experts state that there are as many as 7 million online frauds a year and 3 million other online crimes. Very many of these go unreported.

The police lead on the fight against digital crime. The chief constable of Essex, Stephen Kavanagh, warns that the levels of abuse on the internet are now at unexpected levels, and that the police are at risk of being “swamped”. Sometimes police response to victims’ complaints is ambiguous, yet if these are crimes—and they are—an ambiguous response to them is not a satisfactory solution. Where are the dividing lines between hissy teenagers letting off steam and abusive hate mail? What are the indicators that flag up the likelihood of aggressive words in digital format leading to violent action in the physical world? What as a society do we believe should be treated as criminal behaviour, and what is merely the unfortunate reflection of individuals’ private thoughts laid out for the world to retweet at leisure? And how on earth do the police deal with all that?

The police, many of whom, particularly senior officers, were trained to deal with 20th-century crimes, now find themselves in the 21st century amid a maelstrom of mass information and breakneck technological change—the bobby on his bicycle, out on the internet highway, policing the dark web with a flashlight and an Alsatian.

The purpose of this Bill is to call on the Attorney General and the Solicitor General to undertake a review of all relevant legislation and to consolidate powers contained in a list of statutes into a single Bill. At

present, prosecution can be initiated by using a confusing array of criminal legislation. I thank Harry Fletcher of Digital-Trust for his considerable and thorough work on this Bill, which involved seeking out the relevant sections of more than 30 Acts, including one dating from the 19th century. It is evident that the existing provision is fragmentary and inadequate, and that that in itself acts as a hindrance, allowing abuse to continue unchecked.

It is important to understand that the threshold set for the prosecution of hate crimes over the internet is extremely high. That is understandable, yet the way in which that threshold is interpreted varies from police force to police force across the country, and many incidents are not prosecuted. Consolidating that and other statutes will bring much-needed clarity.

The requirement for additional police training will address the situation where only 7,500 police officers out of a total of 100,000 in England and Wales are trained to investigate digital crime. The Bill also updates laws on surveillance, monitoring and abusive content. It becomes a clear offence repeatedly to locate, listen to or watch an individual by means of digital technology without legitimate reason. It will be illegal to install spyware or webcams without good reason. It becomes an offence to make multiple images of a person unless it is in the public interest so to do. It becomes an offence repeatedly to order goods or services for a person if it causes distress or anxiety. Posting images without the subject's permission and the posting of messages that are discriminatory or threatening, or that cause distress or anxiety, would become offences.

The Bill also places additional responsibilities on social media platform providers and the industry as a whole to respect and abide by a code of professional standards; to conduct impact assessments in respect of customers; to block offensive social media postings and postings inciting violence; and to co-operate with and inform the police in the event of wrongdoing.

I am aware that this is something of a cliché, but it is difficult to avoid stating the obvious fact that this is a Bill whose time has come. It is evident from the Bill's cross-party support, for which I am very grateful, that parliamentarians from across the House feel that legislation in relation to cybercrime and cyber-abuse must be fit for purpose, and that the recourse available at present to police and prosecutors does not facilitate their work.

That ready response springs from our common experiences. MPs have been the subject of violent online threats. People come to our surgeries reporting abuse and bullying. We read about people in the public eye, including footballers and celebrities, and the unacceptable abuse some of them receive on Twitter and Facebook. Teaching unions, too, are concerned at the abuse their members face.

The campaigning organisation Kick It Out works with football clubs and fans to tackle all forms of discrimination. It deals with abuse relating to race, sexual orientation, gender, faith and disability, and 42% of incidents reported to Kick It Out occurred on social media.

I have had a mother at a constituency surgery describing one of her children being targeted by means of a gaming console online chatroom. She was aware that that was possible over the internet, but assumed that, in

gaming, her daughter would be talking to other children and that gaming chatrooms were safe spaces. It was her son who realised that whoever was talking to his sister was not genuine.

We should not underestimate the scale of the issues at stake: digital crime can ruin lives. On 26 February, Women's Aid hosted a conference entitled, "He's watching you", which focused on revenge pornography, as well as the many ways in which perpetrators of domestic violence can further their abuse by tormenting their victims over the internet. As Polly Neate, chief executive officer of Women's Aid, said in that conference:

"There's not a real world and a digital world. We exist online in a real way".

It is often said that social media makes the world seem smaller. For victims of online abuse and harassment, it can make it feel like that world is closing in on them, like there is no escape. For victims of domestic violence, too, online abuse can be overwhelming. A Women's Aid survey of more than 700 survivors of online abuse found that in 85% of cases the online abuse was part of a wider pattern of abuse that occurred on the internet and in real life. Perpetrators will use any means necessary to control and intimidate their victims.

And the danger is very real. A third of online threats of violence are then carried out. Abuse tends to escalate after a relationship ends, which means that victims are in even greater danger once their perpetrators embark on online abuse. Criminal justice professionals, and society more generally, have to take those threats seriously. If we do not, more people will have their lives destroyed.

I am glad to say that some change is already afoot. Indeed, it was welcome that last week the Crown Prosecution Service announced new guidelines for prosecutors of certain elements of social media abuse. A consultation has been launched about the guidelines, which advise lawyers to prosecute criminals who use fake online aliases to harass victims. The guidelines acknowledge that such abusers can pose as their victims online in order to damage reputations. They offer guidance on how to interpret existing laws, particularly in the light of newer offences such as coercive control and revenge pornography.

It is, of course, welcome to see change starting to take root, but those guidelines are not a panacea. Indeed, they underline the need for consolidating the sheer number of statutes that can be used by prosecutors. I believe that my Bill would go a long way towards tackling this problem, and that it will send a clear signal—to perpetrators and victims alike—that as a society we take these crimes seriously.

I commend the Bill to the House.

Question put and agreed to.

Ordered,

That Liz Saville Roberts, Mr Graham Allen, Sir David Amess, Sir Edward Garnier, Mrs Cheryl Gillan, Mr David Lammy, Tim Loughton, Ms Margaret Ritchie, Mr Barry Sheerman, Hywel Williams, Corri Wilson and Dr Sarah Wollaston present the Bill.

Liz Saville Roberts accordingly presented the Bill.

Bill read the First time; to be read a Second time on 11 March, and to be printed (Bill 151).

Sir Edward Leigh (Gainsborough) (Con): On a point of order, Mr Speaker. It is obvious that the next item of business is going to be enormously popular. Many Members will try to speak and, indeed, there is great public interest in it. I thought you would be interested to know that the Procedure Committee is conducting an inquiry into whether to give you more power to extend debates. It seems ridiculous that that is entirely in the control of the Government. For instance, on Monday we left early after a Second Reading debate, while today many hon. Members will either not be able to speak or have to give very short speeches. I thought you would like to know that, Mr Speaker.

Mr Speaker: Well, it is always useful to have a bit of information. I greatly look forward to the result of the deliberations of the Procedure Committee, of which I think the hon. Gentleman is himself a distinguished ornament. If there are no further points of order, we shall now proceed.

Enterprise Bill [*Lords*]

[2ND ALLOCATED DAY]

Further consideration of Bill, as amended in the Public Bill Committee.

Mr Speaker: As I informed the House yesterday, my provisional certificate, based on changes made in Committee and expected Government amendments tabled for Report stage, is available in the Vote Office and on the Bills before Parliament website.

At the end of the Report stage on a Bill, I am required to consider the Bill as amended on Report for certification. At that point—later today—I will issue my final certificate.

Clause 33

EXTENDED SUNDAY OPENING HOURS AND SUNDAY WORKING

2.50 pm

Mr David Burrowes (Enfield, Southgate) (Con): I beg to move amendment 1, in page 50, line 33, leave out subsections (1) to (4).

Mr Speaker: With this it will be convenient to discuss the following:

Amendment 19, in page 51, leave out lines 3 to 13 and insert—

2A (1) The Sunday trading authority for an area may publish a notice (a “consent notice”) in accordance with this paragraph providing for large shops in tourist zones (as defined in subparagraph (2)) in the authority’s area to be permitted to do either or both of the following—

- (a) to open on Sundays falling between 21 March and 1 October and on the three Sundays before Christmas Day for a continuous period of whatever number of hours is specified in the notice (in addition to the continuous period of six hours mentioned in paragraph 2(3)),
- (b) to open on Sundays falling between 21 March and 1 October and on the three Sundays before Christmas Day at specified times beginning earlier than, or ending later than, the times mentioned in paragraph 2(3).

(2) A consent notice published by a Sunday trading authority may only apply in relation to those parts of the authority’s area that is a “tourist zone” which is defined as—

- (a) a retail area where tourists from outside the United Kingdom are responsible for a significant proportion of the retail sales, or
- (b) a leisure and retail area, such as a coastal resort, which a significant number of tourists from outside the local authority area visit

and in deciding what is significant in either case the local authority shall have regard to guidance issued by the Secretary of State.”

This amendment would allow the relaxation in Sunday opening hours for larger shops to apply between Easter and the end of September and before Christmas to areas that attract significant numbers of tourists, such as central London and coastal resorts.

Government amendments 2, 13 and 14.

Mr Burrowes: Amendment 1 is in my name and those of 24 of my right hon. and hon. Friends, as well as hon. Members from across the House. I think seven different parties have signed up to the amendment. I could not quite convince the UK Independence Party Member to

unite with me on the amendment, although I may continue to try to persuade him if he attends the debate. Nevertheless, there is significant cross-party support for the amendment.

In many ways, I would prefer not to be here; I am sorry that we have to deal with this issue. We are having to do so not least because the proper procedure has not been followed, but also because of the issue of substance around Sunday trading. Some hon. Members will remember debates on the matter in the '90s and the '80s, which took up a considerable amount of the House's time and attention. The previous time the matter came before the House, it took some two years of debate to reach the compromise that we reached. We have some three hours today either to unpick that settlement or, as I seek to do in the amendment, to delete the Government's provisions.

Let us remind ourselves of what the Bill is about, and how Sunday trading fits into it. As I understand it, when it first came to the House, the Bill's aims were clear. They were to

"make sure that Britain is the best place in Europe to start and grow a business and that people who work hard have the opportunity to succeed"

and to

"cut red tape for business, encourage investment in skills, and make it easier for small firms to resolve payment disputes by setting up a Small Business Commissioner".

So say all of us, or certainly those of us on the Government Benches. The Bill is important, and I support it up to the point of its conclusion about Sunday trading.

Sir Greg Knight (East Yorkshire) (Con): Will my hon. Friend tell us why he is opposed to what the Government are seeking to do, which, as I understand it, is permissive, not mandatory?

Mr Burrowes: If my right hon. Friend will be patient, the purpose of my speech is to explain the reasons why I oppose the Government. We need to look at where the Government are taking us, even though they are trying to get there through a permissive, devolutionary approach. It is based on the premise that the deregulation of Sunday trading is good for small businesses, families and workers. We need to look at that premise. Deregulation is a one-way valve that local authorities would have the option of taking. I know that many Conservative Members are pure localists, who might want the decision about whether to restrict or deregulate Sunday trading to be a purely local one. The Government make the case that this is good for small businesses, but I object to that. I want to look at the way in which the Government have approached the question and carried out the consultation.

Mr Stewart Jackson (Peterborough) (Con): I thank my hon. Friend for his speech and his strong leadership on the matter. Does he agree that the Government's case would be more compelling had they abided by the undertaking that the Minister has twice given to publish the impact assessment, which we are led to believe is positive and favourable? So far, the Government have not done so.

Mr Burrowes: The impact assessment has been published today. That is important. The Bill has already received some scrutiny in Committee. The Sunday trading proposals were introduced in Committee; they were not in the Bill on Second Reading. The Bill started not in this place

but in the House of Lords. Therefore, the Sunday trading measure received no scrutiny in any of the stages in the House of Lords.

Following the consultation, we were promised that the impact assessment would be published, as we would expect with any measure, not least such an important and controversial one. The impact assessment was published today, and it includes several paragraphs about the family test, for which I and others have asked for some time. Back in October, I asked when the family impact test would be published, and I was told that it would be published before the Committee stage. In February, I asked again when it would be published, and I was told that it would be published alongside the Government's consultation response. That did not happen. After that, I was told that it would be published shortly. It has been published today. I do not think that is acceptable.

Toby Perkins (Chesterfield) (Lab): I pay tribute to the hon. Gentleman for his consistency on this subject. He stood for election in May. He will have known that some Conservative Members would have liked to bring forward such a measure. He must have been reassured that it was not in the Conservative manifesto. As a democrat, how would he be able to face his constituents if he had chosen to vote for the measure, given that his views are so well known and that the Conservative party had not put it in its manifesto?

Mr Burrowes: I am a lawyer by profession, and I believe that the hon. Gentleman has asked me a leading question. Plainly, the measure was not in the manifesto. Not only that, but the Prime Minister confirmed on 20 April 2015, in the middle of the campaign, in a letter to the "Keep Sunday Special" campaign:

"I can assure you that we have no current plans to relax the Sunday trading laws. We believe that the current system provides a reasonable balance between those who wish to see more opportunity to shop in large stores on a Sunday, and those who would like to see further restrictions."

That pretty much sums up my position, on which I have been consistent. The Prime Minister appeared to share my position back in April.

Robert Jenrick (Newark) (Con): I hope that my hon. Friend knows that I have enormous respect for him and for his campaigns on many issues, on which I have worked with him, but does he not agree that we should just trust our constituents to make up their own minds? In life, we all have to find our own balance, and we are all capable of deciding whether we work or shop on a Sunday. That is not the most complicated decision that our constituents will make in their lives. Will not my hon. Friend trust his constituents to make wise decisions for themselves and their families?

Mr Burrowes: I am grateful to my hon. Friend for his intervention. I saw that "but" coming. We have a job to do in Parliament. We do not simply devolve every decision out to our constituents. We should listen to our constituents. I am not sure whether he has looked at his mailbag, but I have looked at mine, and many shop workers, faith groups and others have asked me, "Why are we doing this? Why are we trying to unpick something that is fairly settled, even if it is not perfect?" I have listened to my constituents. We have important principles as well. The Sunday trading arrangement is complex,

[Mr Burrowes]

and it is our duty to look at it carefully, to consult widely and to scrutinise it fairly. None of those things has happened to the extent that they did in the '90s and '80s. It should not surprise us that there is a lot of cross-party concern. I would agree with my hon. Friend if this were a wholly devolving measure, but it is not. It is based on a principle that we would have to sign up to.

Mr Jim Cunningham (Coventry South) (Lab): Will the hon. Gentleman give way?

Mr Burrowes: In a moment. When we make this decision here in Parliament, everyone who votes against amendment 1 will have to agree with the premise that deregulation is good for businesses, families and workers. Members have to make this decision; we cannot simply devolve it to local authorities.

That is the premise of the case that the Government are making today.

Several hon. Members *rose*—

Mr Burrowes: I will give way to my constituency neighbour.

Joan Ryan (Enfield North) (Lab): I am pleased to be a signatory to the amendment tabled by the hon. Gentleman, who is my neighbour, and to support him. As I am sure he knows, some 49% of retail workers surveyed are parents or carers, and their Sunday is special to them. In relation to what has been said about trusting our constituents to make their own decision to work, I am sure my neighbour knows that even in workplaces that have trade union reps to support members, many staff are pressured into not using the Sunday opt-out. In fact, something like a third of shop workers are pressured into working on Sundays, or they will have their working hours cut.

Mr Burrowes: I am grateful to the right hon. Lady, who is included in the unholy alliance that, as I have mentioned, has come together on my amendment. She makes a very good and important point. We may have a choice about whether to go to church, shop or spend time with our families. We need to be a voice for people who do not have such a choice, perhaps because of caring or work responsibilities. We need to be very careful about imposing further requirements or obligations on them. That is important, and it is why we suggested having a family impact test. The impact assessment has been published today. The Government twice in parliamentary answers promised me they would do that. We must take the impact on families seriously, as the right hon. Lady says.

3 pm

Mr Jim Cunningham: There is another facet to this issue. One the one hand, the Government say that they are trying to save high streets, but on the other hand, the Bill will only strengthen the supermarkets and will therefore have an effect on high streets. Worse still, employers have ways to force workers to work extra hours on a Sunday. All those who have ever worked in industry know the tricks.

Mr Burrowes: I will come on to that point. The Government have made the case that the Bill will support high streets and deal with the challenges of online shopping and the like. However, to go back to the campaign, when my hon. Friends and other Members were campaigning up and down their high streets—my constituency is full of high streets, like many other constituencies—was this mentioned to them? I do not remember that happening. In fact, only one large outlet, Asda, mentioned it. The rest did not once say that the way to rebuild and regenerate high streets was to deregulate Sunday trading. In fact, they wanted business rates, car parking and things such as that to be sorted out.

I do not need to rely only on what my constituents are saying. Let me look at the Government's review, which was a proper review, into how we can regenerate and improve the high street. If we page through that substantial review, we will not see a big case being made that the one way to regenerate the high street is to deregulate shopping hours for large shops. That will threaten small businesses.

Andrew Gwynne (Denton and Reddish) (Lab): Will the hon. Gentleman give way?

Jim McMahon (Oldham West and Royton) (Lab): Will the hon. Gentleman give way?

Mr Burrowes: Let me take my pick. I give way to the hon. Member for Denton and Reddish (Andrew Gwynne).

Andrew Gwynne: Is it not misleading for the Government to describe this as a devolution measure? Is it not simply a fact that the moment one council adopts these powers, every neighbouring council will be forced to follow suit?

Jim McMahon *rose*—

Mr Burrowes: Was that the hon. Gentleman's point as well? I give way to him.

Jim McMahon: I thank the hon. Gentleman for allowing me to intervene, because this follows on smoothly from the previous intervention. Before Christmas, I was a member of the Greater Manchester Combined Authority, which the Government consulted on the devolution of Sunday trading powers. I can categorically say that those powers were not asked for or requested; they were forced on that body.

Mr Burrowes: There will be the inevitable domino effect of a race to the bottom if local authorities get hold of the powers. We should not just see this as a matter that can be left to local authorities. The Government have said that this provision is good for high streets, businesses, shop workers and families.

Several hon. Members *rose*—

Mr Burrowes: I will carry on for a moment.

The Government are making the case for devolving such powers and they must be held to account for it—it is for them to make that case—but the reality is that the substance of their case does not meet the high threshold required to justify unpicking the complicated Sunday trading laws.

Several hon. Members *rose*—

Mr Burrowes: I will give way to a Member on the Conservative Benches.

Mark Field (Cities of London and Westminster) (Con): I am sure that those who know my hon. Friend would agree that it is very rare for him to be in any sort of unholy alliance. I am very much of the view that the compromise made 30 years ago has worked fairly well. Does he not recognise that there is no sense of imposition? As my right hon. Friend the Member for East Yorkshire (Sir Greg Knight) rightly pointed out, the approach is a permissive one. In my constituency, which I accept is a relatively exceptional one in the centre of a city, there would certainly be a demand, particularly during times when we have a high number of tourists, for local authorities to give such permission, but that would be up to local authorities to manage. This is quite a good compromise, given the great changes that have taken place in shopping patterns in the past 30 years, not least with the internet.

Mr Burrowes: I hear that point. Throughout this process, I have been open to such a debate, and I know that the large shops in the west end, such as Harrods in Knightsbridge, have made a strong case for opening for longer for tourists. That is part of the Government's economic case, but I do not think it is substantial enough. It is based around the New West End Company model in particular. However, research by Oxford Economics and others shows that we must look at the economic impact more widely, not simply at the benefits for larger businesses. Hon. Friends and hon. Members know that we should not just listen to big business; we are concerned about shop workers and small businesses, and it is important to say that the impact on them should not be underestimated.

Several hon. Members *rose*—

Mr Burrowes: I give way to a new face and a new voice.

Richard Fuller (Bedford) (Con): I am not that new. Can my hon. Friend knock on the head the point that Conservative Members are making about permission? The issue is not about the fact that permission is given; it is about who will exercise that permission. The permission will be exercised by local authorities, but do individual shop workers who wish to run their own store six or seven days a week have such a right of permission?

Mr Burrowes: That is an important point. This is not simply about providing local councils with such powers, because our duty goes much further. We need to look further than simply at whether councils want this or not—whether 100, 200 or more councils want it. We need to look at what businesses and shop workers want.

On the question of imposition, in September, a survey of 10,000 shop workers showed that 91% of them do not want to work more on a Sunday. The current six-hour restriction is important to them because, as they say, Sunday evening is often their only guaranteed “family time”, especially if they have children at school in the week or partners who work weekdays. Not so many staff are required under the current regime—usually,

there is a single shift—so most staff are able to work a Sunday rota with some Sundays off. We must look at the imposition on shop workers and businesses.

Barbara Keeley (Worsley and Eccles South) (Lab): The hon. Gentleman's arguments are making a very good introduction to this debate. I understand that some chief executives of larger stores, such as Sainsbury's and John Lewis, are expressing their concerns to the Prime Minister about this issue. In relation to that survey, Sainsbury's has quite rightly questioned whether there is an appetite among consumers or retail staff for Sunday working. As I hope the hon. Gentleman agrees, Conservative Members should not assume the opt-out means anything, because most retail staff say it is impossible to use it because employers find ways to make them suffer if they try to opt out of Sunday working.

Mr Burrowes: Yes, that is true. We should not tar all large retailers with the same brush. I think Tesco has also expressed concern. Some of them have no doubt got a commercial interest—they may have more convenience stores on high streets than other large retailers—but they share the concern that the Government's devolutionary approach is not so practical for larger businesses, given that there are issues in relation to distribution centres and dealing with waste recycling. This will make things more complicated for them. In essence, the Bill is about cutting down on red tape and about deregulation, but this would mean a move in the opposite direction for such businesses.

Mr David Lammy (Tottenham) (Lab) *rose*—

Mr Burrowes: When I get into my speech, I will come on to the protections for shop workers, but before I do that, I give way to my near neighbour.

Mr Lammy: As my constituency neighbour, the hon. Gentleman will remember walking down high streets such as mine and through parts of Enfield town after the riots back in 2011. Not one local shopkeeper whose shop had been ransacked said that devolving power in such a way—allowing big retailers to open for even longer on Sundays—would help their business. Such businesses are struggling anyway, and this sort of action will only make that worse.

Is the hon. Gentleman concerned about the definition of “tourist”? Can he explain what a tourist is? Am I a tourist when I go to Enfield, Southgate to shop?

Mr Burrowes: The issue about tourists is not for me. I will leave my right hon. Friend the Member for Meriden (Mrs Spelman) to make such a case in relation to her amendment 19.

I want to turn to the substance of the issue, which is first of all about process. This is a controversial matter. No one who has been around for a while and who has listened to people's concerns will deny that it is controversial. That is plainly the case given that it divides opinions so much in this House.

Mr Jackson: Will my hon. Friend give way?

Mr Burrowes: I want to make some progress.

Normally, as I understand it, the guidance for a Government consultation on a controversial matter is to allocate a full 12-week period for the consultation.

[Mr Burrowes]

However, the consultation that has led to where we are now not only lasted just six weeks, but happened right in the middle of the summer holidays at the start of August. This particularly important consultation ran for two weeks in the central period of the holidays. Why did that happen? Was there a rush to get the measure on the statute book immediately? The Government took some five months to respond to that rushed consultation, which nevertheless managed to generate some 7,000 responses, which is extraordinary, given the time constraints. If such a controversial measure elicited that number of responses, all parliamentarians must ask why it did not get the full scrutiny that it deserved in both Houses. There was an attempt to tack it on to the Cities and Local Government Devolution Bill, and now it has been tacked on to the Enterprise Bill, after that has already been through the Lords. Someone who was cynical or suspicious might say that that limits the scrutiny of an important measure.

These are not just my concerns. When we last had the opportunity to discuss this matter, which was during the passage of the Sunday Trading (London Olympic Games and Paralympic Games) Bill in 2012, it did receive full scrutiny. The then Minister, Lord Sassoon, underlined the temporary nature of the proposed change. As many hon. Members have said, we had assurances from the Government that that was not a precursor to a further deregulatory move. Lord Sassoon also gave an assurance that there would be full parliamentary debate if there were ever another Sunday trading legislative proposal, but we have not had that. Unfortunately, that promise has not been kept. That is to the detriment of us all, as it would have allowed us to consider matters such as tourist zones and pilot areas, about which we will probably hear later. All those aspects need time for proper scrutiny.

Mr Jackson: Will my hon. Friend nail the myth that the measure is designed to assist town centre retail trade? Some 53% of local authority chief executives said that they would use the new liberalisation to boost out-of-town shopping centres, but that cannot be what many hon. Members want.

Mr Burrowes: Indeed. The knock-on effects of the measure need careful thought and attention.

The consultation showed that 76% of local authorities, large and medium-sized business respondents and business representative organisations were in favour of the proposals, but while the Government told us that those organisations and local authorities were in favour, they failed to tell us about the proportion for individual responses. We all have a right to respond individually to Government consultations. We all have a voice. It is not just the big corporate bodies whose response counts.

My hon. Friend the Member for Congleton (Fiona Bruce) and I duplicated a question to the Secretary of State for Business, Innovation and Skills to ask what number and what proportion of respondents to the Department's consultation published on 5 August responded yes and no—it is a simple question. The first question in the consultation asked whether people were in favour of the proposal, so surely it is possible to publish the number of respondents. That question was,

“Should local areas have the power to extend trading hours on Sunday?” and that is the question that we are debating today, so it would be useful to know how many individuals who responded to the consultation were in favour of the proposal.

The answer that my hon. Friend and I received from the Minister is one of the most extraordinary that I have seen in my 10 years here. It stated:

“The Department does not hold full data from this consultation broken down by specific question as a large portion of respondents chose to respond in their own words”—

I assume that they were English words and there was no problem of translation—

“rather than addressing the consultation questions directly, and/or did not indicate the type of organisation they represented.”

That is unacceptable. There should be a proper, accountable process that enables us to judge the response to the consultation on the measure.

Michael Ellis (Northampton North) (Con): I very much respect my hon. Friend and his viewpoints. Nevertheless, will he explain why he thinks that high streets should be held back under restrictions when most internet shopping takes place on a Sunday? He refers to the consultation, but when people shop via the internet, are they not voting with their fingers, so to speak? Do they not want to be able to shop free from restrictions? Does not my hon. Friend want to support the high street in his constituency and those elsewhere in functioning without these restrictions?

Mr Burrowes: My hon. Friend will know that the Government's review regarding high streets, about which he and I had concerns, made the case not for deregulation, but for dealing with issues such as parking and business rates, on which the Government are making good progress. On internet shopping, can a case be made that in the hours when large shops are not open—after 6 pm, say—everyone is clicking away on their computer because they cannot get to those shops? That makes no sense. There are other ways in which we can handle internet shopping. We need to look more broadly at how we can revitalise the high street, and this measure is not the way to do it.

Several hon. Members rose—

Mr Burrowes: I will give way a couple of times, but then I must make progress as others want to speak.

3.15 pm

Caroline Flint (Don Valley) (Lab): Surveys of internet shoppers show that there is no relationship between internet shopping on a Sunday and the desire for extended hours in local stores. Is the fact that people are on the internet between midnight and 3 am an argument for shops to be open at that time? Does the hon. Gentleman agree that that is not the case?

Mr Burrowes: I agree.

Alex Chalk (Cheltenham) (Con): Does this not boil down to a question of local democracy? How can it any longer be—[*Interruption.*]

Mr Speaker: Order. Mr Chalk is a most courteous Member of the House. Just as he is courteous to the House, the House must be courteous to the hon. Gentleman. Let us hear from Mr Chalk.

Alex Chalk: Thank you, Mr Speaker. How can it any longer be right for politicians in Westminster to block local people in Cheltenham, for example, from amending trading hours if that is what they choose to do?

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

Mr Burrowes: I will try to explain, but first I give way to the hon. Member for Cardiff South and Penarth (Stephen Doughty), who has been very persistent.

Stephen Doughty: I thank the hon. Gentleman for giving way. I want to take him back to the point that he made about the consultation. We do have some data: the Union of Shop, Distributive and Allied Workers has told us that there were more than 7,000 responses to the consultation, and that it believes, as do I, that the vast majority were opposed to the proposal. Does the hon. Gentleman share that belief?

Mr Burrowes: Absolutely. It would be good if there were more transparency.

The Prime Minister has led the way, quite properly, in saying that the Government need to publish family impact statements whenever new policy is proposed. We need to look carefully at such statements, so the family impact of the proposed measure should receive serious consideration. I have put questions to the Business Secretary on a number of occasions—22 September, 15 October and 10 February—to ask for the publication of the family impact statement. The understanding was that it would be published alongside the Government's response to the consultation, but that did not happen, and we have just received it, at the eleventh hour, before the debate.

The family impact statement makes several important points. It accepts that there could be a negative impact on the family and recognises that many individuals who responded to the consultation felt that families would be noticeably affected.

Michelle Donelan (Chippenham) (Con): I, too, respect the comments of my hon. Friend, but will he explain why we are so concerned about the family impact on those working in retail, yet we do not regulate for those who work shifts in sectors such as the NHS, transport, catering, hospitality—the list goes on?

Mr Burrowes: My hon. Friend makes a good point. It is often low-paid workers, in many cases women, who are affected by Sunday trading, and such trading has a knock-on effect on ancillary services in the supply chain to large stores. That, too, needs careful consideration.

On my substantive objections to the proposal, beyond the process—important though that is in determining how Members will vote later—an economic case has been made. It is important that we look at the evidence provided by not just the New West End Company, but Oxford Economics, which I mentioned earlier. It projects that under the Government's proposals, 8,800 jobs would

be lost in the convenience sector, with a net loss of 3,270 jobs in the wider grocery sector because of displaced trade from small to large businesses.

Several hon. Members *rose*—

Mr Burrowes: I am sorry, but I am going to make some progress so that other hon. Members have a chance to contribute to this important debate.

I am no great expert on businesses—I am taking the evidence that I have seen—but I do listen to the representatives of business organisations. When the Federation of Small Businesses, the Association of Convenience Stores, the National Federation of SubPostmasters, the Rural Shops Alliance, the Federation of Wholesale Distributors and the National Federation of Retail Newsagents—many of us will have been to their regular receptions here, and expressed solidarity with them and concern about the challenges they face—are all united in saying that this change is bad news for our economy, I take that very seriously, as should other Members.

Clive Efford (Eltham) (Lab) *rose*—

Mr Burrowes: I must make some progress.

My concern is that the proposal has not been properly thought through or evidenced. We are in danger of being seen to be responding to the voice of bigger business, rather than the small businesses on our high streets. Indeed, when the nearly unanimous opposition of small businesses is seen in tandem with the fact that nearly a quarter of the large businesses that responded to the Government's consultation also oppose the proposal, we need to reflect very carefully on the lack of scrutiny in tacking these measures on to the Bill.

Like many other Members, I want to speak up for my high street. When I go back to my constituency, I do not think that the businesses on my high street would say, "Well done. Thank you very much for deregulating and giving more hours to the large shops." I think that they would say, "Why aren't you spending more time lowering our business rates, getting better car parking and reducing red tape?" I support the Government in their focus on that, so why are we getting distracted by the claim that the measure will in any way support our high streets?

Several points have been made about shop workers. We cannot ignore the fact that separated parents can face problems, such as if one parent has access rights at the weekend. One shop worker in that situation told me, "As I am separated, I have my children every other weekend. I work every Saturday and one in four Sundays. I often struggle to arrange childcare and fear that this has an effect on my relationship with my children." We must listen to those voices.

In relation to the opt-outs, I welcome the fact that the Government are seeking to provide additional protections, but we have heard legal advice saying that that might not allay people's concerns. In fact, despite the additional protections, there is already an issue regarding whether those who are unwilling to work on Sundays will be considered when they apply for a job. Indeed, as we have heard, people are already under an implied pressure to work longer hours.

Stephen Timms (East Ham) (Lab): I congratulate the hon. Gentleman on the holy alliance that he has assembled behind his amendment. A member of USDAW is quoted as saying:

“I’d be under pressure to do more hours on Sunday, making it impossible for me to go to church.”

Is that not an undesirable aspect of the proposal?

Mr Burrowes: The Government have tried to deal with that concern by putting forward additional religious protections in the Bill, and my amendment would not delete those. Whether the pressures are explicit or implied, they are a factor.

The Government did have a pilot in one sense, because such a measure was road-tested during the 2012 Olympics. A specific opt-out was created so that staff could avoid working the longer Sundays if they did not wish to, and retailers claimed that they would cover only those hours when staff volunteered to work. However, I understand that 564 representatives in stores that opened for longer hours found that in over half those stores—56%—despite the right to opt out, staff came under pressure to work the extra hours. Those who asked not to work the extra hours were threatened, or punished by being refused overtime.

Sammy Wilson (East Antrim) (DUP): Does the hon. Gentleman accept that over half of those who work in shops in Northern Ireland, where opt-outs are already meant to be in place, have come under pressure, and that that is why 76% of those who work in the retail trade have said that they do not want hours to be extended, purely because they know that they would be under even greater pressure if local authorities accepted the longer hours?

Mr Burrowes: The hon. Gentleman makes a good point. We should also consider the potential domino effect of the Government’s proposals. Another shop worker told me, “The idea that Sunday working is optional, and that this is enshrined in law, is laughable. They make you pay one way or another for objecting to working on a Sunday.”

When a policy is opposed by the small business community, by a good number of large businesses, by the majority of shop workers, and by Churches and other faith communities—the Chief Rabbi recently spoke passionately about properly respecting the special character of Sundays—we must ensure that we consider it carefully. There has already been deregulation in many forms, but there is still a special character that we can preserve. This does matter, because Sunday is still special for many people, and the Government should not chip away at that unfairly, unreasonably and without due process. We should ensure that there is a proper place for Sundays for families, businesses and workers.

This issue has come before the House on previous occasions. Mrs Thatcher’s Government were defeated by a large majority on an entire Bill in the House of Commons. I remember attending my first ever public meeting in 1986—it was my first foray into the world of politics—which was hosted by my local Member of Parliament, Michael Portillo. He appeared before a packed public meeting and completely misjudged the views of those present, many of whom had never been to a public meeting before. He saw for himself the huge concern in the community, having misjudged the strength

of feeling about amending the hours of Sunday trading. Time has moved on, but there is still a strength of feeling out there—from shop workers, families, small businesses and others. That meeting was a formative political experience for me. We heard a statement from the Health Secretary earlier about learning from mistakes, and I urge the Government today not to make the same mistake again.

Mr Speaker: Order. Before we proceed with the debate, I have now to announce the result of the deferred Division on the question relating to EU measures to combat terrorism. The Ayes were 302 and the Noes were 217, so the Ayes have it.

[*The Division list is published at the end of today’s debates.*]

Several hon. Members rose—

Mr Speaker: Order. Before I call the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) as the next speaker in the debate, I would point out that we have two hours and 20 minutes left. If the Minister wishes to do so, I will shortly call him to speak from the Front Bench. A simple nod of the head will suffice.

Brandon Lewis indicated assent.

Mr Speaker: I appeal to colleagues to have regard to each other’s interests. We do not keep a formal list on Report, but I suspect there will be intense interest in these exchanges, so colleagues should look after the interests of each other.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): Thank you, Mr Speaker. I will certainly endeavour to do so.

I rise in support of the amendment in the name of the hon. Member for Enfield, Southgate (Mr Burrowes), to which I have added my name, as have many other hon. Members on both sides of the House. I am completely opposed to any changes to Sunday trading regulations, whether it is their extension or their devolution to local councils. I am sceptical of what benefits, if any, it would bring to our economy but, more importantly, my concern lies with retail workers and my desire to keep Sunday special.

As a Greater Manchester MP, I am a huge supporter of devolution, particularly to a city as great as ours. However, to me the measure does not feel like beneficial devolution; rather, it feels like a dishonest manoeuvre from a Government who seem obsessed with introducing the policy even though there appears to be no public demand for it. I also have concerns about how the Government have gone about the process, in particular their flawed consultation, which I will address.

I am happy to declare an interest, in that I am an USDAW-sponsored MP, which I am particularly proud of. USDAW has led from the front in this campaign, representing the concerns of ordinary retail workers and ensuring that their voice is heard.

Lots of good, strong arguments were put forward in the excellent speech from the hon. Member for Enfield, Southgate. I, too, intend to focus my speech on the family and faith aspects of Sundays but, first, I want to express my serious concerns about how the Government have gone about attempting to introduce the change.

I believe it is at best mischievous and at worst a borderline fantasy when the Government say that the Bill in itself will not enact any changes to Sunday trading regulations, but leave that open to local councils to decide. They know as well as all hon. Members do that the measure will result in extended opening hours on Sundays. As soon as one council does it, neighbouring councils will soon fall, one after another, until extended hours are uniform.

Mr Alan Mak (Havant) (Con): Will the hon. Gentleman give way?

Jonathan Reynolds: I will not give way because of the time constraints.

The Government should stop insulting the intelligence of the House and treat the clause as what it is: an explicit attempt to extend Sunday trading hours. I believe that devolution should be used to give councils the powers that they want and need. It should not be a way for the Government to abdicate responsibility for changes that they do not want to be blamed for, when they feel that the changes they intend to make will be unpopular and controversial. If the Government want to extend Sunday trading regulations, they should have the courage to introduce explicit legislation, so that Members of the House can have a proper debate and scrutinise the proposals. Instead, the Government have chosen to hide behind the veneer of devolution.

3.30 pm

Huw Merriman (Bexhill and Battle) (Con): I have been a district councillor for the past eight years. Facing a constant slew of demands on what district councillors must do is uninspiring. I would advocate the policy as a measure that will get more people into local government. They will have the optionality to decide. [*Laughter.*] Hon. Members may laugh, but that would occur.

Jonathan Reynolds: I admire the attempt to get more people involved in local government by giving councillors more power—all hon. Members would celebrate that—but my point to the hon. Gentleman is this is not real power. It is an attempt to introduce a national liberalisation through the back-door veneer of devolution.

Another disappointment in the process was the Government's consultation, which hon. Members have mentioned. It has been described to me on numerous occasions as a whitewash. The consultation concludes that the majority of responses were in favour of the proposal to devolve the power, yet in answer to a written parliamentary question to me on Monday, the Minister could not tell me how many of the 7,000-plus responses were against the proposal. How can the Government conclude that the majority of respondents were in favour of the proposal when they cannot even give the House the numbers? I was very disappointed with that answer. It should not be beyond the capabilities of the Department for Business, Innovation and Skills to work out how many respondents are for or against a Government proposal. I hope the Minister will be able to rectify that from the Dispatch Box and provide some much needed transparency.

My fundamental opposition to the clause comes from a passionate desire to keep Sunday special. When Sunday trading rules were relaxed during the Olympics, we were

promised that it would be a temporary measure only, and yet here we are not even four years later with this proposal in front of us. The proposal ignores the wishes of retail staff. A staggering 91% of retail workers in larger stores do not want an extension of trading hours on a Sunday. To them, Sunday is a special day, much as it is in my household. I have four young children and two dogs, so I cannot claim that my Sundays are particularly restful or peaceful, but they are special—a time for the whole family to spend together. That should be the same for retail workers, more than half of whom already feel pressured to work Sundays.

Chris Philp (Croydon South) (Con): I share the hon. Gentleman's desire to keep Sunday special, but is that not a matter of personal choice for him and for me individually, and not something for Parliament to impose by legislation?

Jonathan Reynolds: If the hon. Gentleman approaches this with good intentions, I advise him to talk to some of the retail workers in his constituency to see how they feel about the autonomy they have to decide whether they get to work longer Sundays or not. It is worth pointing out that none of us debating this in the House has to work Sundays if we do not want to.

The current regulations are a good compromise. Shops can trade on Sundays and staff can work if they want. At the same time, Sunday remains a special day, different from any other day of the week. Retail workers can spend some time with their families.

I do not believe the business case for changing Sunday trading regulations stacks up. Retailers already do very well on Sunday, with lots of footfall during a relatively short time window, which makes for more effective trading. The measure will also have a negative effect on smaller shops and retailers that are not subject to the regulations. Their businesses will suffer. In the most recent example of relaxation of Sunday trading—during the Olympics—retail sales actually declined.

As well as declaring my interest as an USDAW-sponsored MP, I am likewise very comfortable declaring my interest as a practising Christian. Understandably, that forms part of my opposition to any changes to Sunday trading, which I know I share with Members on both sides of the House. Of course, we live in a diverse country—I am extremely glad that we do so—but we should recognise that Christianity is the largest religion in this country. For Christians such as myself, Sunday is a special day. Sunday is when my family and I attend church, and the opportunity to do so should not be denied to people who have to work Sundays, whether in the morning or the evening.

Mr Gavin Shaker (Luton South) (Lab/Co-op): Like my hon. Friend, I will be part of the holy alliance trying to keep Sundays special. For people of a Christian ethos, this is not necessarily about the promotion of church; it is about a deep-rooted sense of who we believe people to be. We are created with the ability to rest as well as to work. Also, our choices have an impact on other people's choices. The freedom we seek to exercise for ourselves is paid for by other people.

Jonathan Reynolds: I endorse those points entirely, although it is worth noting that church attendance in many UK cities, even here in metropolitan London, is steadily rising.

[Jonathan Reynolds]

The Government have a responsibility to listen to faith groups on this issue, but they have failed to do so. The changes will place additional pressure on workers and families on what is still a traditional day of rest, a day of religious worship and a day to spend quality time with family members and close friends. For faith, for family and for the rights of many retail workers up and down this country, I will be voting for the amendment. I urge the House to show the courage required today to defeat the Government on this issue.

The Minister for Housing and Planning (Brandon Lewis): I appreciate being called early in the debate, and I hope I can help by outlining our thinking and the journey the Government want to take on this issue.

It is important that we recall why this measure on Sunday trading hours is before the House. The laws on trading in England and Wales were last updated in 1994—back when the only time we heard of Amazon was when we talked about the river, and back when our high streets faced no external pressures. The internet is liberating and changing the way we live and work, but the pressures on our high streets are rising, and the internet plays a part in that. Our measures will help them by giving local councils the right to expand Sunday trading.

Sir Gerald Howarth (Aldershot) (Con): All those conditions were apparent just 10 months ago when the Conservative party stood on a manifesto that it presented to the British people, but there was zero mention of any change to Sunday trading laws. This measure represents a fundamental change to the social practice in our country, as the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) pointed out. Why have the Government now found all these reasons to introduce a measure in this absurd fashion?

Brandon Lewis: I have huge respect for my hon. Friend, having worked with him on a range of issues, but we clearly said in our manifesto that we were determined to drive economic growth, and we believe that this is an important part of that. That is why we referred to this last summer.

It is clear that local authorities believe they are the right bodies to hold this power. They represent local people, are accountable locally, know their areas best and want this power, which is why almost 200 have written asking for it to be devolved to them, including councils such as Carlisle, Chorley and, despite what the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) said, Greater Manchester Combined Authority.

Sir Edward Leigh (Gainsborough) (Con): My hon. Friend is very able and has a wonderful job, but he wants to spend time on a Sunday with his family. I have heard so many Members say they want to keep Sunday special for their family. Why should shop workers be any different?

Brandon Lewis: I am sure my hon. Friend will appreciate that not only do people work in shops on Sundays already—in many areas, for longer than the opening hours, because of how shops work—but people working in retail, if they work six days a week, might like to visit

retail outlets themselves on Sundays. The internet is growing: we saw a stark warning of that today as Amazon has announced it is opening another centre in Manchester, creating more jobs. That shows how it is growing and the pressure that the internet is applying, but of course we are not forcing anybody to shop on a Sunday.

Councils want this power. They want the ability to zone and to take a decision on trading in their area—for example, if they wish to promote the high street at the expense of out-of-town commercial sites. Our amendment allows that zoning to happen, and no one knows more about their local area than locally elected leaders. This also provides an opportunity for independent businesses to benefit. One of the big voices calling for this change is the Horticultural Trades Association, comprising mainly independent businesses, and it wants this growth.

Simon Hoare (North Dorset) (Con): I think the Minister has hit the nail absolutely on the head. Listening to the debate hitherto, one might have thought that we were proposing to introduce Sunday trading. The Minister is absolutely right, and I speak as a former district councillor of 11 years standing, that it is not for this House to decide what is best for local areas—it is for those local areas and their local representatives, and they are being given discretion.

Brandon Lewis: I agree with my hon. Friend; I think he is right. One of the things I have been most passionate about, as have the Secretary of State, the Chancellor and the Prime Minister, during the years of coalition as well as in this Parliament, is devolving power, and we just wish our friends in Scotland believed in devolving power, too. It is why organisations representing independent businesses like garden centres are so keen to benefit from this growth.

Mr Andrew Smith (Oxford East) (Lab): Let me take the Minister back to the important point made by his hon. Friend the Member for Enfield, Southgate (Mr Burrowes) in a measured speech in which he reminded us of the Prime Minister's clear commitment just weeks before the general election:

“I can assure you that we have no plans to relax the Sunday trading laws. We believe the current system provides a reasonable balance”.

Does the Minister not think it matters if the Prime Minister says one thing just before a general election, if a policy is not in the Conservative manifesto, but the Government then do something completely different afterwards?

Brandon Lewis: I appreciate that the Labour party is not looking to drive economic growth, but our manifesto is clear that we want to see it, and the Prime Minister made it very clear at this very Dispatch Box last year that we thought it was time to review Sunday trading laws in the light of how things have moved on.

Several hon. Members *rose*—

Brandon Lewis: I shall take some more interventions in a few moments, but I am aware of the Speaker's correct point about the time available this afternoon.

If we look at our track record, it is clear that no party cares more about worker protection than this Conservative Government. We are the party of the national living wage—it is our Chancellor who has delivered it—and it

is our measure that will protect shop workers. No one will be forced to work on a Sunday; indeed, everyone has the right to say no. We will also reduce the opt-out period for large shops, so that shop workers need give employers only one month's notice of an unwillingness to work. We have to be clear that this is a package of amendments. Should amendment 1 go through today, Members of Opposition parties will be voting against improving workers' rights, because that provision will go as well. Anyone who already works on a Sunday will have a new right to turn down extra hours to which they do not wish to commit. Labour and the SNP oppose all of that. They oppose giving workers who wish it the right to work longer and different hours, and they deny everyone the right to spend Sunday as they choose in their time with their families wherever and however they choose.

Julian Sturdy (York Outer) (Con): There are a number of convenience stores in my constituency that are below the 3,000 sq feet threshold. Many are franchisees and small businesses, so will the Minister elaborate a little further on what conversations he has had with those businesses about the proposed changes?

Brandon Lewis: I am sure my hon. Friend will appreciate—he used to work closely with me—that I was once the Minister responsible for the high streets. My colleague who is currently the Minister responsible for the high streets and I work with the Future High Streets Forum, and I talk to small businesses all the time.

Clive Efford: As someone who has run his own independent retail business, may I tell the Minister that many independent traders have few extra resources? They will be forced to open to compete with the very large stores. What about the lifestyle of those people who would end up working seven days a week in order to try to keep their businesses running?

Brandon Lewis: I am slightly surprised by the hon. Gentleman's comments. After all, his local authority is one that is saying that it wants this power, which he is trying to stop it taking. Labour-run Greenwich wants this power. Those small shops have the ability to open now, and they are in competition with 24-hour, seven-day-a-week internet shopping, including on Sundays. The hon. Gentleman might not realise it, but Amazon is open on a Sunday and it delivers on a Sunday. We want to give the high streets a chance to compete with that.

Mrs Anne Main (St Albans) (Con): Has my hon. Friend had any conversations with the leaders of the SNP about why they liberalised trading laws in Scotland, what advantages they sought from that, and why they are proposing to reverse it on the basis of their concerns about any of the issues other than pay that they wish to address?

3.45 pm

Brandon Lewis: My hon. Friend has made a very good point. Research conducted by the Association of Convenience Stores has established that there are more small independent shops per head of population in Scotland than there are in England. So the liberalisation in Scotland has worked—unless the hon. Member for

Livingston (Hannah Bardell) is going to tell us, when she makes her speech later, that the SNP is about to go backwards and change the law there.

Richard Fuller: It seems to me that, if Conservative Members are being asked to vote for something that was not in our manifesto so shortly after the election, it should be because the situation is urgent, because there is a compelling argument in favour of the move, or because the circumstances have changed. The situation does not appear to me to be urgent. The Minister will finish his remarks, and he may advance a compelling argument. However, he seems to be resting on the assumption that the circumstances have changed, and in that context he has laid emphasis on internet shopping. He may be aware that, only yesterday, the head of the British Retail Consortium appeared before the Business, Innovation and Skills Committee and talked about the evolution of business models. He said that, because high street retailers now have their own online retail outlets, they do not necessarily feel compelled to draw a distinction between the two kinds of retail for the purposes of achieving growth.

Brandon Lewis: My hon. Friend has, in fact, made it clear why it is important for local authorities to be able to decide locally what is right for them. He should also acknowledge that it is often the larger high-street stores that are the draw for footfall in local areas. As he knows, I think that free car parking also plays a part, and I should like to see more of that.

As we all know, politics is not an exact science, and all but the most saintly of humans can sometimes contradict themselves, or be open to the charge of inconsistency. However, the contradictions that are inherent in the Labour-SNP opposition to our liberalisation proposals are so immense that I must draw attention to them.

As others have pointed out, there are no restrictions on Sunday trading in Scotland. First, SNP Members said—as one would expect—that they would support our proposals, and now they say that will not. Will the SNP Administration in Edinburgh be introducing the restrictions that currently apply in England, in order to be consistent? I should be interested to hear the answer to that question.

Do Labour Members—along with USDAW—plan to send letters to their constituents urging them to give up using the internet on Sundays, lest someone, somewhere, be exploited in a warehouse owned by Amazon or a similar company? I am tempted to ask the Opposition why they did not vote against this proposal in Committee, or even, in some cases, speak against it—neither the SNP nor Labour voted against it—and why they have not tabled an amendment themselves. Perhaps the wording of the amendment could have been something like “It has come to the attention of Labour and SNP that that some people shop on the internet on Sundays.” After all, Sunday is now the biggest internet shopping day of the week. It could have continued: “Labour and the SNP demand a law requiring people to switch off the internet on Sundays, in order to stamp out this disgraceful behaviour.”

Perhaps I should not give Opposition Members any ideas. How can anyone be opposed to the idea of walking into a shop on a Sunday to buy something—a

[Brandon Lewis]

book, for example, whether it is a little red one or not—but not opposed to the idea of buying that very same book, so long as it is done on the internet? Labour and the SNP—parties that are, effectively, in coalition today—are supporting Amazon’s profits at the expense of shops on our high streets. I am afraid that I struggle to understand the logic of that.

Caroline Flint: The Minister mentioned protection for shop workers earlier. I would welcome the strengthening of such protection. May I ask the Minister whether, if he loses the vote on Sunday opening tonight, he will retain the protection for shop workers that is in the Bill?

Brandon Lewis: We have made it clear from the beginning that this is a package. If Members vote for amendment 1, they will be voting against the improvement in workers’ rights.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): I am deeply concerned about this issue, and my name is attached to amendment No. 1. I listened to what the Minister said this morning, when we spoke at some length about the proposed pilot. I would be willing to support that pilot if the Minister would give us a clear assurance that it will not just involve looking at economic drivers, but will take account of the overall impact, and apply the family test. A great many people who work shifts are put on the bottom of the list and end up working on Sundays because they cannot get to the top. We must make sure that that does not happen in this instance. [Interruption.]

Mr Speaker: Order. First, may I appeal for as orderly an atmosphere as possible? The Chair seeks to facilitate as many contributors as possible. Secondly, Members are of course free to say what they like, but I would gently point out that no amendment or new clause on the subject of pilots is to be taken today. There is material before the House, but that subject is not among it.

Ms Angela Eagle (Wallasey) (Lab): On a point of order, Mr Speaker. Will you confirm again that the manuscript amendment that the Government attempted to sneak on to the amendment paper at the last minute today, which would have covered the compromise on which the hon. Member for Berwick-upon-Tweed (Mrs Trevelyan) seems to have done a deal, is in fact not on the amendment paper and not before the House?

Mr Speaker: It was not selected. For the benefit of people attending to our proceedings, I shall be explicit. It is for the Speaker to select or not to select, and I did not select that late-submitted manuscript proposal. I need add nothing.

Brandon Lewis: My hon. Friend the Member for Berwick-upon-Tweed (Mrs Trevelyan) makes a strong point, and she has been consistent on this matter. She makes a clear, passionate and strong point on the importance of family values and of our social fabric. If she will bear with me, I will touch on that matter in just a moment.

I would say to Opposition Members that we need to think about where we are with Sunday trading. Let us be very clear: none of us would put up with a Government

banning cinemas from opening on Wednesday evenings, so why on earth would we put up with a Government telling us when we can and cannot open our businesses and run our shops, and telling us how we should be spending our time if we want to go shopping on a Sunday?

Mr Jackson: The Minister is fielding a difficult case very well. He is an excellent Minister with whom I have had the great honour to serve on the Housing and Planning Bill Committee. However, on the specific issue of employment rights, he will know that as a result of work commissioned by the Christian Institute, John Bowers QC said on 25 February that he considered the Government’s proposals for employment rights “inordinately complex”, and that they would offer “no protection from detriment or dismissal for people who object to working on Sundays during the opt-out notice period.” That is the issue, and that is what the best legal brains have told us about the Government’s proposal.

Brandon Lewis: I have a similar admiration for my hon. Friend. He is a fantastic colleague to work with at all times, but I disagree with him on this matter. We know what the Government lawyers have outlined, and the strengthening of rights as set out in our amendments goes beyond anything that Labour did while it was in government to increase workers’ protection. This is an important part of the package. Inconsistency from the parties on the Opposition Benches is one thing, but killing off jobs is entirely another. Given Labour’s unemployment record and its Maoist take on economics, however, I should perhaps not be surprised. The SNP and Labour did not even raise an amendment or a vote on this issue in Committee.

Mr Christopher Chope (Christchurch) (Con): Will the Minister give way?

Brandon Lewis: I will in a moment, but I want to make a bit of progress.

The estimates of the growth that liberalisation would deliver can be seen in the evidence. Growth, which would mean new jobs and more taxes to pay for public services, will come as a result of these changes. Estimates suggest an extra £300 million of sales in London alone. The letters that Labour and the SNP might be drafting, urging people to avoid the internet on Sundays, should include a postscript for anybody who is looking for a job right now. Maybe it could say, “Sorry, we’re opposing measures that could have helped you find a job.” And the SNP, the party that exists to promote local control over people’s own affairs, should perhaps add a PPS to explain why its members are voting to prevent devolution to English and Welsh councils when the control of shopping hours is already fully devolved to the Scottish Government.

Neil Gray (Airdrie and Shotts) (SNP): Given that the Government have known the SNP’s position on this matter since November, why have they not come back with proposals to put the protection of premium pay into statute, for example, or indeed to devolve employment law so that we could sort this out for ourselves?

Brandon Lewis: I am struggling to treat that comment with any seriousness. I would simply remind the hon. Gentleman of the SNP’s comments on this issue that appeared in the press last week.

Mr Shuker: I am grateful to the Minister for giving way; he is obviously trying to defend a difficult position. The Government support the measure and the Opposition oppose it, yet several of the Minister's party colleagues share deep concern, tapping into a conservative tradition of trying to preserve our institutions. I gently suggest that he might make better progress by making positive arguments for his proposals to those colleagues rather than by attacking the Opposition, and therefore Members on his side, as Maoists.

Brandon Lewis: I appreciate the hon. Gentleman's comments, but my colleagues and good friends around me are capable of defending themselves and making their case clearly, just as my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) has done this afternoon. I respect that, but the reality is that we want to provide an opportunity for economic growth and give our high streets the chance to regenerate. The hon. Member for Luton South (Mr Shuker) might want to have a look at the *Hansard* reports of the Committee stage to see the arguments we had then in more detail.

Robert Jenrick: The largest employer in my constituency is Knowhow, of which hon. Members may be aware from ordering TVs and electrical equipment. It is the biggest distributor of electrical equipment from online sales. Those workers—hundreds of my constituents—work on Sundays. How do hon. Members think that they get their deliveries on Monday morning? The Bill will enhance the rights of those workers. When hon. Members go online and order something on Amazon on a Saturday or Sunday, workers in my constituency and across the country will be working and will enjoy the benefits that the Bill will give them.

Brandon Lewis: My hon. Friend makes a strong point clearly and highlights another important point. The United States is one of the most observant places in the world on religious matters but it has more freedom than we do, and I am sure that Scottish Members would argue that family values and religious observance have not decreased following liberalisation. People will still be able to choose what they do and, arguably, have more flexibility on Sundays. We have to remember the workers who work six days a week and who want more opportunities when choosing how to spend their time.

Mr Chope: Will the Minister give way?

Brandon Lewis: Before I take any more interventions, I am aware of your comments about the time available this afternoon, Mr Speaker, and want to make a little progress. There are Members on both sides of the House, particularly on my side, whose consciences make this a difficult subject, and I respect their moral views. They are speaking from strong positions, rather than playing with political opportunism, which some Opposition Members are doing. I want to set out our journey of travel so that the House gets a feeling for what we are planning. We intend to go further and do something different from what we initially proposed in the protections on offer.

Having listened to colleagues and discussed their principled objections with them, I want to propose something. Before I do, I should make it clear that it deals with the concerns raised by SNP Members in the

press, so we will find out whether they really believe what they have been saying over the past 24 hours. Rather than applying the liberalisation nationwide from day one, the Government will invite local authorities that want to liberalise hours to apply for participation in an exploratory phase. Twelve places, geographically, economically and demographically diverse, will be locally recommended to us.

Taking your absolutely correct point about the manuscript amendment to heart, Mr Speaker, may I say that if hon. Members join the Government and me in voting against amendment 1 today, we will table an amendment in the other place? I have circulated that amendment to colleagues this afternoon. During an exploratory phase, we will gather evidence about the impact of liberalisation, including the use of zoning and its effect on those local economies. And of course the impacts on workers will be measured, too. My hon. Friend the Member for Berwick-upon-Tweed and other colleagues have made this case clearly, strongly and passionately, and we are listening and have heard what they say. We want to make sure that we are able to have a proper assessment. I will liaise with colleagues over the next few weeks to make sure that our performance indicators recognise, assess and look at this as part of the criteria over the next 12 months.

4 pm

Jim Shannon (Strangford) (DUP): On a point of order, Mr Speaker. Is it in order for the Minister to proceed with a promise of legislation that is not on the amendment paper for us to consider, and for Members therefore to vote on something that they do not have in front of them? The measure we are voting on is not promises; it has to be in front of us, so that we can discuss it here in this Chamber.

Mr Speaker: Let me explain the position to the hon. Gentleman, to whom I am genuinely grateful for his point of order, and for the benefit of the House. There is nothing disorderly in the Minister giving an indication of how the Government would propose to proceed. If a Minister wishes to say to the House, "Our intention is to proceed with pilots", it is perfectly in order for the Minister to do that. But of one thing, procedurally and constitutionally, the House needs to be made again aware: Members are voting on that which is on the paper and which the Speaker has selected. Members are not voting on a Government proposal or words about pilots; they are voting on that which is on the paper. The matter under discussion is the amendment standing in the name of the hon. Member for Enfield, Southgate (Mr Burrowes). We are voting on that, not on a Government proposal, and I hope that that is clear.

Brandon Lewis: Thank you, Mr Speaker.

Several hon. Members *rose*—

Brandon Lewis: I will take some interventions in just a second. Obviously, you are absolutely right, as always, Mr Speaker. I would not dream of taking any other view. What I wanted to outline to my hon. Friends and to colleagues across this House is that what Mr Speaker said is absolutely right: we are saying that if the House votes against amendment 1, what I have outlined is what the Government will then do.

Mr Choqe: I have been writing to constituents over the past six months saying that I agree with the Prime Minister on this issue and, in particular, with what he said in his letter of 20 April. I wonder whether my hon. Friend would be able to help me in drafting a new letter if I were to go into the wrong Lobby. May I ask him whether the Government would introduce fresh legislation in the Queen's Speech? Why not bring forward a fresh Bill and have a proper discussion about this, de novo?

Brandon Lewis: I appreciate my hon. Friend's faith in my ability to draft a letter, and I am happy to do that. As he talks about this being over the past six months, I would gently point his local residents towards the fact that both the Prime Minister and the Chancellor last summer outlined that we wanted to review the Sunday trading laws, in the light of how things were moving on economically and the speed with which internet shopping is growing.

Ian Paisley (North Antrim) (DUP): Is the Minister telling us that the conscience of this House and of individual Members of this House can be salvaged in some way by the promise of a stay of execution but with a really nice funeral later on? Is that in essence what he is telling us? Would he not be far better withdrawing this measure now and bringing back new measures at a later stage?

Brandon Lewis: I am just going to continue outlining exactly the journey of travel would be. What the hon. Gentleman has outlined is not quite what we are looking at. We would have pilots; local areas would come in and say that they want to be part of this. We must bear in mind that almost 200 local authorities want this power. The Government would choose 12 areas with a good demographic spread to look at over the next 12 months.

Several hon. Members rose—

Brandon Lewis: I will take some more interventions in a moment, but I want to finish answering the hon. Gentleman's point. There would be an opportunity to look at the assessment of that over the next 12 months, and we would report back to Parliament with the findings, based on agreed key performance indicators. In 12 months' time, this will come back to Parliament—on the Floor of this House. An evaluation of this exploratory phase will be published. We are circulating a draft for colleagues to consider, and I will be asking them to support us by opposing amendments 1 and 19, and supporting the Government amendments 2, 13 and 14, which will then allow us to do this in the House of Lords.

That will take us to an evaluation of this exploratory phase, which will be published. After that pilot period, the House will then debate and vote again on extending the right to every council in England and Wales. Therefore, the matter will come back to this House for a full debate, during which Members will have the evidence before them.

Mark Durkan (Foyle) (SDLP): I thank the Minister for giving way. First, we had the Minister, a member of the union of barrel scrapers, presenting himself as an advocate for workers' rights and interests. Now he is trying to tell us that he is selling on some sort of deferred click and collect basis—an option that is not available or in front of us today. Is the Minister not

pushing something that will be a predictive text version of public policy that will end up becoming the default position for local authorities, firms and workers who do not want it?

Brandon Lewis: The hon. Gentleman is not quite correct. There is huge interest in this. I am talking about local authorities, consumers, people who work six days a week, families, workers who want the chance to work on a Sunday and businesses that want a chance to compete with the internet. Horticultural associations are very clear that this is worth a potential £75 million a year to our economy—and that is in their industry alone. In the main, I am talking about independent businesses. Potentially, there are thousands and thousands of jobs.

Several hon. Members rose—

Brandon Lewis: I will take some interventions in a moment. If Members vote against amendment 1, as I am asking them to do, I will make sure that we have a pilot scheme that runs over 12 months, which will give us further evidence, so that we can come back to this House for full scrutiny, a debate and a vote.

Mr Mak: Does the Minister agree that another point of reassurance to hon. Members across the House is the fact that contained in the Government's Bill are zoning provisions, which allow local authorities to choose the areas that will benefit from enhanced Sunday trading laws? That is a fair compromise.

Brandon Lewis: My hon. Friend is absolutely right. There is in the Bill an ability to zone. Local areas that want to carry out a pilot will be able to specify exactly how they want to do it and what that zone will look like. This scheme is all about absolutely trusting local people to do what they know is right for their area. By doing it this way, there is no need for amendment 1. Our intention is to increase freedom, protect shopworkers' rights, grow our economy, and protect our high streets while devolving power from Whitehall to town halls. We want to see power devolving to local areas, because they know their economies and their high streets best and they want this power to see their economies grow.

Sir Edward Leigh: If Lincoln applies for a pilot and it goes ahead, will there not be intolerable pressure on West Lindsey next door? Tesco will say to West Lindsey and Gainsborough, "Unless you agree to join this, we will close you down and move to Lincoln." It is not true devolution. I know that my hon. Friend is a very able Minister and that he is working very hard, but his arguments do not stack up. Frankly, even God took a rest on the seventh day. My hon. Friend should just sit down, rest his case and withdraw the measure.

Brandon Lewis: I thank my hon. Friend for his kind invitation to a rest, but I am happy to carry on and try to do the right thing for our economy for just a little bit longer. Let me tell him how this will practically work. As there will be only 12 pilots, no other area will be allowed to take part. If he looks at what we have circulated this afternoon, he will be able to see that the pilots will take place only in certain areas. After that, the matter will come back to this House for full assessment, full debate and full scrutiny.

Kevin Hollinrake (Thirsk and Malton) (Con): Before entering this place, I was in business for 25 years. It is absolutely right to consider the needs of large businesses and, of course, small businesses, and the family lives of workers, but, as all business people know, the customer comes first. If the customer wants to shop at other times at the weekend, should they not be allowed to do so, and is the pilot not the right way to take it forward? Members on both sides of the House say that customers do not want this policy, but should we not ask them, through a pilot, to see if they actually do want this and to see the effect that it has on small businesses in particular?

Brandon Lewis: My hon. Friend gets to the heart of a key issue: what is right for the wider community and for our consumers and residents? To build on his very direct point, let me add that I spoke to somebody just last week who made a very salient point: as someone who works in the health service six days a week, they really want this wider opportunity on a Sunday to shop in the way everybody else does on a Saturday, a Friday and a Thursday, and to spend time with their families in these shopping areas, supporting their high street, as many of us can on a Saturday. I am sure that there are many Members of this House who work hard on a Saturday and who might also take advantage of this freedom on a Sunday.

John Stevenson (Carlisle) (Con): I live in Carlisle. Last Sunday, I went shopping in Gretna. Is it not right that the people of Carlisle get the same opportunity as Scottish people to decide whether we should be open on Sundays?

Brandon Lewis: My hon. Friend will know as well as I do, if not better, that businesses in Carlisle want this power; indeed, the Labour local authority wants it, and it may well bid to be one of the pilots.

I should be very clear: if amendment 1 is not accepted today, we will only go forward in the other House with our new amendment, which will mean there are only 12 pilots—no more than that.

Victoria Borwick (Kensington) (Con): I thank the Minister for letting us know about the zoning proposals. Perhaps he could clarify whether London could be a zone itself, or whether that will be delegated to the individual local authorities. London is obviously a diverse area, and many people would appreciate working on Sundays, whereas they would not like to work on another day—so there is flexibility in this new employment. Equally, on the Minister's point about America, there is obviously a higher church attendance, but there is also much more freedom on this issue. We are a great capital city, and we would like to trade on Sunday.

Brandon Lewis: My hon. Friend makes a good point. I can appreciate that parts of London would want to come forward as a zone. For example, some of the evidence shows that, in the west end alone, that could be worth almost £400 million a year for the economy, with 2,500 jobs being created. However, it would be for areas to bid to be one of the pilot areas.

London is actually a really good example of how the market drives these things. Even on the days when shops can open for as long as they like, Members may

find that, if they wander to the west end in the middle of the week, shops do not open particularly longer hours, so that, by the time we finish in this place, they are not open. Businesses can make that choice; what we want to do is make sure that they have that choice, that it is locally driven and that local residents have a choice as well.

Hannah Bardell (Livingston) (SNP): For the purposes of clarity, will the Minister tell us how the proposals, which we have not yet seen, will assess the impact on premium pay not just in Scotland but in the rest of the United Kingdom?

Brandon Lewis: I would say to the hon. Lady and to colleagues around the House that, as we put these proposals forward, it is important that we make sure that the key performance indicators that will come back to the House a year after the pilots—we will run the pilots for 12 months—cover a whole range of issues. She makes a fair point, and if it is one of the points she and her colleagues want looked at in the pilots, I am very happy to make sure it is. *[Interruption.]*

The hon. Member for Cardiff West (Kevin Brennan) asks from a sedentary position whether I am going to use up the entire time, and I would gently say to him that, no, I will not. I am about to conclude, but I would just point out to him that I have been spending much of my time taking interventions from his hon. Friends. I find his comments slightly surprising, bearing in mind that this is not an issue he felt needed voting on in Committee.

Mr Shuker: Will the Minister give way?

Brandon Lewis: No, I am not going to take an intervention. We need to allow other hon. Members to have their say.

We have listened to the principled opposition to our plans. I have listened to colleagues who have made strong, passionate and clear proposals to us, and we are amending them accordingly with our proposal for an exploratory evaluative phase, which will lay amendments for in the other place—a draft is available for colleagues to look at now. I therefore call on all Members to support the Government's amendment and to vote against amendment 1.

Bill Esterson (Sefton Central) (Lab): Welcome to our deliberations, Madam Deputy Speaker. I should refer the House to my entry in the Register of Members' Financial Interests.

That really was the “Trust me, I'm Honest Brandon” speech: “We've got it wrong so far. We promise to do better next time, so I'm begging you to support me, despite making such a mess of things so far.” Honestly, have we ever heard anything quite so absurd?

The Minister asked why we did not vote against the measure in Committee, so I will read him what my hon. Friend the Member for Cardiff West (Kevin Brennan) said then:

“I will cut short my comments and simply say that we are against these proposals—”

that sounds pretty clear to me—

[Bill Esterson]

“but we will not vote against them at this stage because we want the opportunity to test the opinion of the whole House on Report.”—[Official Report, Enterprise Public Bill Committee, 25 February 2016; c. 328.]

Today that is exactly what we are doing.

4.15 pm

Let me turn to the Minister’s last-minute—indeed, after-the-last-minute—offer to invite local authorities to participate. Why on earth did he not do that in the first place? Let us be clear: there is no offer today for Government Members to vote for pilots, and no way of guaranteeing them. The Bill contains nothing about pilots. Do we take the Minister at his word, given what has gone before us previously on this subject?

Joan Ryan: Is my hon. Friend aware of any provision that allows Government Members to pre-empt a decision in the other place, or to offer this strange variant on a deferred Division on a proposal that nobody anywhere—other than those on the Government Front Benches, and possibly not all of them—actually wants?

Bill Esterson: My right hon. Friend makes a good point, and the Government have had ample opportunity in the Lords—[*Interruption.*] As my hon. Friend the Member for Makerfield (Yvonne Fovargue) reminds me, this provision was not even mentioned in the Lords. It was not in the original Bill, and it was not mentioned until Second Reading, when the Secretary of State announced for the first time that the Bill would cover Sunday trading. The Minister had plenty of time to table amendments then, in Committee, or today, but he chose not to. Why should we believe a word he says?

Mr Shuker: Let me underline the point made by the hon. Member for Enfield, Southgate (Mr Burrowes). If we want enhanced provisions, surely the logical thing is to vote for amendment 1. There is nothing to prevent the Minister from bringing his provision forward in the House of Lords, regardless of the vote, other than the fact that we have not amended the Bill and it stands in the way he has presented it to us today.

Bill Esterson: I completely agree—

Brandon Lewis *rose*—

Bill Esterson: Let me answer my hon. Friend. Perhaps the Minister will answer the similar point made by the hon. Member for Christchurch (Mr Chope). Why does he not go back to the drawing board, start again with a new Bill, and bring it back to us once it has been properly considered? Both Houses should have ample opportunity to consider this issue properly, debate it fully, and get the right conclusions and legislation. He could start again.

Brandon Lewis: Let me help the hon. Gentleman and his colleagues. I outlined the measures in the way I did because, if amendment 1 is accepted, the Sunday trading clauses will not apply. We need to support the Government amendments in order to amend the Government amendments in the House of Lords. From a technical

point of view, that is why we did it in that way. I want to ensure that we run these pilots for the benefit of local economies.

Bill Esterson: That is complete nonsense. The Minister had long enough when he was on his feet to demonstrate the nonsense of what he is saying. The only way to do this is to start from scratch, and enough hon. Members across the House have made that point. The Minister should listen, particularly to his own Members, who have made that point well.

Rachael Maskell (York Central) (Lab/Co-op): Are we moving towards talking about a hypothetical amendment with hypothetical evidence, when in fact this provision could create huge risk for neighbouring areas that will not be part of the pilot? In 12 months’ time, those businesses may no longer exist.

Bill Esterson: That is an excellent point, and I will expand on it later.

Mark Durkan: Do we not have a choice today between a clear amendment that we can understand, feel and touch, and, not just a flat-pack pilot scheme, but an artist’s impression of a flat-pack pilot scheme? It would be ludicrous for the House to buy that.

Bill Esterson: In both his interventions the hon. Gentleman has made the point as well as anybody, and I completely agree with what he said.

Several hon. Members *rose*—

Bill Esterson: I really should make progress and I will take more interventions later.

I congratulate the hon. Member for Enfield, Southgate (Mr Burrowes) and all who have signed his amendment. He gave an excellent speech with a measured and appropriate tone. I commend the Keep Sunday Special campaign for its hard work in making sure all the arguments were marshalled, given the Government’s failure to provide evidence in a timely fashion.

Sunday is the one day a week when workers in larger stores do not have the prospect of having to work long hours. It is the one day a week when those workers have the prospect of spending at least a part of the day with their families. For many people of faith it is more than that: it is the most important day of the week. For many people of faith and otherwise, Sunday is a day of rest. It is also the one day a week when smaller retailers have a slight competitive advantage and can stay open longer if they wish.

Nearly 3 million people, one in 10 of our workforce, work in the retail sector. This matters a great deal. There will be profound changes to the lives of many people, both at work and outside, if the changes go through.

Mrs Main: I would like to ask the hon. Gentleman the same question I asked my hon. Friend the Minister. What discussions has he had on what is effectively the pilot operating in Scotland, which we can look at to see how beneficial, leaving aside what is being paid to the workers, liberalisation has been to the Scottish economy? Has he looked at that?

Bill Esterson: I am sure SNP Members will answer the hon. Lady's question. The reality is that we have a great British compromise that allows different situations in different parts of the United Kingdom.

Before the election, as we have been reminded a number of times, the Prime Minister's office confirmed that the Prime Minister had no plans to change Sunday trading. The Conservative party manifesto did not state that it would change Sunday trading. Many Conservative candidates—a number of them have told me this—wrote in good faith to constituents to confirm that the Government would not be implementing such changes.

In Committee, the Minister justified the changes by saying the current rules date from a time before the internet—1994, to be precise. In a Populus survey from January this year, however, not a single respondent said that restrictions on Sunday trading were a reason for them shopping online—not a single person out of 2,008 people in a representative sample. Yet online trading is given as a key reason for needing to extend Sunday trading. For good measure, not a single industry or media analyst suggested that the recent poor Christmas trading results were caused by a lack of opportunity for shoppers on Sundays. Unbelievable!

The Minister told us in Committee that the reason for the change of mind was that when the Prime Minister's office wrote the letter it was as the Prime Minister of a coalition Government, but that now he is the Prime Minister of a Conservative majority Government everything has changed. Presumably, he intended to become the Prime Minister of a majority Government when his office wrote the letter and when it wrote the manifesto, and I rather doubt that that cuts much ice with Conservative Back Benchers who support the Keep Sunday Special campaign.

The Minister also told us that the proposed changes were about devolution and decisions being taken by local people. However, as council chief executives have clearly said, in most areas, the changes would be applied to out-of-town shopping centres, to the detriment of high streets. Those same chief executives have also pointed out that, if one council introduces changes to Sunday trading, their neighbours will have little or no choice other than to follow suit, or run the risk that trade would migrate to businesses in the neighbouring authority. This is not the localism the Government claim. It is passing on the blame for an unpopular measure that only one in eight people support, according to a Populus poll last September. We were told that the changes would help the high street.

John Stevenson: Does the hon. Gentleman not think it is right that the people of Carlisle should decide whether shops are open on a Sunday, so that they can compete on an equal footing with Scotland, which is only nine miles away?

Bill Esterson: If the hon. Gentleman wants to organise an Adjournment debate about the people of Carlisle, I am sure the Minister will answer him. The reality is, however, that if one—[HON. MEMBERS: "Answer!"] If hon. Members will let me answer the question, I will. If one council changes its rules, neighbouring authorities will feel under pressure to do exactly the same thing. They will have no choice. If a Tesco opens on a Sunday

until 10 o'clock at night, then the Tesco, Asda or Morrisons in the borough next door will have to open until that time, too.

Kevin Hollinrake: Will the hon. Gentleman give way?

Bill Esterson: I am going to make some progress, because unfortunately the Minister took up so much time.

Sammy Wilson: Does the hon. Gentleman agree that the hon. Member for Carlisle (John Stevenson) has just made his point for him? If the people of Carlisle were to decide what happened in their area so that they could compete with Scotland, the next-door council would make exactly the same argument. The shadow Minister is exactly right: that would have the effect of ensuring that this was not localism, but a national decision.

Bill Esterson: I thank the hon. Gentleman for his intervention. The hon. Member for Kensington (Victoria Borwick) asked the Minister about zoning and whether London could be a single zone, but why stop at London? Why not designate England as a single zone, given that that is exactly what would happen because of the domino effect of the proposal?

Barbara Keeley: My hon. Friend is making a very good speech. The Trafford centre is a large shopping centre situated next to my constituency. It attracts an enormous amount of traffic, so if it extends its hours my constituency will never get a moment's peace. Moreover, building work on the Government's motorway project can take place only when the Trafford centre is not busy. [Interruption.] It is not my council. If the Trafford centre opens 24/7, the logistics will make things impossible for my constituents.

Bill Esterson: There are similar examples up and down the country. My hon. Friend is absolutely right.

Let me turn to some of the evidence we have been given in the lead-up to this debate. During the Olympics, convenience stores experienced a fall in Sunday trade of up to 7%. There was also a displacement of trade to different times of the week, but, instead of an increase in overall trade, there was a slight fall. The Government assumption that people will have more money to spend just because the shops are open longer does not bear scrutiny once we start to look at the evidence.

Meanwhile, the extra Sunday hours would increase costs in those large stores that stay open longer, and while there will be some displacement from convenience stores to larger retailers, as happened during the Olympics, there will be little or no overall increase in trade to pay for the increased cost in most shops.

Chris Philp: Will the hon. Gentleman give way?

Bill Esterson: I am going to make some more progress before I take any more interventions.

The larger retailers that open longer will have to find a way to reduce costs, which means removing the premium for shop workers. Given that the major retailers operate UK-wide, a change in pay and conditions in England and Wales will mean changes in Scotland and Northern Ireland as well. Premium pay on Sundays is viable across the UK because large retailers in most of the UK are restricted to six hours' opening. The time and a half

[Bill Esterson]

paid to many shop workers will be under threat to make up for staying open longer across the UK, which, of course, is why this is a UK-wide matter and why it is entirely appropriate that Members from across the UK have a vote on this very important proposal.

Removing time and a half would cost shop staff who work an average shift in Scotland £1,400 a year, which in anybody's money is a very significant hit, particularly for those on low pay in the retail sector. The proposed changes in England in Wales would have a profound effect on workers in Scotland, and I am glad that the SNP recognises that Scottish workers will be hit. I was a bit surprised when the hon. Member for Livingston (Hannah Bardell) told us in Committee that, while her concerns focused on Scottish workers, the SNP welcomed the additional employee protections in the Bill, which she ascribed to

"the strong and principled action of the SNP".—[*Official Report, Enterprise Public Bill Committee*, 25 February 2016; c. 322.]

We will come to how those protections will not do what the Government claim they will, but I am glad that the letter from my right hon. Friend the Leader of the Opposition and the leader of Scottish Labour, Kezia Dugdale, has had the desired effect. I welcome the SNP's confirmation that its Members will vote against the Government, and I look forward to them joining us in the Lobby.

Hannah Bardell: Will the hon. Gentleman give way?

Bill Esterson: I don't have a choice, do I?

Hannah Bardell: On a point of clarity, the hon. Gentleman can read the record for himself, as can members of the public and Members of this House, but we have been very clear. We engaged with all sides of the argument up until the point where we took a decision at our group meeting as part of a democratic process.

Bill Esterson: I am grateful to the hon. Lady for that intervention. All I will say is that I am glad that she and her colleagues came to the right decision in the end; it does not matter how they got there.

4.30 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): Will the hon. Gentleman give way?

Bill Esterson: I am not going to take any more interventions at the moment. We have not got very long, because the Minister took so much time, and a lot of Members want to speak.

The Minister claimed that the Bill would help workers, but 91% of shop staff oppose longer Sunday opening hours and only 6% want more hours on Sundays. Listening to the Minister in Committee, we might have been forgiven for thinking that the figures were the other way around. The Minister says that he is improving workers' ability to opt out of Sunday working. Let us just go through some of what happens now. Staff who apply for jobs with some retailers are asked whether they will work Sundays. Failure to say yes can mean no interview. Staff who are still in their notice period who try to opt out of Sunday working can and do lose their jobs. Staff who try to opt out of Sunday working can and do lose

hours. Staff who want to opt out come under pressure from managers and colleagues not to do so. The reality is that staff already have to work on Sundays in too many large retailers when they do not want to, when they would rather spend more time with their children or—as most people want to do on Sundays—enjoy leisure time or rest. What happened to the family test?

Chris Philp: Will the hon. Gentleman give way?

Bill Esterson: No, I am not going to give way.

The Prime Minister said that the family test should apply to all legislation. I understand that it is in the impact assessment. I have not had time to read it in detail, because we had only two hours' notice of its publication, but I understand that it says that when it comes to the family test, the overall impact is unclear. It is clear enough to families of shop workers up and down the country that the measure will have a profound effect on them and on what happens on Sundays.

Helen Goodman (Bishop Auckland) (Lab): Will my hon. Friend give way?

Bill Esterson: I am not going to give way at this stage.

Because of the cost of going to an employment tribunal, it is beyond the means of most workers to challenge their employer, especially if they have just been fired. The changes to employee rights will not change the realities faced by shop workers, and they will not change the difficulty of getting access to justice at an employment tribunal. Shop workers will, all too often, have no choice, just as they often have no choice at present. They will have to work longer hours, in many cases, whether they want to or not.

What of the evidence for the reforms? We have heard the farcical answers about the consultation, and how the Department cannot publish the details because people chose to write their answers in their own words. What absolute nonsense. There are so many things to choose from in this farce, but that really sticks out. The Government have claimed that a majority of large businesses are in favour of the changes. That is one bit of the consultation that they have bothered to publish. However, retailers, including Sainsbury, Tesco, John Lewis, Dixons and Marks & Spencer, expressed their opposition to the Prime Minister at a meeting last week and pointed out that their customers do not want to be able to shop for longer on Sundays.

Until noon today, we awaited the publication of the impact assessment, on which, presumably, the Sunday trading clauses are based. We were told in Committee that it would be published soon. It has been published, as of two hours ago, so Members have had less than three hours to consider the Government's impact assessment on a piece of legislation. Seriously, what a way to do business. It really is an outrage.

The measure represents a broken election promise. It will have a domino effect among local authorities. High streets will be harmed, not helped. Smaller retailers will lose business. Staff will be unable to refuse to work longer hours. There will be cuts to premium pay in Scotland, as well as in the rest of the UK. That is all backed up by the lack of any published evidence to support the measure until the last minute, and I am not convinced that it does back it up. Remember that the

Bill started life in the Lords, and Sunday trading was introduced in the Commons only at the very last minute. The measure has not had any scrutiny in the Lords. This is a significant change for businesses, shop workers, faith groups, families and all who want to keep Sunday special. The Government have not made the case for their proposal, and the suggested possible amendment, which may be introduced at some time in the future, will not do so either.

We know that the Government want to make this change, although many large retailers do not. If they really insist that this is right and that there are serious reasons to introduce something so far reaching that was not in the manifesto, they should do so with full scrutiny and with evidence. They should give Members of both Houses the opportunity to make sure that any changes made are done with great care, given the far-reaching consequences of what is proposed. That does not mean tabling a last-minute manuscript amendment in a desperate bid for a last-minute deal.

As far as what is proposed on the amendment paper today and the way in which it has been proposed is concerned, Labour Members will stick to the consistent line we have had all along. Let us keep our great British compromise on Sunday trading and support the amendment tabled by the hon. Member for Enfield, Southgate.

Several hon. Members *rose*—

Madam Deputy Speaker (Natascha Engel): Order. Hon. Members can see how many people want to speak and only a little over an hour is left before the end of the debate. If they could keep their speeches very brief, the whole House will be grateful.

Nadine Dorries (Mid Bedfordshire) (Con): I rise to speak because if I said this in an intervention, I would test the patience of the House by speaking for too long.

When I first arrived in the House, I was told by a veteran that in the House were good men, clever men and those with good grace. I want to pay tribute to the Minister, who has somehow managed to climb the greasy pole while embodying all three qualities. As Members on both sides of the House know, he is an incredibly hard working Minister for Housing and Planning. When were in opposition, I was always quick to praise Labour Ministers, including those who once held a similar position. I will forgive him for the fact that he is sending notes to love bomb the waverers.

I also pay tribute to my hon. Friend the Member for Enfield, Southgate (Mr Burrowes). It would have been a shock, from what I know of his 11 years in the House, if he had not led on this amendment today. He is a man of huge principle. Those of us who have been in the House during those 11 years and have heard him speak with huge conviction on such issues will understand why he has led on this amendment and why so many of us support him.

This whole issue is rooted in devolution, the natural direction of which is towards localism. Therefore, at the risk of sounding like the Leader of the Opposition, I want to speak on behalf of my constituents. Mr Kishor Patel was shortlisted for retailer of the year last year. He came to the House of Commons and was the runner-up. He runs Nisa in Toddington in my constituency, where he has opened a number of stores. He is an amazing

small retailer. He recently took a derelict pub in my constituency and turned it into a restaurant. He says that he does not want me to support the proposal in the Bill; he wants me to vote against it. His pub is at its busiest, with families enjoying themselves, on Sundays. He is incredibly worried that, if the proposal goes forward and bigger stores can open for longer on Sundays, pubs like his will not stay open for longer, but will fail. It is the business he does on Sundays, when families can enjoy themselves at the local pub, that makes the difference between its being profitable and not profitable.

Mr Patel also does not want me not to support the proposal in the Bill because of the impact on his small high street shops, which are valued by local communities. In my constituency, it is not particularly easy to get out to the big stores, so people depend on small high street stores. However, the situation would be quite different if the big stores were open all day, because people would make the effort to go out to the bigger stores or to travel into London, and that would have a huge impact on local shops in Mid Bedfordshire.

I want to declare an interest in that my family owned a local shop. The hon. Member for Worsley and Eccles South (Barbara Keeley) mentioned the Trafford centre. When that opened and got busy, the family local shop stopped opening on a Sunday and began to suffer as a result. It is a known fact that small high street shops must constantly go the extra mile to compete with the big stores. They do not have the resources to man their stores seven days a week—and seven nights a week, because the paperwork, the ordering, the PAYE and so on is done while the shop is closed, not when it is open.

This proposal was not in our manifesto. The Bill began in the Lords, not in this House, and the policy has never received sufficient public discussion. If we want to do this, let us put a measure in the Queen's Speech and let the public know about it properly, and let us have a full consultation and a public debate.

Hannah Bardell: I am pleased that we have the opportunity to debate the extension of Sunday trading hours. Since the original proposals were withdrawn by the Government, my colleagues and I have been engaging widely with people and organisations on both sides of the debate. Contrary to media speculation and the misinformation peddled by Government Front Benchers, the SNP has, as we said we would, reached our conclusions on the basis of the evidence that has been presented to us.

There are a variety of views across this House and across the country. I intend to outline my concerns about the effect of the UK Government's proposals on workers' rights and benefits in Scotland and the UK. However, I should say at the outset that my SNP colleagues and I have no objection to the principle of extending trading hours on Sundays. After all, in Scotland, as has been said many times, we already enjoy unrestricted trading hours on Sundays. It is important to note that in the past, restraints on Sunday opening in Scotland have existed, but they have largely been social rather than legal. There are, of course, areas of Scotland where there is greater religious observance and Sunday opening hours are more restricted but, in general, the practice of longer opening hours on Sundays, particularly in retail, is now well established throughout Scotland, and some evidence suggests that that has been the case since the late 1980s.

[Hannah Bardell]

The UK Government's proposals represent the uniform deregulation of trading hours restrictions across these islands. That is not necessarily a bad thing, but without adequate legal protections, which we and others have called for, the employment protections of workers and their remuneration would be threatened.

The Government's impact assessment, which was published only this morning, identifies more than 450,000 retail workers across the UK who receive premium pay, but in the 44-page assessment, the Government dedicate just one paragraph to that and dismiss out of hand the concerns of workers and of USDAW. Even now, faced with defeat, the UK Government refuse to offer assurances about premium pay. They engage in ping-pong politics, looking for ways to get the numbers through the Lobby.

Alan Brown: My hon. Friend rightly underlines the point that we have always made about the long-term erosion of premium pay. A sham of a pilot has been offered, but does my hon. Friend agree that that cannot address the long-term erosion of premium pay? Nobody participating in a pilot is going to take away premium pay—they will have to wait until the pilot is finished.

Hannah Bardell: I entirely agree.

My SNP colleagues and I made it clear in November last year that we would oppose the UK Government's proposals, and we oppose them now. We challenged the UK Government to think again about how they could provide the necessary guarantees and safeguards to shop workers in Scotland and the rest of the United Kingdom. I was pleased that the Government tabled a new schedule in Committee—it now forms part of the Bill, although it is threatened with removal—that sought to amend the Employment Rights Act 1996 to give more explicit protection to shop workers opting out of Sunday work, including protections against such workers being discriminated against. Our Labour colleagues have referred to the legal opinion that they obtained.

SNP Members welcome the extra protections for workers. They show that the UK Government can, when they want to, listen and, on occasion, act to do the right thing. The SNP commissioned its own legal opinion from a leading Scottish silk to examine the protections in detail. We are satisfied that they represent a significant increase in employment protection across the UK, and those protections would not have materialised without the SNP's opposition.

4.45 pm

There remains, however, the issue of the implications of an effective UK-wide deregulation for the provision of premium pay in Scotland. The shop workers trade union, USDAW—I pay tribute to it and to its general secretary, John Hannett—has done a huge amount of work on this issue and has engaged extensively with parties across the Chamber and, indeed, across society. It has warned that the implication of the legislation, without safeguards, is that premium pay for Scottish workers, and indeed workers across the UK, will be threatened by erosion. The Scotland-based consultancy BiGGAR Economics has estimated that the loss of premium pay would affect some 60,000 workers in Scotland, with an estimated loss of income of up to £74 million a year.

Chris Philp: Will the hon. Lady confirm that if these proposals are passed, they will increase protections for workers in Scotland? Will she also confirm that the arrangements in Scotland and England would be identical, meaning that she will be voting against arrangements that already apply in Scotland?

Hannah Bardell: As I have just said, employment protections will increase, but no Minister has said anything about pay protection, which I shall speak about later.

Low-paid workers might lose out even further if they lose their premium pay. USDAW has expressed significant concern that when universal credit is rolled out in May 2016, any loss of Sunday premium pay by families working in retail would trigger the end of their transitional protection at tax credit rates and they would be transferred to the far lower rate of universal credit. That is an extremely important point.

It is an interesting phenomenon that a greater proportion of lone parents work in retail on Sundays than on any other day of the week, yet if one of those lone parents was to lose their premium pay and to be transferred to the lower rate of universal credit, they would have over £2,000 less in their pocket. I and my SNP colleagues are not prepared to gamble with the pay packets of some of Scotland and the UK's lowest-paid workers.

Moreover, it is an obvious point, but the erosion of premium pay as a result of Sunday trading hours is a real threat not just to Scottish workers, but to shop workers across the UK. We said ahead of the 2015 general election that the SNP would be a progressive force in Westminster and that we would work with others to pursue progressive policies and protect the most vulnerable—and not just in Scotland, but across the UK. In voting against these ill-conceived measures, that is exactly what we are doing. We in the SNP do not just write our manifesto commitments down; we actually deliver on them.

Although the crux of our argument is about the erosion of premium pay, there is a wider debate going on. We should focus our minds on the wider issue of fair pay. In my maiden speech, I spoke about the importance of decent pay for decent work, and about my own family heritage, being from mining and shop worker roots. My grandfather was a miner and believed firmly that no worker should have to seek overtime to make ends meet. Therefore, while we must protect the premium pay of the lowest paid, we should also be continuing the fight for fair pay for the lowest paid in our society. That means a real living wage, not the fake one dreamt up by this UK Government.

We have challenged the UK Government to give assurances and to provide safeguards for the provision of premium pay in Scotland, and they have failed to do so. There is not a single clause in the Bill, or any sentence that any UK Government Minister has uttered in our proceedings on it, that is significant enough a reassurance that Scottish shop workers, and indeed shop workers across the UK, will not lose out because of a lack of protection for their traditional rates of pay. We will oppose anything that puts in doubt the premium payments that lower-paid shop workers in Scotland have for Sunday working.

John Stevenson: The hon. Lady is banging on about fairness. Is it fair for a business in Scotland potentially to have a competitive advantage over a business that is 9 miles away?

Hannah Bardell: The hon. Gentleman is missing the point. What is not fair is for the UK Government to bring in provisions that will have a knock-on impact on Scottish workers and reduce wages. It is on that basis that we oppose them. The UK Government have had time to bring forward the necessary safeguards and guarantees that there will be no detriment to shop workers in Scotland or the rest of the UK, but they have failed to do so.

There is a fundamental point about process and respect for Parliament, its Members and the constituents we represent. We owe it to our constituents to do our business in a manner that is fair, open and transparent. The Secretary of State and the Minister should listen to that. The way in which the provisions have been shoehorned into successive Bills as a last-ditch slapdash amendment is appalling. The Government should do their business better if they want to command the support of the House or the UK public.

The UK Government have left it to the last possible moment to publish the impact assessment and the family test, and they would not devolve employment law to Scotland. For that reason, and for the good of shop workers across Scotland and the UK, and the 450,000 of them who receive premium pay, my SNP colleagues and I will support the amendment in the name of the hon. Member for Enfield, Southgate (Mr Burrowes) to remove the Government's proposals from the Bill.

Mrs Caroline Spelman (Meriden) (Con): I rise to speak in support of amendment 19, which I suggest is a workable compromise. As Second Church Estates Commissioner, I met Treasury Ministers to try to understand the reasons why the Government wanted to change the original compromise of the Sunday Trading Act 1994. I was told that there were two principal reasons: first, to address the demise of the high street; and secondly, the need to remain competitive with neighbouring countries, notably France.

Online shopping was cited as the principal cause of the recent demise of the high street, but longer-term competition from out-of-town shopping centres has also caused that demise. I doubt very much that keeping shops open longer on Sundays will stop people shopping online. Anyone who has been shopping with their teenage or young adult children will know that they go to the shops to look, and say, "Mum, we won't buy it here because there's an online discount." Rather like Canute, we will find it very difficult to turn back the tide.

Robert Jenrick: Will my right hon. Friend answer the point that I tried to make in a previous intervention? Behind every online transaction, there are tens of thousands of British workers, including in Newark's Knowhow warehouse. Those people have rights, too. She is standing up for one type of worker and ignoring the fact that tens of thousands, if not more, are working elsewhere behind the scenes.

Mrs Spelman: My hon. Friend makes a perfectly valid but separate point. I am addressing the question of whether keeping shops open longer will stop people

shopping online; he wants people to have jobs servicing the online industry. As has been pointed out, a number of high street stores are successful in maintaining their high street position and at the same time giving an online offer.

I am prepared to concede that we need to remain competitive as a country, so I asked the British embassy in Paris to give me details of the recent change in French Sunday trading laws. Essentially, my amendment, which I have tabled with the help of the Clerks, seeks to mirror as closely as possible how the French Government have approached the very same question by designating localised tourist zones.

The Macron law—it is named after the Minister who introduced it—extended the number of Sundays for trading in France from five a year to 12 a year. Essentially, it is one Sunday a month. By happy coincidence, it created 12 zones. Six are in Paris, and it might be a welcome distraction to Members to run through where they are: Boulevard Haussmann, Champs-Élysées, Saint-Germain and Montmartre. That gives colleagues a sense of the size of the zones that the French Government identified. There are zones in six other regional cities, including Cannes, Deauville and Nice.

That allowed local government to designate smaller tourist zones, where shops under special licence could open for longer. The right hon. Member for Tottenham (Mr Lammy) indirectly asked how the French Government designated tourist zones. The answer to his question is that they collected data on the profile of shoppers who used those zones. Their definition was that the zone should show exceptional attendance by tourists residing abroad. Crucially, those tourist zones do not have wider application, which reduces the negative effects on smaller shops and convenience stores, which we have discussed.

The Olympic park experience is important because, in essence, it is the only practical pilot we have to go on when discussing the likely impact of extended opening. When the practical experience of 2012 was analysed by Oxford Economics, it was ascertained, as Members have pointed out, that small and medium-sized enterprises in up to a two-mile radius from large supermarkets in the area lost over 3% of their weekly sales income. If that is extrapolated to the national scale, it is estimated there would be an annual loss of £870 million in sales for all types of convenience stores and a net loss of 3,270 retail jobs in England and Wales, were longer Sunday trading hours to be made permanent, in line with the experiment during the Olympics.

I have been contacted by local Nisa and SPAR convenience store providers concerned about the implications of these changes on smaller stores. I also share the deeper concerns expressed by my hon. Friends, including my hon. Friend the Member for Enfield, Southgate (Mr Burrowes), the Keep Sunday Special campaign and the Church of England, about the erosion of a general day of leisure on which people can be available for shared activities with friends and family, especially those who build up community spirit and strengthen families.

I have talked to shop workers in large stores who often get their free time in half days on days other than Sunday, when family and friends might not be available. Until today, we have not had a detailed impact assessment,

[Mrs Spelman]

so I tend to agree with the Bishop of St Albans, the lead spokesman in the Church of England on Sunday trading. He said that:

“an increase in opening hours will only lead to more people being pressured into spending Sunday apart from their children and families.”

Kevin Foster (Torbay) (Con): As my right hon. Friend will be aware, I represent a constituency with a large tourism industry. How would her suggestion work, given that in Paignton, for example, parts of the town centre are used by locals, yet the out-of-town supermarket is used by people going to the holiday camps? How would this result in a tourist zone?

Mrs Spelman: This is essentially a devolved proposal. It would be for local authorities to express an interest in being a designated tourist zone. My amendment limits temporally and geographically the potentially deleterious impact on SMEs. It has the capacity to deal with extended opening hours during the British holiday season, as well as during the Christmas season, when many places—Blackpool, for example—experience an increase in tourist trade.

Research has shown that the majority of shop workers do not welcome the opportunity to work longer hours on a Sunday. I commend Ministers for including improved legal protections in the current provisions, but the practical reality in the workplace is that if someone is worried about losing their job, they will not want to ask for a special concession not to have to work on a Sunday. Similarly, if someone wants a promotion, they will not want to ask for that concession, because their competitors in the promotion stakes might not ask for a comparable one.

I welcome the Government amendment, which did make it on to the amendment paper, to give local authorities the power to restrict Sunday trading to zones, but I am concerned that the zoning is potentially too broad in its impact. For example, it would not be strong enough to avoid a combined local authority-wide mega-zone occurring, which, in my view, would have an excessively negative impact. A trial would also make it difficult to discern the selected impacts on different businesses within such a wide zone.

It is obviously not the Minister's fault that the manuscript amendment was not selected. He indicated that it gave us a feeling for what he would like to do—it was a valiant effort—but the difficulty for parliamentarians is that it is not actually on the amendment paper. As somebody said, we need an amendment that we can feel and touch. I believe that a compromise that benefits families and UK competition lies in the tourist-zone model. I strongly encourage Members to support this compromise.

Several hon. Members *rose*—

Mr Speaker: Order. We have just under 50 minutes and many people wish to contribute. If everyone speaks for four minutes, we could have another 10 or so contributors. I ask Members to consider each other.

Mr Lammy: I was very pleased to add my name to the amendment proposed by the hon. Member for Enfield, Southgate (Mr Burrowes). I did so because although I recognise that none of us wants excessive regulation for

our communities and that people should have the freedom to shop at convenient times for them, I think that the settlement reached by this House in 1994 was the right one, and I do not see the demand across this country to change that arrangement.

My primary concerns are twofold. First, there is the protection of family life. Some 75% of parents in this country feel that work impinges on their family life. Many of us have been abroad—in Spain, Portugal or France, for example—and we found real restrictions when it came to finding things open on a Sunday. We have been out at lunch time and found that the shops are on siesta. Why is it that in this country, this Government think we should put the free market above everything else? It is conservative to protect the family, and the family is worth protecting.

5 pm

We debate issues such as knife crime here, and lament the fact that families do not have time to sit around the table with their children; we want to see parents supporting their kids to learn to read and to help them with their homework, but when do we think those activities are being done? They are done on a Sunday.

Secondly, what is the face of the people we will be asking to go out and shop? We should think of the security guards now being made to work on a Sunday. We should think of the cleaners and of those stacking the shelves. They are the faces of my constituents. The balance we have in this country is right. To change it through the back door to allow a domino effect—one local authority has to make changes because the neighbouring local authority made them—is wrong. Let me add that to undermine independent shopkeepers who are universally against this change is also wrong. We should support them.

Family is reason enough. We have debated the family here on numerous occasions, and the Prime Minister himself has said that he wants to run a family-centred Government. For this reason alone, we should oppose the change and support the amendment.

Mr Jackson: I rise more in sorrow than in anger. I have made my views known to the Minister. I am disappointed that I shall have to support not the Government but the amendment proposed by my hon. Friend the Member for Enfield, Southgate (Mr Burrowes). I shall not support the amendment proposed by my right hon. Friend the Member for Meriden (Mrs Spelman) because I think what can be classified as a tourist area is a moot point. People might come to Warwickshire near her own constituency and visit Stratford, yet she has Chelmsley Wood in her constituency, which some might describe as a brutalist horror, yet it could be reclassified as a tourist attraction. It will be difficult for lawyers to prove what is a tourist area and what is not. This makes it difficult for the amendment to stand.

This is not an economic issue or even a faith issue, although I pay tribute to the very good speech by the hon. Member for Stalybridge and Hyde (Jonathan Reynolds). It is about what kind of country we want to be. It is a conscience issue. My understanding was that the Sunday Trading Act 1994 was subject to a free vote on what was regarded as an issue of conscience. Why can we not do the same now?

I find it pretty shocking that a manuscript amendment appears on the Twitter feed of Sky News at 2.4 pm before Members have had an opportunity to look at it. I have to tell the Minister that five or six weeks ago, I said to no less important a figure than the Prime Minister that what we needed was a competitive regime in which local authorities could come forward and offer to be pilots, yet that was dismissed. Indeed, Ministers were not talking to Back Benchers about this issue until 48 hours ago—in fact, even less than that. [*Interruption.*] I mean on the specific issue that we have put forward.

I am not an uber-liberal and I am not a social liberal. I think we have a social contract and a bond with our constituents. We should regulate some behaviours. That is why, for instance, we voted to ban smoking in vehicles with children in them. “Devil take the hindmost” is not the right way in which to pursue this issue, especially given that in 2014 the Prime Minister, no less, said on the BBC news that families should be the prism through which we should decide policy. Indeed, as my hon. Friend pointed out in April 2015, during the general election campaign, the Prime Minister wrote to the Keep Sunday Special campaign saying the same thing.

It is not acceptable that there has been no proper scrutiny and oversight in the House of Lords. It is not acceptable that the Whips packed the Public Bill Committee with people who were likely to be sympathetic. It is not acceptable for the Government to use the relevant section of the Freedom of Information Act 2000 to stifle debate by hiding the number of consultations that have taken place—and we saw the ridiculous answer that my hon. Friend was given by Ministers.

Why has there been no family assessment? Why has there been no impact assessment? Those are important questions that the Government have not yet answered. The issue is important to me because 32% of the economic activity in my constituency takes place in the retail sector, and there will be a domino effect. Decisions will be taken naturally. If Peterborough were to deregulate and adopt a different retail regime, Fenland would want the same, and so would Huntingdonshire, Corby and other local authorities. I think it foolish and naive to assume that will not happen.

What am I asking Members to vote on today? I am asking them to give the Government some breathing space. We know that this proposal has been driven not by the superb ministerial teams in the Department for Communities and Local Government and the Department for Business, Innovation and Skills—I do not always agree with them, but they are very good at their jobs—but by the dead hand of the Treasury. The Treasury has been taking the media flak for this, and the Treasury is putting out the lines to be taken. An obscure Back-Bench Tory MP who votes the right way today is likely to get a brand-new bypass, or perhaps become a special representative to some warm and exotic place of which he or she has never heard.

The fact is that this is an issue of principle, integrity and conscience. I defer to no one in my admiration for the Government’s work in important areas such as the reform of education and welfare, but they are now engaging in a needless and egregious conflict with their own Back Benchers. They do not need to do that. There is no authority for this proposal, because, as we know, it was not in the Conservative manifesto. I have already

said that the legal case is threadbare, and I have cited the legal opinion of John Bowers, QC.

I am very fond of the Minister, but only a week or so ago he said that the Government were proceeding on the basis of what was in the Bill after the Committee stage. Today, he waxed lyrical at the Dispatch Box about the fantastic idea of launching pilot projects to open up retail across the country. That does not stack up; it is close, but no cigar. If it was such a good idea, why was it not taken up by senior Ministers weeks ago, when I raised it personally with the Prime Minister? I think that that is a fair question.

If Members on both sides of the House vote against the Government and in favour of my hon. Friend’s amendment, all they will do is allow the Government to consult properly, present coherent arguments, and propose measures that will protect workers’ rights and the special interests of the Association of Convenience Stores—which has raised concerns—while also taking proper note of what is said by the trade unions. They are not always the friends of our party, but they have a right to be heard, and 91% of members of USDAW have opposed the Government’s proposals.

My hon. Friend the Member for Mid Bedfordshire (Nadine Dorries) suggested that new legislation could be proposed in the Queen’s Speech. I can even offer a name: the Sunday Trading (Pilot Projects) Bill. I will invoice the Minister later for that suggestion. We could then have a proper debate, because we would know what we were voting for. I must say to the Minister that this has not been done properly. There has not been proper scrutiny and oversight. There has not been proper debate and discussion. Running around with manuscript amendments at four minutes past two on the day of a Report stage is not good government.

I want to support the Government, and I want them to succeed, but I am afraid that on this occasion, with a very heavy heart, I cannot support them, and I will be voting for the amendment. I will be doing that so that the Government can come back, carry the House in a consensus, protect jobs, protect a way of life, protect family life, and look after the interests of our constituents, because, if for no other reason, that is why we are here.

Susan Elan Jones (Clwyd South) (Lab): I am very pleased to be able to speak in support of the amendment tabled by the hon. Member for Enfield, Southgate (Mr Burrowes), and to be part of the unholy alliance that is doing so. Trust me, it is better to be part of an unholy alliance than to be called a Maoist. The reason that most of us are supporting the amendment is that we are united on several key principles. We stand in support of family life, we oppose the exploitation of shop workers, and we believe in real competition and genuine devolution, which gives fair play to our small shops and supports diversity on the high street. There is unity too because in this country we believe that it is right to keep Sunday special.

Of course society has changed, and the law has changed with it. Some people will point to the recent opinion poll which showed that there is now a bare majority who want to change the law on this matter even further. It is not that we on this side of the House are bitter about opinion polls, but actually, they do not always get everything right. But even if that particular YouGov poll is correct on that matter, let us look at

[Susan Elan Jones]

some of its other findings, which show that 58% of the population fear that the Government's proposals will affect small stores and 48% agree that longer opening hours would be detrimental to family life. Only 27% said that that would not be the case.

The family test has been discussed today, as has the little impact assessment that popped up this morning. Wherever we stand on individual policies, I do not think that any of us would seriously fault the Government's idea that every domestic policy should be measured against its impact on family life. I really hope that that issue above all else will be taken into consideration. We have a Prime minister who speaks the language of prison reform, who deals with issues such as the stigma surrounding mental health and who, once upon a time, hugged huskies and even Eurosceptics. He himself said that he did not want to change the Sunday trading laws, so does he really want this piece of anti-family legislation to be passed on his watch?

I shall close with the words of one mother, a shop worker, who says:

"As a mother, I would not work Sunday evenings or late afternoons, yet it would be forced on us as we would need more than one manager on a Sunday to cover the hours."

She is right, and we know that she is not just speaking for herself. She is speaking for hundreds of thousands of people across our country. That is why I believe with the deepest conviction that, whatever our party or background, we need to speak up for those people today.

Sir Edward Leigh: When you do not put something in your manifesto—indeed, when you are the leader of a political party and you give a particular pledge—that is a very serious state of affairs. The reason that there is so much disgust with politics all over the world—we are seeing what is happening in America—is that we are no longer trusted. What has changed since the general election? If there were an overwhelming economic case for this proposal, I would understand it, but what has moved on in nine or 10 months?

When I voted, back in 1994, I think it was a free vote. There was no pressure from No. 10 or No. 11, and people were not being shuffled off for chats with Ministers behind the Speaker's Chair. We were pretty well allowed to vote as we liked, and I voted against. We were told that that was a compromise, and it is a compromise. Are we receiving masses of emails and letters on this proposal? Are there all sorts of pressure from our people arguing that we should change the law? I have not detected any such pressure. So why are the Government running around viewing this as some kind of macho measure? It is not. As my hon. Friend the Member for Peterborough (Mr Jackson) has just said, it is a conscience issue. I put that point to the Minister, and it is an important one for all of us. I ask all my hon. Friends to think about this, and not just about their careers, before they vote tonight.

We as MPs value our Sundays. I have often heard MPs saying, "I'm sorry, but the only thing I will do on a Sunday is attend a Remembrance Sunday event. Otherwise, I want to be with my family." We must understand that we have great jobs here, with all the privileges that go with them, and we have a duty to look after people who are much less well off than ourselves and who work

unbelievably hard, often in fairly grim jobs. Do we want to force them to work even longer hours? All the pressure from big businesses will ultimately be on them, so do we want them to sit behind a till on a Sunday or do we say to them, "We believe that Sunday is special"? Sunday is special, and what is good for us is good for others.

Michelle Donelan: Will my hon. Friend give way?

Sir Edward Leigh: No, because I want to finish as soon as possible to obey the Speaker.

5.15 pm

The change will put enormous pressure on local authorities and that pressure will be one way. In my local authority area, we have a Tesco, a Morrisons and all the rest of it. If a big store opens up in Lincoln, Tesco will go to West Lindsey District Council and say, "Unless you agree to deregulate and allow us to open all hours on a Sunday, we will close the Tesco in Gainsborough and put 400 people out of work." This will be the thin edge of the wedge. Wonderful Asian people in all our communities are struggling to keep small shops going, and this will be another nail in their coffin. The Conservative party is not only the party of big business and prosperity, but that of small people, struggling entrepreneurs and the family. That is what this is about.

Sunday is not only an issue for Christians. The former Chief Rabbi Lord Sacks wrote in *Prospect*:

"Britain used to have its own Sabbath every Sunday. Then it was deregulated and privatised. Holy days became holidays, sacred time became free time and rest became leisure. The assumption was that everyone would benefit because we could all decide for ourselves how to spend the day. This was and remains a fallacy."

He went on to mention Émile Durkheim's work on the dangers of individualism and societal breakdown. The Conservative party is not just about individualism; it is about society as a whole. We know the dangers and costs of societal breakdown, and my right hon. Friend the Secretary of State for Work and Pensions, who is sitting behind you, Mr Speaker, has done work on this issue with the DWP's social justice team. To return to Lord Sacks, he wrote in 2009:

"British culture once had an inner poise and balance...Twenty years of a seven-day-a-week consumer culture has not made Britons measurably happier."

Our society is becoming more atomised and divided. I say to my hon. Friends that there is a sound, traditional, Conservative case for putting the family first and voting for the amendment.

Jim Shannon: It is a pleasure to speak on this matter and to be one of the 70 signatories to the amendment tabled by the hon. Member for Enfield, Southgate (Mr Burrowes). I want to be clear that my party supports the amendment and we will be in the Aye Lobby with the other signatories to ensure that we win the vote tonight. I am quite convinced that we will.

Before becoming a Member in this place, I served as a Member of the Northern Ireland Assembly and, as such, have some knowledge of how devolution works. I have been fascinated to see how the Government have energetically sought to make the case for changing Sunday trading rules using the language of devolution.

Clive Efford: Will the hon. Gentleman give way?

Jim Shannon: I apologise, but I cannot. The Speaker has been very clear.

The Minister has regularly said that the Government's position is to trust local communities to make the decisions that are best for them. For anyone who really believes in devolution, however, there is a fundamental problem with that argument. If the Government believed in real devolution, if they really trusted communities to make the right decision, that is what they would have proposed, but that is not what they have offered today. They have proposed to trust communities to make decisions if that decision is to liberalise Sunday trading. That is not real devolution, which would allow communities to extend or restrict Sunday trading; it is simply Sunday trading liberalisation masquerading as devolution.

There are many serious objections to the proposals. While they might lead to job creation in big shops, they will result in large job losses in smaller shops. They will contribute to the further erosion of Sunday premium pay. There are serious problems with the opt-out as a means of protecting people who do not want to work on a Sunday. I believe that many Members on both sides of the Chamber will agree that this is an attack on people of faith, on people of conscience and on those who do not want these changes. In a national opinion poll, 67% of the general public said that they did not want any change whatsoever in Sunday opening—no change on liberalisation. Some 60% of chief executives said that they wanted Sundays to stay as they are.

We must also look at some of the statistics relating to staff: 91% of the 10,000 retail staff who were asked opposed the Government's plans to relax the current laws; 58% of shop workers—we must remember that they vote for people in this Chamber—in large stores are already under pressure to work more hours on Sundays; and 35% want less Sunday work and 72% suggested that they would face further pressure if regulations changed to allow shops to open longer.

I love this country and the things we stand for, and I feel very proud of our institutions, but as I have looked at the way this Government have handled this issue procedurally, I have become deeply saddened by the tactics they have employed; perhaps one issue on its own could be overlooked, but this has been sustained. These controversial proposals came with no manifesto mandate. The consultation on them was rushed and was held in the middle of the summer holidays, yet despite that some 7,000 responses were submitted, demonstrating that this is indeed a matter of great controversy and public concern. Rather than taking the hint and treading more warily, the Government then took the decision, not once but twice, to introduce this legislation through a Bill that has already been through the House of Lords.

I am very conscious of the time and where we are in the debate, so I conclude by saying that we are already deeply concerned about public disaffection with government and politics, yet in issuing this answer the Government have, in effect, told 7,000 people who engaged in this consultation in good faith that the Government do not understand what they said and so have not been able to take on board their comments. I suggest that a cross-party Committee of Members of this House should be established and given the task of reviewing the 7,000-plus submissions to discern whether it is possible to ascertain whether a

submission supports or opposes the Government's proposals in line with question 1. This is dead simple, so let us do that.

I strongly support amendment 1, because of the risks being posed to small businesses; the threat to the high street, as this will shift more retail to larger out-of-town developments; the pressure that will be placed on shop workers and their families; the considerable problems with the so-called "opt out" and schedule 5; and the serious procedural infelicities that have accompanied the way in which the Government have sought to advance these proposals. I commend the amendment to the House and ask everyone to support it.

Several hon. Members rose—

Mr Speaker: Order. We have just over 27 minutes remaining. I call Sir Gerald Howarth.

Sir Gerald Howarth: I am delighted to support my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) by being a co-signatory to his amendment. The Minister is a great man, as befits being the hon. Member for Great Yarmouth, but he has had an impossible task today. I have never seen new, serious legislation affecting our country introduced in such a shambolic way. It looks like something delivered by lastminute.com and makes the back of a fag packet look like a sophisticated form of engagement. He has known, the Prime Minister has known and everybody has known for months that many Conservative Members are deeply unhappy with this. I was in the House 25 years ago when we hammered out the compromise over years, not hours or months—

Sir Edward Leigh: Two years.

Sir Gerald Howarth: It took two years, but we started the process before that, in 1986, and it was done over a period of time. The truth is that we arrived at that compromise after huge consultation and I believe it has largely worked; we have maintained Sunday as a different day and we have fulfilled the Keep Sunday Special concept. My hon. Friend the Member for Peterborough (Mr Jackson) is absolutely right to say that this goes to the heart of the fabric of our society; it is not simply about all the things relating to workers' pay and all the rest of it. It is about the nature of our country, and I fully support what the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) said on this. As a church warden at the royal garrison church in Aldershot, I think the Government's proposals are deeply flawed. As the right hon. Member for Tottenham (Mr Lammy) said, there is also no demand for them, with 67% supporting the current arrangements and 90% of shop workers, who will be deeply affected by the Government's proposal, opposed to it.

Victoria Borwick: Will my hon. Friend give way?

Sir Gerald Howarth: No, forgive me.

This proposal will also do nothing to relieve the problems felt by the beleaguered high street. I also wish to say something to my hon. Friend the Minister about delegating this responsibility to local authorities in my part of the world. I sit at the apex of four different council areas and there would be a serious domino effect involving Surrey Heath, Rushmoor, Hart and Bracknell—if one went, the rest would feel obliged to

[Sir Gerald Howarth]

follow suit. The changes that were made there during the Olympic games seriously damaged small shops. I have in my constituency the Association of Convenience Stores—some may call it the association of Conservative stores—which is run by small people who do a fantastic, hard-working job. The Oxford Economics survey found that increasing the opening hours of large stores will cost the convenience store sector 8,800 jobs and £870 million in sales. My council does not want this change, and nor does the Association of Convenience Stores.

I say to the Minister that we have a solution at hand. My right hon. Friend the Member for Meriden (Mrs Spelman) has proposed an alternative. The Minister is apparently talking about an alternative that is supposed to have been tabled today. Of course it has not been tabled, but it will be tabled in the other place. Why do we not do as we did in 1993, which is to have a Bill setting out the three options—possibly more—one of which is no change at all, and then let us debate it over a period of time, instead of trying to rush it through in a couple of hours?

Barbara Keeley: The Minister's last-ditch attempt at a compromise has already been described as scraping the barrel. I have to ask why we should believe last-ditch promises by this Government when the Prime Minister made a promise last April, and it is not being kept. My name is on amendment 1, and I agree with Government Members who have said that this should have been a conscience vote—a free vote.

The USDAW survey, which has been repeatedly mentioned—I congratulate USDAW on its sterling work—gives us a stark picture of existing Sunday working in both large and small stores. In fact, it tells us that 35% of staff in large stores and 55% in small stores want to work fewer hours, and less on Sundays. Chief executives from stores such as John Lewis and Sainsbury's have expressed their concerns. They do not believe that there is an appetite among consumers and retail staff for this change.

I want to remind the House that there are carers in retail in the same way that there are in all occupations. The USDAW survey says that half the staff that it surveyed have caring responsibilities for children, older people, people with disabilities or family members who are ill. Arranging alternative care for Sundays is very difficult,

Carolyn Harris (Swansea East) (Lab): Will my hon. Friend give way?

Barbara Keeley: I will not, because we are very short of time.

The opt-out has been described as “laughable”. Only 13% of staff in large stores and 10% in small stores have used that right to opt out. It is my opinion that the vast majority of retail staff do not want to see these trading hours extended. I have had very many emails from staff in my constituency who tell me that.

Devolving Sunday trading will lead to longer opening hours. The stores and shops in my constituency have to compete with the Trafford centre. At Christmas, it was easy to see in shopping centres such as the Trafford centre that longer hours do not mean more business.

People simply do their shopping at a different time, or they shop in large stores and small stores lose the business.

Moreover, staff would lose their precious family time, and probably not gain in pay, because their shifts would just be stretched over seven days. If shops open longer and longer hours, it will have an impact on life on Sundays. As I mentioned earlier, many hundreds of my constituents are greatly affected by traffic going to and from the Trafford centre, and that would become never ending if stores were open for longer and longer hours. They would never have peace—not even on a Saturday night. The Government would not be able to deliver their smart motorway project if staff could not work on the motorway overnight.

In conclusion, we have enough issues in Greater Manchester with the devolution of powers, we do not need the postcode lottery of zones and the opening hours that the Government are threatening. I will vote for the amendment and I commend it to the House. I do so for families, especially those who are carers, for people who live near shopping centres and suffer from congestion and traffic, such as my constituents, and for the small shops and all the staff who work in them who may lose their jobs. Those are the reasons why I will be voting for amendment 1.

Victoria Borwick: I rise to speak in favour of Sunday trading, because, in a place such as London—I stand as a London MP—we should have some freedom for people to trade and choose how they do business. A person does not have to go shopping, but if they want to, they should have the opportunity to do so.

Many of the arguments have been made already, so I will talk briefly about garden centres. Some Members have already mentioned pets. People with pets may have to make a trip to a garden centre to stock up. Garden centres have made representations to me, because those animals have to be fed. So I am running a campaign to allow people to trade the hours that they want.

I had a meeting this morning with my local church leaders, and I was struck when an American vicar said, “I am now a vicar over here, but where I come from, we have more churchgoing than even in this country. Notwithstanding that, people can still do business throughout the day on Sunday.”

I urge all hon. Members to consider those who want to work, and to allow these freedoms for those who want a different day to celebrate with their families. Let us not be selective as to who can spend their religious day with their family. Ours should be an inclusive party that encourages people to spend their particular day with their family. I therefore urge my hon. Friends to vote in favour of Sunday trading.

5.30 pm

Helen Goodman: The main reason I will be supporting the amendment tonight is that the Government's proposal is bad for people who work in shops—it is bad for them as individuals, it is bad for their families and it is bad for their communities.

The hon. Member for Enfield, Southgate (Mr Burrows) made a brilliant speech, and I was very disappointed by the Minister's response. The notion that the British economy can become more efficient only by making

people work seven days a week is absurd. If that is the economic model, there is something wrong with the economic model.

People work to live; they do not live to work. There are lots of things we could do that would be more efficient. We could propose to our partners by text, or we could read to our children on Skype from the office, but nobody would suggest those things. The constant denigration of family life is truly unhelpful.

The protections for those in shops are not working properly. It is ironic that the legal advice against the proposals comes from John Bowers QC, who is now the president of Brasenose College—perhaps the Prime Minister should go back to his old college and get a little tutorial on this problem.

We know from the experience of the Olympics that this proposal will not strengthen the economy; it will just shift business from small shops to big shops. It will also not stop people using the internet. I am afraid the Minister's proposal for pilots and evaluation is very much undermined by the way the Government have handled the issue in the last six months.

I know that the amendment from the right hon. Member for Meriden (Mrs Spelman) is well intentioned, but the irony is that every cathedral city in the land would be zoned and have longer hours, and it is the Church that is leading the campaign against longer Sunday trading hours.

I have had no representations from constituents in favour of change—only representations in favour of keeping the status quo. That is true whether people run businesses or work in shops. I will leave the last word to a woman who works in a shop in my constituency, who wrote to me saying, “Don't I deserve a life too?”

Karl McCartney (Lincoln) (Con): Like my good friend, my hon. Friend the Member for Peterborough (Mr Jackson), it is with a heavy heart that I will be voting in favour of the amendment tabled by my hon. Friend the Member for Enfield, Southgate (Mr Burrowes), who spoke so eloquently earlier. I say that because, to keep Sunday special, I will be voting against my Government—a decision that no loyal Government Member wants to take, and certainly not too regularly. It also means that I will be voting against my good friend and fellow sportsman, the Minister. He has spent some time speaking to me and other colleagues, trying to persuade us, but I think he was given a very sticky wicket. He will not mind my saying that he perhaps batted more like Geoffrey Boycott than Ian Botham. He did his very best.

The reasons why I will be supporting the amendment, and why other Members should consider supporting it, are based on three core issues: my Conservative principles and the traditions of our country; the impact on staff in all shops; and particularly the impact on small independent shops, their owners and their staff. These places are well used and well liked in the city of Lincoln, but if Sunday is no longer special, we will lose them.

There is something uniquely British—perhaps even Anglo-Saxon and, dare I say it, Christian and traditional—about the way we mark Sunday in this great country of ours. It is the one special day we have every week, and to lose that means losing something special about Britain. A week where every day is the same will mean a drab and very grey Britain.

As a Conservative who believes in our country's traditions and culture, undermining that special day is not something I can support. I personally would go even further and look at protecting other days in the year, such as Boxing day, Good Friday and Easter Monday, perhaps by imposing current Sunday opening hours on those days. Sunday already provides enough opportunities for large-scale shopping—if someone is up early enough, they have a full six hours. Those who want to shop online will do so, whether or not larger shops are open for longer on Sundays. For those who do not want to spend all day shopping in large malls or superstores on Sunday, there are plenty of convenience and independent shops to go to, and I am fearful about the impact of this measure on those shops, which are the lifeblood of many communities across our country.

I want to live in a country with a rich mixture of shops, not an endless sea of large, faceless superstores. I fear that extending the hours of larger shops on a Sunday will diminish choice, impact on the livelihood of those owning and working in smaller shops, and ultimately damage businesses on our high streets. I am also concerned about the impact on the families of shop workers. As well as Sunday being a special day for those who do not have to work, we must ensure that it remains a special day for those who do work. If we extend shopping hours, there will be no respite for those people, and throughout the week all they will have is snatched time with their families—they will be on a conveyor belt of work that never ends. Everyone needs quality family time, or just time away from work. As the hon. Member for Bishop Auckland (Helen Goodman) said, we should all work to live, not live to work.

I understand that big businesses want to sweat their assets. Closed large stores in Bluewater, Meadowhall or anywhere around the country earn no money from shoppers, and hence no profit for their owners. In the middle of the UK, I am sure that Bicester shopping village would want to open for 24 hours, 365 days a year, but what would be the effect on the staff working there? Sunday as it is currently is a Great British compromise that works for everyone. Retailers can trade, customers can shop, shop workers can spend quality time with their family, and we can still have that one special day of the week.

I do not want to live in a country where every day is the same, and where our traditions and uniqueness are lost. Upholding the traditional British way of life is important to me and my constituents, and that is why I will vote for the amendment. I hope that, after today's reasoned debate, some of my Conservative and traditional colleagues will examine their consciences and support the amendment tabled by my sound and illustrious hon. Friend the Member for Enfield, Southgate.

Hywel Williams (Arfon) (PC): The Minister's proposals for pilots are what we call in Welsh a “cath mewn cwd”—a cat in a sack—and if we open that sack, we will get our noses scratched, as far as I can see. With Wales, the Government are bypassing our National Assembly, fostering a relationship directly with our local authorities. They are bypassing our Government in Cardiff and acting on the basis of that peculiar entity, “England and Wales”. Local authorities in England and Wales are to be treated as if they exist in the same

[Hywel Williams]

country, national devolution is ignored and, as the infamous entry in the first “Encyclopaedia Britannica” put it, “For Wales—see England”.

I have two brief points. First, there is a precedent in terms of the council tax benefits that were devolved to local authorities in England, but to the National Assembly in Wales. Secondly, this particular matter is devolved in Northern Ireland and Scotland, and I would say that Wales should be treated no differently.

Andrea Jenkyns (Morley and Outwood) (Con): Retail is in my blood. Growing up, my mother owned a shop, and at 16 I started work on the shop floor, working my way up to management. I spent nearly 20 years across the food, fashion, electrical and furniture retail sectors, working in the sort of stores on which the Bill will impact. I am passionate about our high street, which is why I chair the all-party group for high streets and town centres.

Our high streets are struggling, and the influence of the internet has had such a major impact that they are becoming a haven of pound shops and charity shops. We must do all that we can to support our high streets. Things are tough enough for retailers at the moment, and we must consider ways to increase footfall, not to limit growth opportunities. In 1994, at the age of 20, I remember signing a new contract to opt in to working Sundays. I was happy to do that because I wanted the hours—I wanted to save up for my future—and I am shocked that more than 20 years later we are still having this debate.

I am a firm believer that size should not matter and that there should be a level playing field for all retailers. It is discriminatory against retailers of more than 3,000 square feet if they cannot open for the same hours as those that are under that square footage. I remember being a manager of a store that was limited to six-hour trading, when the dilemma was that other stores on the high street were open for longer. Customers were confused about why our neighbouring stores could be open when we could not be. How do retailers get around this? Even 20 years ago, we would open for the same amount of time as other retailers, but with some time for browsing only. We were still employing staff for those hours, so the changes would not, as some critics say they would, impact on Sunday trading and on making Sunday special. Customers were frustrated, as they wanted choice. We still needed to employ staff for longer than six hours to replenish the stock.

In my retail management career, we had no trouble finding staff to work the Sunday shifts. Working on a Sunday was popular with students, those who wanted their first job, parents who found it easier to get babysitters for their children over the weekend and older people. If anything, I found it was the 20-something party-goers who wanted Saturday night on the razzle who were not so keen on working on a Sunday.

In my experience, opposing the changes on the grounds that they would not be fair to workers is a rather lame argument. As experience demonstrates, there are always some groups who are more than happy to work these shifts. We must allow for that flexibility. Some say that we need to keep Sunday special, and I respect that, but do they not shop on the internet on a Sunday? Do they

not visit their local leisure centre on a Sunday? Goods are delivered on a Sunday, we eat out in restaurants on a Sunday and call centres are open on a Sunday. People in many sectors and professions work on a Sunday, and while there has been a lot of talk about rights, what about their rights?

We had the debate on Sunday trading 20 years ago. We cannot press a pause button and halt this changing world. We live in a global economy that trades 24/7. If we do not embrace it, we will be left behind. We need to ensure that the economy is flexible, dynamic and responsive to the new reality. I am the chair of the all-party group on local democracy. Its secretariat is the National Association of Local Councils, which represents 8,000 town and parish councils. I fully believe in devolution; it is one reason why I am a Brexiter and fully support coming out of the EU. How can we speak of devolution while we cede more power to Brussels? How can the SNP say it wants more power in Holyrood rather than Westminster, and oppose a Bill that is, in essence, truly revolutionary? To those Members who truly believe in devolution and putting the power into the hands of local decision makers, I urge them to support the provisions. By devolving Sunday trading laws, we will not only create more opportunities for our local economies and more employment opportunities, but give more power to local people. This is why I fully support the Government’s Bill.

Several hon. Members *rose*—

Mr Speaker: Order. I would like to accommodate two more speakers, if possible.

Joan Ryan: As they say, you may not realise what you’ve got till it’s gone—I think that applies to all of us and not just to you, Mr Speaker. Once our special Sundays are lost, it will be impossible to get them back. Hon. Members often say, “I don’t know which way I am going to vote. I’m going to listen to the debate.” Frankly, I defy any rational person—any Member of this House who has listened to the debate—to explain why they would vote with the Government. If they had really listened to the debate, they would surely support the amendment tabled by the hon. Member for Enfield, Southgate (Mr Burrowes). We have heard so much information from Populus surveys and USDAW surveys—perhaps I should declare an interest as an USDAW member—showing us that just about everybody is against the changes. Nobody wants them—including, apparently, the Prime Minister before the election—yet here we are.

The changes would be bad for business. All the evidence set out today has demonstrated that, so I will not repeat it. They would be exploitative to shop workers and others who work in the retail sector, who do not want them. The public and consumers do not want them. There is no evidence that anybody wants them, yet the Government have consulted on the deregulation of Sunday trading hours three times in the past four years. It has been somewhat unseemly to see the Government scrabbling around today trying to patch together some kind of last-minute deal that would in no way protect us against deregulation in the future. I urge hon. Members to vote for the amendment and to see the end of proposals on this matter for a considerable period to come.

Fiona Bruce (Congleton) (Con): I rise to support amendment 1, which bears my name on the amendment paper.

The Conservative party views family as being at the heart of a strong society, which is what we all want. Many Members have said that the Conservative manifesto made no mention of any changes to the Sunday trading rules, but it did have something to say about the importance of supporting family life. It pledged to

“back the institution of marriage”

and

“help families stay together and handle the stresses of modern life”.

It also recognised family breakdown as one of the four root cause of poverty.

5.45 pm

At the end of the previous Parliament, the Prime Minister instituted the family test, saying:

“We can’t go on having government taking decisions like this which ignore the impact on the family.”

However, that is just what we would do today if we were to pass the Bill without amendment 1.

Analysis by the Social Market Foundation says that the Government proposals disregard the family test. It says that Sunday working encroaches on family time; that fathers working on Sundays miss out disproportionately on time with their children, and not just on Sundays but throughout the week when their children are out; and that children whose parents have to work on Sundays often spend less time doing constructive activities that contribute to their development, such as reading and pursuing interests and sports. In other words, the policy is also at odds with the Government’s life chances agenda.

Perhaps that is why the impact assessment, which includes the family test assessment, has been published only today. It is wholly unacceptable for it to have been published at midday today. It contains 129 paragraphs and several annexes, and not one Member has said that they have been able to read it before this debate. A cursory glance at the document, however, shows that paragraph 98 states:

“To the extent that Sundays are family gathering days, there is a potential for families to be negatively affected if members are more likely to work or work longer on Sundays.”

Paragraph 100 states:

“A large number of the individual respondents to the public consultation felt that families would be negatively affected”,

but then goes on to say that

“this was not a representative survey”.

This was a Government consultation that had more than 7,000 responses; how can that not be a representative survey?

Let us be clear—there is no other way to put it—that these proposals are anti-family. I urge Members to vote for amendment 1 and to vote down the proposals in the Bill, because they are wrong. They are bad for families and bad for small business. There is no economic case and the public do not want them. In fact, when presenting the proposals to the Bill Committee, the only support that the Minister could cite was from retailers in the west end and Knightsbridge. To put it plainly, that is not a sufficient basis on which to change regulations.

The Government have no legitimate rationale or mandate for these changes, so I urge colleagues to vote for amendment 1 and against the proposals in the Bill.

Caroline Flint: It has been clear throughout the course of our debate that the Government have not made their case. On Second Reading, the Secretary of State spent two thirds of his speech talking about proposals for Sunday trading that were not even in the Bill, and today the Minister has presented us with proposals to change Sunday trading arrangements without giving us any information, so we are meant to take the Government’s promise on the never-never. This is bad law. Wherever Members stand on this issue, we should not be sending bad law through this House. We should reject the Government’s enticements to support them on something we have not actually seen, support amendment 1, and prevent this change to Sunday trading from happening.

Clive Efford: On a point of order, Mr Speaker. In response to a previous intervention, the Minister said that my local authority, Greenwich, had asked for this power to be passed to it. That was not correct. My local authority said that if the change is made, it should come to the local authority, not the Mayor of London or the Greater London Authority. How do we get the Government to put the record straight?

Mr Speaker: I think that the hon. Gentleman has found his own salvation, as he will be keenly aware. His attempted correction is now on the record.

5.49 pm

Three hours having elapsed since the start of proceedings on consideration, the debate was interrupted (Programme Order, 8 March).

The Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the amendment be made.

The House divided: Ayes 317, Noes 286.

Division No. 210]

[5.49 pm

AYES

Abbott, Ms Diane	Bradshaw, rh Mr Ben
Abrahams, Debbie	Brennan, Kevin
Ahmed-Sheikh, Ms Tasmina	Brock, Deidre
Alexander, Heidi	Brown, Alan
Ali, Rushanara	Brown, Lyn
Allen, Mr Graham	Brown, rh Mr Nicholas
Allen, Heidi	Bruce, Fiona
Anderson, Mr David	Bryant, Chris
Ansell, Caroline	Burden, Richard
Ashworth, Jonathan	Burgon, Richard
Austin, Ian	Burnham, rh Andy
Bailey, Mr Adrian	Burrowes, Mr David
Bardell, Hannah	Butler, Dawn
Barron, rh Kevin	Byrne, rh Liam
Beckett, rh Margaret	Cadbury, Ruth
Benn, rh Hilary	Cameron, Dr Lisa
Berger, Luciana	Campbell, rh Mr Alan
Betts, Mr Clive	Campbell, Mr Ronnie
Black, Mhairi	Caulfield, Maria
Blackford, Ian	Champion, Sarah
Blackman, Bob	Chapman, Douglas
Blackman, Kirsty	Chapman, Jenny
Blackman-Woods, Dr Roberta	Cherry, Joanna
Blenkinsop, Tom	Chope, Mr Christopher
Blomfield, Paul	Coaker, Vernon
Boswell, Philip	Coffey, Ann

Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Piero, Gloria
 Debbonaire, Thangam
 Docherty-Hughes, Martin
 Dodds, rh Mr Nigel
 Donaldson, rh Mr Jeffrey M.
 Donaldson, Stuart Blair
 Dorries, Nadine
 Double, Steve
 Doughty, Stephen
 Dowd, Jim
 Dowd, Peter
 Dromey, Jack
 Dugher, Michael
 Durkan, Mark
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elliott, Tom
 Ellman, Mrs Louise
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Ferrier, Margaret
 Field, rh Frank
 Fitzpatrick, Jim
 Ffello, Robert
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Gardiner, Barry
 Gibson, Patricia
 Glass, Pat
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Mr James
 Gray, Neil
 Green, Chris
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise

Hamilton, Fabian
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Henderson, Gordon
 Hendrick, Mr Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hillier, Meg
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hoey, Kate
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Howarth, Sir Gerald
 Hunt, Tristram
 Hussain, Imran
 Irranca-Davies, Huw
 Jackson, Mr Stewart
 Jarvis, Dan
 Jayawardena, Mr Ranil
 Johnson, rh Alan
 Jones, rh Mr David
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Kendall, Liz
 Kerevan, George
 Khan, rh Sadiq
 Kinnock, Stephen
 Kyle, Peter
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Lewis, rh Dr Julian
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Mr Angus Brendan
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCaig, Callum
 McCarthy, Kerry
 McCartney, Karl
 McDonagh, Siobhain

McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, Dr Alasdair
 McDonnell, John
 McFadden, rh Mr Pat
 McGarry, Natalie
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McLaughlin, Anne
 McMahan, Jim
 Meale, Sir Alan
 Mearns, Ian
 Miliiband, rh Edward
 Monaghan, Carol
 Monaghan, Dr Paul
 Moon, Mrs Madeleine
 Morden, Jessica
 Morris, Grahame M.
 Mulholland, Greg
 Mullin, Roger
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten
 Owen, Albert
 Paisley, Ian
 Paterson, Steven
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pound, Stephen
 Powell, Lucy
 Pugh, John
 Rayner, Angela
 Reed, Mr Jamie
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Ritchie, Ms Margaret
 Robertson, rh Angus
 Robinson, Gavin
 Robinson, Mr Geoffrey
 Rosindell, Andrew
 Rotheram, Steve
 Ryan, rh Joan
 Salmond, rh Alex
 Shah, Naz
 Shannon, Jim
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy

Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Simpson, David
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Spellar, rh Mr John
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Stuart, rh Ms Gisela
 Tami, Mark
 Thewliss, Alison
 Thomas, Derek
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Michelle
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Mr Andrew
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Vickers, Martin
 Watson, Mr Tom
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Corri
 Wilson, Phil
 Wilson, Sammy
 Winnick, Mr David
 Winterton, rh Dame Rosie
 Wishart, Pete
 Woodcock, John
 Wragg, William
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Ayes:

Mr Peter Bone and
 Mr Philip Hollobone

NOES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John

Barwell, Gavin	Foster, Kevin	Lee, Dr Phillip	Robertson, Mr Laurence
Bebb, Guto	Fox, rh Dr Liam	Leslie, Charlotte	Robinson, Mary
Bellingham, Sir Henry	Francois, rh Mr Mark	Letwin, rh Mr Oliver	Rudd, rh Amber
Benyon, Richard	Frazer, Lucy	Lewis, Brandon	Rutley, David
Beresford, Sir Paul	Freeman, George	Liddell-Grainger, Mr Ian	Sandbach, Antoinette
Berry, Jake	Freer, Mike	Lidington, rh Mr David	Scully, Paul
Berry, James	Fuller, Richard	Lopresti, Jack	Selous, Andrew
Bingham, Andrew	Fysh, Marcus	Lord, Jonathan	Shapps, rh Grant
Blackwood, Nicola	Garnier, rh Sir Edward	Loughton, Tim	Sharma, Alok
Boles, Nick	Garnier, Mark	Lumley, Karen	Shelbrooke, Alec
Borwick, Victoria	Gauke, Mr David	Mackinlay, Craig	Simpson, rh Mr Keith
Bottomley, Sir Peter	Ghani, Nusrat	Mackintosh, David	Skidmore, Chris
Bradley, Karen	Gibb, Mr Nick	Main, Mrs Anne	Smith, Chloe
Brady, Mr Graham	Gillan, rh Mrs Cheryl	Mak, Mr Alan	Smith, Henry
Brake, rh Tom	Glen, John	Malthouse, Kit	Smith, Julian
Brazier, Mr Julian	Goldsmith, Zac	Mann, Scott	Smith, Royston
Bridgen, Andrew	Goodwill, Mr Robert	Mathias, Dr Tania	Soames, rh Sir Nicholas
Brine, Steve	Gove, rh Michael	May, rh Mrs Theresa	Solloway, Amanda
Brokenshire, rh James	Graham, Richard	Maynard, Paul	Soubry, rh Anna
Buckland, Robert	Grant, Mrs Helen	McCartney, Jason	Spencer, Mark
Burns, Conor	Grayling, rh Chris	McLoughlin, rh Mr Patrick	Stephenson, Andrew
Burns, rh Sir Simon	Green, rh Damian	McPartland, Stephen	Stevenson, John
Burt, rh Alistair	Greening, rh Justine	Mercer, Johnny	Stewart, Bob
Cairns, Alun	Grieve, rh Mr Dominic	Merriman, Huw	Stewart, Iain
Cameron, rh Mr David	Griffiths, Andrew	Metcalfe, Stephen	Stewart, Rory
Carmichael, Neil	Gummer, Ben	Miller, rh Mrs Maria	Stride, Mel
Carswell, Mr Douglas	Gyimah, Mr Sam	Milling, Amanda	Sturdy, Julian
Cartlidge, James	Halfon, rh Robert	Mills, Nigel	Sunak, Rishi
Cash, Sir William	Hall, Luke	Milton, rh Anne	Swayne, rh Mr Desmond
Chalk, Alex	Hammond, rh Mr Philip	Mitchell, rh Mr Andrew	Swire, rh Mr Hugo
Chishti, Rehman	Hammond, Stephen	Mordaunt, Penny	Syms, Mr Robert
Churchill, Jo	Hancock, rh Matthew	Morgan, rh Nicky	Throup, Maggie
Clark, rh Greg	Hands, rh Greg	Morris, Anne Marie	Timpson, Edward
Clegg, rh Mr Nick	Harper, rh Mr Mark	Morris, David	Tolhurst, Kelly
Cleverly, James	Harrington, Richard	Morris, James	Tomlinson, Justin
Clifton-Brown, Geoffrey	Harris, Rebecca	Morton, Wendy	Tomlinson, Michael
Coffey, Dr Thérèse	Hart, Simon	Mowat, David	Tracey, Craig
Collins, Damian	Haselhurst, rh Sir Alan	Mundell, rh David	Tredinnick, David
Colville, Oliver	Hayes, rh Mr John	Murray, Mrs Sheryll	Trevelyan, Mrs Anne-Marie
Costa, Alberto	Heald, Sir Oliver	Murrison, Dr Andrew	Truss, rh Elizabeth
Crabb, rh Stephen	Heapey, James	Newton, Sarah	Tugendhat, Tom
Crouch, Tracey	Heaton-Harris, Chris	Nokes, Caroline	Tyrie, rh Mr Andrew
Davies, Chris	Heaton-Jones, Peter	Nuttall, Mr David	Vaizey, Mr Edward
Davies, David T. C.	Herbert, rh Nick	Offord, Dr Matthew	Vara, Mr Shailesh
Davies, Glyn	Hinds, Damian	Osborne, rh Mr George	Villiers, rh Mrs Theresa
Davies, Dr James	Hoare, Simon	Parish, Neil	Walker, Mr Charles
Davies, Mims	Hollingbery, George	Patel, rh Priti	Walker, Mr Robin
Davies, Philip	Hollinrake, Kevin	Paterson, rh Mr Owen	Wallace, Mr Ben
Davis, rh Mr David	Hopkins, Kris	Pawsey, Mark	Warburton, David
Dinenage, Caroline	Howlett, Ben	Penning, rh Mike	Warman, Matt
Djanogly, Mr Jonathan	Huddleston, Nigel	Penrose, John	Watkinson, Dame Angela
Donelan, Michelle	Hunt, rh Mr Jeremy	Percy, Andrew	Wharton, James
Dowden, Oliver	Hurd, Mr Nick	Perry, Claire	Whately, Helen
Drax, Richard	James, Margot	Phillips, Stephen	Wheeler, Heather
Drummond, Mrs Flick	Javid, rh Sajid	Philp, Chris	White, Chris
Duddridge, James	Jenkin, Mr Bernard	Pickles, rh Sir Eric	Whittaker, Craig
Duncan, rh Sir Alan	Jenkyns, Andrea	Pincher, Christopher	Whittingdale, rh Mr John
Duncan Smith, rh Mr Iain	Jenrick, Robert	Poulter, Dr Daniel	Wiggin, Bill
Dunne, Mr Philip	Johnson, Boris	Pow, Rebecca	Williams, Craig
Ellis, Michael	Johnson, Gareth	Prisk, Mr Mark	Williamson, rh Gavin
Ellison, Jane	Johnson, Joseph	Pritchard, Mark	Wilson, Mr Rob
Ellwood, Mr Tobias	Jones, Andrew	Pursglove, Tom	Wood, Mike
Elphicke, Charlie	Jones, Mr Marcus	Quin, Jeremy	Wright, rh Jeremy
Eustice, George	Kennedy, Seema	Quince, Will	Zahawi, Nadhim
Evans, Graham	Kirby, Simon	Raab, Mr Dominic	
Evans, Mr Nigel	Knight, rh Sir Greg	Redwood, rh John	Tellers for the Noes:
Evennett, rh Mr David	Knight, Julian	Rees-Mogg, Mr Jacob	Guy Opperman and
Fabricant, Michael	Kwarteng, Kwasi		Jackie Doyle-Price
Fallon, rh Michael	Lamb, rh Norman		
Fernandes, Suella	Lancaster, Mark		
Field, rh Mark	Latham, Pauline		
	Leadsom, Andrea		

Question accordingly agreed to.

Amendment 1 agreed to.

Ms Angela Eagle: On a point of order, Mr Speaker. The House has spoken on the very contentious issue of Sunday trading, which would have affected millions of workers. Can we now hear from the Government that they will respect the will of this House and abandon their tawdry attempts to reintroduce this proposal? And I mean the Chancellor.

Mr Speaker: The hon. Lady has made her point, but it is not a matter for the Chair.

The Speaker then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

Schedule 5

SUNDAY OPENING HOURS: RIGHTS OF SHOP WORKERS

Amendments made: 13, page 91, line 25, at end insert—

“7A In section 48 (complaints to employment tribunals), after subsection (1) insert—

“(1YA) A shop worker may present a complaint to an employment tribunal that he or she has been subjected to a detriment in contravention of section 45ZA.”

This amendment is consequential on new section 45ZA of the Employment Rights Act 1996 (inserted by paragraph 7 of Schedule 5 to the Bill) and ensures that a shop worker can present a complaint to an employment tribunal in connection with a detriment suffered in contravention of that section.

Amendment 14, page 91, line 46, at end insert—

“8A In section 108 (qualifying period of employment), in subsection (3) after paragraph (d) insert—

“(da) subsection (2) of section 101ZA applies (read with subsection (3) of that section) or subsection (4) of that section applies.”—(*Brandon Lewis.*)

This amendment is consequential on new section 101ZA of the Employment Rights Act 1996 (inserted by paragraph 8 of Schedule 5 to the Bill) and ensures that the two year qualifying period of employment for unfair dismissal cases will not apply in relation to cases involving a refusal to work additional hours on Sunday or the giving of an objection notice to working such hours.

Mr Speaker: Our consideration having been completed, I will now suspend the House for no more than five minutes in order to make a decision about certification. The Division bells will be rung two minutes before the House resumes. Following my decision on certification being communicated, the Government will table the appropriate consent motions, copies of which will be made available in the Vote Office and distributed by the Doorkeepers.

6.7 pm

Sitting suspended.

6.12 pm

On resuming—

Mr Speaker: I can now inform the House that I have completed certification of the Bill, as required by the Standing Order. I have made no change to the provisional certificate issued yesterday. Copies of my final certificate will be made available in the Vote Office and on the parliamentary website.

Under Standing Order No. 83M, consent motions are therefore required for the Bill to proceed. Copies of the motions are available in the Vote Office and on the

parliamentary website, and they have been made available to Members in the Chamber. Does the Minister intend to move the consent motions?

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid) *indicated assent.*

Mr Speaker: I believe I have had the necessary nod. We must now under the relevant Standing Order forthwith resolve into the Legislative Grand Committee (England and Wales), and thereafter into the Legislative Grand Committee (England).

The House forthwith resolved itself into the Legislative Grand Committee (England and Wales) (Standing Order No. 83M).

[MR LINDSAY HOYLE *in the Chair*]

6.13 pm

Pete Wishart (Perth and North Perthshire) (SNP): On a point of order, Mr Hoyle. Can you explain exactly what is going on with this particular procedure we are asked to consider?

The Chairman of Ways and Means (Mr Lindsay Hoyle): Do not worry. I can give the answer now: no, I do not.

There will now be a joint debate on the consent motion for England and Wales and the consent motion for England. I remind hon. Members that all Members may speak in the debate but that, if there are Divisions, only Members representing constituencies in England and Wales may vote on the consent motion for England and Wales, and only Members representing constituencies in England on the consent motion for England.

I call the Minister to move the consent motion for England and Wales. I remind the Minister that, under Standing Order No. 83M(4), on moving the consent motion, the Minister must also inform the Committee of the terms of consent for England.

Stephen Barclay (North East Cambridgeshire) (Con): The legislative consent motions are before the House and available to Members. I beg to move.

Resolved,

That the Committee consents to the following certified clauses and schedules of the Enterprise Bill [Lords] and certified amendments made by the House to the Bill:

Clauses and schedules certified under Standing Order No. 83L(2) as relating exclusively to England and Wales and being within devolved legislative competence

Clauses 30, 32, 39 and 40 as amended in Committee (Bill 142) including any amendments made on Report;

Amendments certified under Standing Order No. 83L(4) as relating exclusively to England and Wales

The omission in Committee of Clauses 33 and 34 of the Bill as introduced (Bill 112).—(*Stephen Barclay.*)

Mrs Madeleine Moon (Bridgend) (Lab): On a point of order, Mr Hoyle. I seek some clarification. The paperwork handed out says “Legislative Grand Committee (England)”, but the oral statement referred to “England and Wales”. May I seek clarification about the difference?

The Chairman: The House shall now resolve itself forthwith into the Legislative Grand Committee (England).

The House forthwith resolved itself into the Legislative Grand Committee (England) (Standing Order No. 83M(4)(d)).

The Chairman: I remind hon. Members that no further debate on the consent motion for England is permitted and that, if there is a Division on the motion, only Members representing constituencies in England may vote. This extends to expressing an opinion by calling out Aye or No when the Question is put.

Motion made, and Question put forthwith (Standing Order No. 83M(4)(d)),

That the Committee consents to the following certified clauses and schedules of the Enterprise Bill [Lords] and certified amendments made by the House to the Bill:

Clauses and schedules certified under Standing Order No. 83L(2) as relating exclusively to England and being within devolved legislative competence

Clauses 22 to 25 and 27 of and Schedule 4 to the Bill as amended in Committee (Bill 142) including any amendments made on Report;

Amendments certified under Standing Order No. 83L(4) as relating exclusively to England

Amendments 10 to 18 made in Committee to Clause 26 of the Bill as introduced (Bill 112), which is Clause 32 of the Bill as amended in Committee (Bill 142).—(*Stephen Barclay.*)

Hon. Members: Aye.

Pete Wishart: No.

The Chairman: I think the Ayes have definitely got this one. It was a lonely but valiant effort.

Question agreed to.

The occupant of the Chair left the Chair to report the decisions of the Committees (Standing Order No. 83M(6)).

The Deputy Speaker resumed the Chair; decisions reported.

Third Reading

6.17 pm

Sajid Javid: I beg to move, That the Bill be now read a Third time.

Businesses are Britain's engine room. The success of our whole economy is built on the hard work and determination of the people who run and work for them. I will always back them, and I will always stand by them. That is why one of my first acts as Business Secretary was to introduce this Bill. [*Interruption.*]

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Can we have less noise while the Secretary of State is addressing the Chamber?

Sajid Javid: Thank you, Mr Deputy Speaker.

It is certainly an ambitious Bill that covers a lot of ground. During its passage through the House, it has grown to cover still more, adding to the benefits it will bring businesses right across the country. That would not have been possible without the dedication of the officials and Clerks here in Parliament and the officials back at my Department, so let me take this opportunity to thank them, on the record, for all their hard work.

Huge credit should also go to my ministerial colleagues, who have worked tirelessly to steer the Bill through the House Commons—the Minister for Small Business, Industry and Enterprise, the Minister for Skills and the Minister for Housing and Planning. They have all done a tremendous job, and I really cannot thank them enough. Finally, I would also like to thank the hon. Member for Wallasey (Ms Eagle), who on Second Reading found it in her heart to call one clause “entirely sensible”. She is not in her place at the moment, but coming from her, that was high praise indeed!

The result of today's vote on Sunday trading is disappointing. Our amendment was about attracting more people to high streets, helping struggling local businesses and helping to secure jobs for hard-working people. It would have made a lot of difference to many businesses up and down the country.

I respect the views of hon. Members who supported the amendment as a matter of principle; I have full respect for that. However, I am extremely disappointed by the childish and hypocritical actions of SNP Members. They seek to deny English and Welsh shoppers the same freedoms that are enjoyed in Scotland, and although they are a party built on the principle of devolving powers from Whitehall, they deliberately stand in the way of a measure that does just that.

Andrew Percy (Brigg and Goole) (Con): As someone who believes that people in England should have a measure of devolution in response to the devolution that exists in the rest of the country, I would like to ask my right hon. Friend to confirm what actually happened today—that irrespective of whether Sunday trading is a good thing or a bad thing, the majority of English Members of Parliament voted in support of giving our local communities and our local councils the right to decide this matter for themselves, yet they have been denied by MPs from a part of the United Kingdom that it would not have affected at all.

Sajid Javid: My hon. Friend is absolutely right. The SNP are only interested in creating headlines, not jobs, and my hon. Friend's point is absolutely correct—a clear majority of English and Welsh MPs wanted to see this change, but it was denied by the SNP.

Several hon. Members *rose*—

Sajid Javid: I shall give way in a moment.

This shows that we were absolutely right when we warned during the election that if a weak Labour Government ever got into office, they would be propped up by an unprincipled SNP. That is why we must never let either of those parties get closer to power.

Ms Angela Eagle: I think the right hon. Gentleman should learn a bit of grace in defeat, because that is what the House likes. Will he confirm that these proposals did not fall under the EVEL or the WEVEL parts of our procedures, and will he also confirm that, having listened to the will of the House, this Government have no intention of bringing these Sunday trading proposals back before us?

Sajid Javid: Of course we always listen to the will of this House, but that does not take away from the fact that the majority of English and Welsh MPs wanted to

[Sajid Javid]

see this change—this flexibility on Sunday trading that would have been a right for local authorities in England and Wales to enjoy in the same way as it is enjoyed in Scotland. It was denied because of the SNP.

Mark Field: I note the disappointment that the Secretary of State has shown in this regard, but I am afraid that it is not enough simply to blame the SNP. I accept that SNP Members have been opportunistic, but surely it shows the fundamental flaws in elements of the EVEL arrangements. Does not the fact that something that is essentially devolved did not fall under the EVEL framework suggest that we should look at the arrangements again rather than incurring the wrath of, and the attributing the blame to, the SNP for taking the opportunistic step that it did over this matter?

Sajid Javid: My right hon. Friend, as always, makes a very important point. He will know that EVEL did not apply because this change in Sunday trading was tied up with a plan to extend workers' rights that would have applied throughout the UK, but we should reflect on what he says, because the people of England and Wales have been denied a change that would have put them on a par with what is currently practised in Scotland.

Tommy Sheppard (Edinburgh East) (SNP): I apologise for the difficulties in which the SNP has placed the Government, but we were simply voting to defend the interests of our constituents, whose rights at work on a Sunday would have been affected by this Bill, and it is our right to do so. I ask the Secretary of State to stop harbouring this grievance against Scottish Members.

Sajid Javid: The hon. Gentleman should really be ashamed of his party's performance today. He tries to hide behind a policy, but we know that the only thing the SNP was interested in today was headlines and denying the people of England and Wales a change that, as expressed in their MPs' will, they clearly wanted to see. That is all the SNP was interested in.

Kevin Brennan (Cardiff West) (Lab): Will the Secretary of State give way?

Sajid Javid: I shall carry on for a while. Other Members will want to speak.

Of course, the Bill is about much more than just Sunday trading. It will create an institute for apprenticeships, which will help British businesses to develop the talent that they will need to compete in the years ahead; it supports our deregulation agenda, making it simpler to do business; it addresses the issue of business rates; it will help to release pub landlords from restrictive contracts; and it will give the Green Investment Bank the freedom and flexibility that it needs to grow.

I am particularly proud of the measure that will create a small business commissioner. I have seen for myself, too many times, how hard it is for a small business or sole trader to challenge a larger firm. I have seen how late payments, unfair charges and other obstacles may not just make it harder to do business, but actually drive companies to the wall. The creation of a small

business commissioner will make a real difference in tackling such problems, and I am pleased to note that it has widespread support.

Wendy Morton (Aldridge-Brownhills) (Con): Before I entered the House, I had more than 25 years of experience in a small business—in fact, a micro-business. I have previously drawn Members' attention to my entry in the Register of Members' Financial Interests. Does the Secretary of State agree that this is exactly the sort of thing that we should be doing for small businesses throughout the country, in order to tackle the real difficulties that they experience as a result of late payments?

Sajid Javid: I agree wholeheartedly with my hon. Friend. I think that the measure will make a huge difference. Small businesses are often held back from challenging larger firms, and I hope that it will give many of them the confidence that they need.

Kevin Brennan: The Secretary of State said, and the Minister for Housing and Planning said earlier, that passing the amendment would mean the removal of workers' rights. As I understand it, however, schedule 5 is still in the Bill following the vote, so the additional workers' rights are there—and they should stay there, as well. Will the Secretary of State confirm that that is the case?

Sajid Javid: I can confirm that that is not the case. As the hon. Gentleman knows, the Government presented a package consisting of more flexibility for Sunday trading hours along with additional workers' rights. Since that package has been rejected, there will be no additional rights, because they will be unnecessary.

Kevin Brennan: On a point of order, Mr Speaker. I hope that it is a point of order. My understanding is that the passing of amendment 1 does not affect the presence of schedule 5, which is entitled "Sunday opening hours: rights of shop workers", and that, as we send the Bill to the House of Lords, those workers' rights are enshrined in it.

Mr Speaker: The short answer to the hon. Gentleman's point of order is that the passage of amendment 1 does not affect the presence of the schedule in the Bill. As I am not an expert on legislative interpretation and impact, and it is not for me to speculate upon that, I will not, but I stand by—on, of course, the basis of advice, and my own study—the first part of my answer to the point of order. I have sought to give that information in a dispassionate way, responding to a factual inquiry with what I understand to be a factual response.

Sajid Javid: Thank you, Mr Speaker.

Last May I launched the Bill at an event in Bristol, the city where I grew up. It is the city where I saw, in my parents' shop, the special values that are needed to build and run a business. This is a Bill for people who share those values. It does not matter whether they are behind a shop counter or behind the wheel of a van, or whether they are working in a high-rise office or from their kitchen table. If they are striving to do what my parents did—if they are working to build a business, to grow the economy and to create jobs—the Enterprise Bill will help them to do just that, and I commend it to the House.

6.29 pm

Ms Angela Eagle: The Bill should have been so much more ambitious to live up to its encouraging short title, but despite the sterling efforts of Opposition Members in this House, and those of our Labour colleagues in the House of Lords, it remains a mouse of a Bill which should have been a lion. As I observed on Second Reading, this piece of legislation does not even match the ambition of the Government's own rhetoric, let alone meet the huge economic challenges now facing this country. Its timidity is a great disappointment to those of us on the Opposition Benches.

Nevertheless, I would like to pay warm tribute to my right hon. and hon. Friends who served with such distinction in Committee. I would also like once more to pay tribute to the work of our Labour colleagues in the Lords who were able to secure some amendments to this very modest Bill, which undoubtedly improved it. May I also take this opportunity to acknowledge the contribution of all Members who served on the Bill Committee, whichever party they come from, as well as that of the all-important Whips, who ensure that the Committee stage works appropriately?

I welcome the Business Secretary to his place for the first time since it became clear that he has joined the campaign for Britain to stay in the European Union. I do not know whether he has been bullied by the Chancellor. However, he seemed anxious to burnish his Eurosceptic credentials even as he abandoned his Brexit friends in pronouncing recently that he would remain a "Brussels basher" despite his Brexit betrayal. His enthusiasm for the cause will be a great asset to all of us who believe passionately that we need to remain engaged and optimistic about our place in the world, and who are clear that we should not be disengaging from the largest free trade area in the world, where we do 50% of our business.

The Bill was just beginning its Report stage in the Lords when the Chancellor unveiled his comprehensive spending review on 25 November last year. We all remember the smirking optimism he displayed at that Dispatch Box as he unveiled the £27 billion windfall that the Office for Budget Responsibility had discovered to assist him in making his sums add up. But much has changed since then, and the Bill addresses little of that. Just six weeks later, the Chancellor turned up in Cardiff warning ominously that the economy was suddenly facing a "cocktail of threats" in the new year that he had not noticed in November. Then he turned up in Shanghai warning about gathering "storm clouds" and announcing that the British economy was £18 billion smaller than he had expected it to be because of slowing growth and falling tax receipts. He is now in full retreat, adding a £7 billion volte face on his widely trailed radical pensions reform to his retreat on huge tax credit cuts late last year.

This is not a great reforming Chancellor. What we actually see in No. 11 Downing Street is a man who is much more focused on his own leadership ambitions than he is on next week's Budget or on the best interests of our country. We see a man who is much more interested in duffing up the Mayor of London and the Brexit rebels in his own party than he is in solving the huge challenges facing our economy. If this Bill is meant to be part of the solution to those challenges, I am afraid he has got his diagnosis completely wrong. Where is the "march of the makers" that the Chancellor

was waxing so lyrical about six years ago? It has completely failed to materialise, and there is no sign of the rebalancing he promised us. In fact, manufacturing is faltering, the service sector is stuttering and the trade balance continues to worsen; it is now standing at over 5% of gross domestic product.

Of course we on Labour Benches will support the creation of the small business commissioner as it appears in the Bill. However, we worry about its tiny budget and the fact that its very limited remit will not be transformative. We argued successfully in the Lords to give the post some independence, but everyone in the House knows how modest this proposal is. We would much rather have been legislating for comprehensive reform by introducing a small business administration, instead of expending legislative effort on this minor tinkering.

Of course we support moves to establish a quality benchmark for apprenticeships and statutory protection for the term itself, which should help to protect it from being discredited or abused. But with one in three vacancies in the economy reported to be the result of skills shortages, the provisions of the Bill barely scratch the surface of what is needed, and the "skills emergency" that is holding back our country goes on. Time will tell whether the Government's target of reaching 3 million apprentices will be achieved at the cost of falling quality. I certainly hope that it will not be, but we intend to hold the Government to account on this as their plans develop. We will also continue to keep a close eye on the plans to introduce an apprenticeship levy, which is causing increasing worry in businesses up and down the country. The Government must ensure that our young people can build sustainable and fulfilling careers and that all apprenticeships offer genuine learning opportunities and pathways for progression.

We are extremely disappointed that the Government have used the Bill to flog off the Green Investment Bank before it had been given a proper chance to develop. We are especially concerned that the bank's core purpose to promote the vital green transformation of the economy will be lost or diluted by this unnecessary privatisation. Our concern is that, by rushing to sell, the Government will not get a decent price for the asset that has been created.

On exit payments, we remain concerned that the Bill goes far beyond capping the most excessive pay-outs and will hit some low-paid, long-serving workers in a completely arbitrary fashion. The provisions breach agreements that the Government made with some sectors of their own workforce only recently.

The way that this Government have chosen to deal with the important issue of Sunday trading has been cynical and disreputable. During the Bill's passage through the House of Lords, it contained no mention whatsoever of Sunday trading, let alone the Government's intention to deregulate it by starting a free-for-all in every local authority. There were rumours but no signs of any measures. It was therefore tawdry of the Secretary of State to make an announcement during his speech on Second Reading confirming that the Government did in fact intend to change Sunday trading laws. The House was then put in the ludicrous position of having to debate measures on Second Reading that had not even been published and were not seen until the Committee stage.

[Ms Angela Eagle]

The Government have descended further still today. We saw a grubby and desperate last-ditch attempt to avoid a vote on amendment 1, when they tried and failed to put down a late manuscript amendment. When it was rejected, the Minister was reduced to pleading with his own side to support a pilot scheme that was not even on the amendment paper. That is no way for any serious Government to behave when passing laws that will affect millions of retail workers and change the nature of our country. I am happy that they have not been rewarded and hope that the measures will now be abandoned. The current Sunday trading laws work well and strike a sensible balance between the needs of those who want to shop and those who work in retail.

This Bill is a missed opportunity. It is a modest Bill that fails to tackle the real challenges facing the economy. It could have aimed to be transformative. It did not. It could have aimed to tackle the skills emergency and the productivity puzzle. It did not. It could have set out an ambitious industrial strategy to help us to rebalance the economy and to tackle the gaping trade deficit. It did not. It could have prepared us for the challenges of big data and digital transformation, which offer great opportunities as well as threats, but it missed that chance. It is a modest Bill with much to be modest about.

6.38 pm

Alan Brown: My first time on a Bill Committee was during the passage of this Bill, and the journey has certainly been interesting from start to finish. In Committee, as outlined by the hon. Member for Cardiff West (Kevin Brennan), we had a vote that was not a vote and then a re-vote, but that will hopefully not be the future. Today, it was good that the Secretary of State gave the SNP complete credit for the Government defeat. We are happy to take that, but it was actually the result of work across the House and the amendment of the hon. Member for Enfield, Southgate (Mr Burrowes).

I was slightly frustrated by today's proceedings, because I hoped to table an amendment relating to cash retentions, which is a big issue in the construction industry. It represents another missed opportunity for the Government. Our attempt to table an amendment proves that we are not about grabbing headlines, and we have been serious from start to finish in what we are doing.

Pete Wishart: I do not know whether my hon. Friend has some words of consolation for the Secretary of State, who seemed to be unduly upset about the temerity of SNP Members to come to the House and vote in the interests of Scottish workers. Does my hon. Friend have any advice to help him to get over his grievance?

Alan Brown: The Secretary of State could give us further devolution for a start. If we had been given more powers in the Scotland Bill, as we wanted, perhaps the Government would need to worry less about us.

Another interesting aspect of what we have seen today is the Government's last-minute so-called "concessions", and we are going to get amendments that we do not know about, in the House of Lords. The Government need to make up their mind whether they are in favour of the House of Lords and what is being

done in there or not. Only last week they were not happy with what the House of Lords is doing but today we are supposed to vote with the Government because the Lords will save us—I do not know where we are going with that.

The Minister for Small Business, Industry and Enterprise (Anna Soubry): You spoke in favour in the Committee—

Alan Brown: I did not speak in favour of Sunday trading in Committee, because I did not speak about Sunday trading in Committee, and the record will prove that. My hon. Friend the Member for Livingston (Hannah Bardell) spoke in favour of stronger workers' rights, and that is also there for the record.

I have mentioned cash retentions, and the Minister's attitude to dealing with that matter is to acknowledge that it is an issue but to say, "Don't worry, we have a Government review. We will do the review and then we will implement the measures." We have to put all the trust in the Minister, but we should consider what the proceedings on Sunday trading show. The Prime Minister said, "We won't be doing Sunday trading" but it was then proposed, even though it was not in the manifesto, and today we have seen last-minute deals. That proves that we cannot have any trust there, which is why I wanted to have a vote about cash retentions.

Kevin Foster: I was interested to hear the hon. Gentleman's comments on Sunday trading. Will people working in Scotland's largest supermarkets be able to look forward to hours restrictions from the SNP Government at Holyrood, given the SNP's attitude towards that issue in England?

Alan Brown: It is a different argument. The Government did not publish a full, proper impact assessment. The impact assessment that came before me was suggesting that workers might lose up to £1,400 a year and there could be £70 million lost out of the Scottish economy—that is from a published economist. When the Government cannot counteract that, I will go with that information. My conscience told me to vote on that basis and do the right thing.

Let me conclude on the cash retentions. We are seeking a retention deposit scheme similar to the tenant deposit scheme. This has been implemented in other countries—it has just been introduced in New Zealand—and shown to work well. It would protect small businesses. Up to £3 billion is held in cash retentions at any one time, and £40 million was lost in 2015—this is money the small companies could not recover because of bankruptcy in the other companies. Given that this recovery is meant to be based on small and medium-sized enterprises, this was another missed opportunity by the Government. I will leave it at that.

6.42 pm

Amanda Solloway (Derby North) (Con): I want to take the opportunity to highlight a really good part of the Bill, and, having worked in retail since the tender age of 16—not too long ago—I have full authority to talk about it. I have worked in a variety of different roles and I recognise how essential it is that we support small businesses, as they can be so vulnerable to the market forces we have today. I welcome the introduction

of the small business commissioner, whose function it will be to provide advice and information to small firms, and to assist them in payment disputes with larger firms.

Kevin Brennan: I, like the hon. Lady, started working in a shop at 16. Does she also welcome the fact that clause 33(5), which gives effect to schedule 5, means that what we have achieved by voting down Sunday trading is not only not having the extension of Sunday trading hours, but improving workers' rights on a Sunday, as that remains part of the Bill, as we heard earlier?

Amanda Solloway: I have limited time available to me now, so let me just say that I think Sunday trading would enhance the role of retailers and give people the choice that they very much want to have.

Kevin Foster: Does my hon. Friend share my surprise that the Opposition seem uninterested in the small business commissioner, who will make a real difference to small businesses, and that they just want to harp on about one issue instead?

Amanda Solloway: With the House's permission, I will continue discussing the small business commissioner. Under the current system, payment disputes too often cannot be resolved without cases going to court. That costly process is limiting to small businesses and, if pursued, can lead to further financial pressures, making it a barely viable option to small business to have any kind of legal battle.

With my background in retail, I have often seen directly how late payments, often by larger and more robust businesses, can be crippling to small businesses. There may well even be a culture of large firms dragging their heels when it comes to making payments. What those firms disregard is how serious it can be to these small businesses not to make payments on time.

A recent study in Derby found that one in five businesses in the region is a victim of late payments, and that can be crippling.

Wendy Morton: These late payments can cripple small businesses. Does my hon. Friend agree that, when businesses are starting up, it can mean the difference between survival or not, and creating jobs or not?

Amanda Solloway: Absolutely, and what we need to do to boost our economy is to encourage these small businesses to get established and to flourish.

Therefore, this is an element of our business culture that must change. We must give advice and support to smaller businesses. The role of the small business commissioner will help to facilitate that. If as a country we are to continue to encourage enterprise and the entrepreneurial spirit, we must continue to do all we can to support small businesses and address the concerns and problems that hinder their performance.

6.45 pm

Greg Mulholland (Leeds North West) (LD): I will not take up too much of the House's time. Unfortunately, we did not have the opportunity to debate the important new clause 10 and amendment 20, so I wish to put a few words on record, especially as the Minister for Small Business, Industry and Enterprise is in the Chamber.

I gently say that ours is a strange system whereby automatically Opposition amendments are dropped and Government amendments go through, especially because, as we have just seen with the amendment on Sunday trading, that does not always reflect what happens in the House. I strongly believe that new clause 10 would have had the support of a majority of MPs. It was not my intention to press it, however, because I had hoped to hear from the Minister that she accepted its terms. It was tabled to deal with a disgraceful loophole whereby tenants of large pub companies taking the all-important market rent-only option would have to surrender their existing lease and accept a shorter five-year lease, which would be wholly unacceptable.

Clauses 39 and 40 deal with the pubs code and the adjudicator, and I thank the ministerial team for listening to concerns about paragraph 8.12 of the draft code and dealing with them. The matter is being addressed in the Bill because of concerns about the draft code and the unacceptable nature of some of its provisions. I can tell the Minister that tenant groups are reporting some quite disgraceful behaviour from pub companies as an attempt to both game and circumvent the forthcoming pubs code, which comes in on 1 June. The Bill was the only opportunity to amend primary legislation that could then affect the content of the pubs code. Now it is a question of working with the Minister and her team to try to deal with some of these issues.

Anna Soubry: Does the hon. Gentleman welcome, as I do—and announce—the appointment as the pubs code adjudicator of Paul Newby, who I am sure will look forward to meeting the hon. Gentleman? Will the hon. Gentleman also accept my assurance that we will be true to all that was said and agreed on the Floor of the House last year when the legislation went through? Please may we work together to ensure that we have a good pubs code?

Greg Mulholland: I thank the right hon. Lady for her comments and their tone. The answer on both counts is yes, absolutely. I presume that the Minister's news is hot off the press because I certainly had not heard anything about the adjudicator. It is huge news.

Anna Soubry: You are the first to hear.

Greg Mulholland: That is marvellous. That appointment is now public, and it is a very significant announcement. I do indeed look forward to meeting Paul in my role as chair of the British Pub Confederation.

I take the Minister at her word about sticking to the clear commitments that were made in both Houses. However, there is a need within the pubs code to deal with what is happening now. The purpose of amendment 20 was to stop the gaming, the use of section 25, and the use of bribes as well as bullying to try to force tenants to sign up now. Pub companies are making desperate attempts to try to carry on the exploitation of the beer tie, which is what the Government have rightly legislated to stop. That behaviour now needs to be stopped, because lots of tenants will otherwise find that they are forced, bullied or bribed into signing up to new agreements that do not have the market rent-only option.

I look forward to discussing those issues with the Minister and to presenting the evidence to her and her team that is drafting the pubs code. I urge her to learn

[Greg Mulholland]

the lessons of the beer orders and not to give in to industry lobbying, or to allow loopholes that are then exploited and gamed by large companies. If that happens, the code will simply not do the very things that she has talked about and her team have signed up to. I look forward to speaking further with her about that.

Question put and agreed to.

Bill accordingly read the Third time and passed, with amendments.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

IMMIGRATION

That the draft Immigration (Health Charge) (Amendment) Order 2016, which was laid before this House on 4 February, be approved.—(Stephen Barclay.)

The House divided: Ayes 307, Noes 57.

Division No. 211]

[6.50 pm

AYES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Barwell, Gavin
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, Richard
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Blackwood, Nicola
 Boles, Nick
 Bone, Mr Peter
 Borwick, Victoria
 Bottomley, Sir Peter
 Bradley, Karen
 Brady, Mr Graham
 Brazier, Mr Julian
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair

Cairns, Alun
 Carmichael, Neil
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chope, Mr Christopher
 Churchill, Jo
 Clark, rh Greg
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colvile, Oliver
 Costa, Alberto
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Byron
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Dorries, Nadine
 Double, Steve
 Dowden, Oliver
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Elliott, Tom
 Ellis, Michael
 Ellison, Jane
 Elphicke, Charlie
 Eustice, George

Evans, Graham
 Evennett, rh Mr David
 Fabricant, Michael
 Fallon, rh Michael
 Fernandes, Suella
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Gillan, rh Mrs Cheryl
 Glen, John
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, Mr James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Hopkins, Kris
 Howarth, Sir Gerald
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Boris
 Johnson, Gareth
 Johnson, Joseph

Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kennedy, Seema
 Kirby, Simon
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McLoughlin, rh Mr Patrick
 McPartland, Stephen
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philip, Chris
 Pickles, rh Sir Eric
 Pincher, Christopher

Poulter, Dr Daniel
 Pow, Rebecca
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, Mel
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Swire, rh Mr Hugo

Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Mrs Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 White, Chris
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wilson, Sammy
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
Guy Opperman and
Jackie Doyle-Price

NOES

Ahmed-Sheikh, Ms Tasmina
 Bardell, Hannah
 Black, Mhairi
 Blackford, Iain
 Blackman, Kirsty
 Boswell, Philip
 Brock, Deidre
 Brown, Alan
 Cameron, Dr Lisa
 Chapman, Douglas

Cherry, Joanna
 Cowan, Ronnie
 Crawley, Angela
 Day, Martyn
 Docherty-Hughes, Martin
 Donaldson, Stuart Blair
 Durkan, Mark
 Fellows, Marion
 Ferrier, Margaret
 Gibson, Patricia

Grady, Patrick
 Grant, Peter
 Gray, Neil
 Hendry, Drew
 Hermon, Lady
 Kerevan, George
 Law, Chris
 Lucas, Caroline
 MacNeil, Mr Angus Brendan
 Mc Nally, John
 McCaig, Callum
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, Dr Alasdair
 McGarry, Natalie
 McLaughlin, Anne
 Monaghan, Carol
 Monaghan, Dr Paul
 Mullin, Roger
 Newlands, Gavin

Nicolson, John
 O'Hara, Brendan
 Oswald, Kirsten
 Paterson, Steven
 Ritchie, Ms Margaret
 Robertson, rh Angus
 Salmond, rh Alex
 Saville Roberts, Liz
 Sheppard, Tommy
 Skinner, Mr Dennis
 Stephens, Chris
 Thewliss, Alison
 Thompson, Owen
 Thomson, Michelle
 Whiteford, Dr Eilidh
 Whitford, Dr Philippa
 Williams, Hywel

Tellers for the Noes:
Pete Wishart and
Mike Weir

Question accordingly agreed to.

PETITION

Improved mobile telephone signal in South Suffolk

7.4 pm

James Cartlidge (South Suffolk) (Con): I rise to present a petition on behalf of my constituents in relation to the mobile phone signal in South Suffolk. Basically, for those who cannot send a text message to the Chancellor, I am sending a message on their behalf, which is that we want our rural communities to go into the 21st century.

The petition states:

The petition of residents of South Suffolk,

Declares that too many communities in the constituency suffer from poor mobile phone signal and not-spots; further that the Department of Culture, Media and Sport, together with Her Majesty's Treasury, should bring forward a new round of mobile infrastructure project funding to support new masts in the worst affected villages; and further that a local paper petition and online petition on this matter has received 3,707 signatures.

The petitioners therefore request that the House of Commons urges the Department of Culture, Media and Sport and Her Majesty's Treasury to support the earliest possible introduction of a new phase of the Mobile Infrastructure Project for rural areas.

And the Petitioners, as in duty bound, will ever pray.

[P001677]

Pilgrim Fathers (400th Anniversary)

Motion made, and Question proposed, That this House do now adjourn.—(Stephen Barclay.)

7.5 pm

John Mann (Bassetlaw) (Lab): As you are aware, Mr Deputy Speaker, 2020 will mark the 400th anniversary of what we generally call the Pilgrim Fathers and what the United States call the Mayflower Pilgrims, because there were, of course, mothers and daughters, as well as fathers, on that boat.

Mr Deputy Speaker (Mr Lindsay Hoyle): I reassure the hon. Gentleman that I am well aware of that, because Myles Standish, who was the officer in charge of the Mayflower, came from Chorley.

John Mann: At first glance, nonconformity and its influence on democracy are a series of extraordinary coincidences based in the beautiful setting of rural Bassetlaw, and they are all linked by geography, message and history. The modern history of our great ally and special partner, the United States of America, comes from a tiny group of men and women who, in the autumn of 1620, arrived on board the Mayflower at Cape Cod in Massachusetts. They were a group of religious and political nonconformists who risked their lives, and at times lost their liberty, in order to establish the basis and values of the society they wanted. It was a society that, through the Mayflower compact—which was the basis of that first settlement on the east coast of America—created both the foundations for the constitution of the United States and the model for parliamentary democracy.

The leaders of these pioneers were neighbours. We start in Scrooby, whose manor house under the Archbishop of York was lived in by Cardinal Wolsey in 1530 after his fall from grace, and was visited by King Henry VIII when it was a hunting lodge. Scrooby is 17 miles and 30 minutes from Epworth, 3 miles from Austerfield, 7 miles from Babworth, 14 miles from Sturton le Steeple, 9 miles from Worksop, and only 45 minutes from Lincoln cathedral and 60 minutes from York Minster.

Oliver Colville (Plymouth, Sutton and Devonport) (Con): As the hon. Gentleman knows, the Mayflower left, ultimately, from Plymouth in order to go and found the American colonies. We are in the process of setting up an all-party parliamentary group and I very much hope that he will join me as its co-chair, and we can try to get some other people to join us, too.

John Mann: I thank the hon. Gentleman. Should hon. Members, following the usual rules, deign that to be appropriate, I would be honoured to join him. The Bassetlaw-Plymouth amalgam cross-party group would be a powerful way to spread the message of the values and principles of the Mayflower Pilgrims.

The key 16th-century village of Scrooby was, as it is now, on the Great North Road. This tiny village was called

“a pleasing land of drowsyhead...broad meadowlands...hummocky plots of stiff soil”

and

“a raised area served by the River Idle.”

The postmaster—an important position in such a strategic transport route—was John Brewster, and the real story of the pilgrims begins in 1587, when his son, William Brewster, returned to the place of his birth and childhood. It was at the manor house that William Brewster created the religious separatist church, the Pilgrims, and held its first sessions. Who were the neighbours in attendance? Along with William Brewster, there was John Robinson, of Sturton le Steeple. The separatist church named after him in Gainsborough was opened in 1896 by the US ambassador, the honourable T.F. Bayard. That was the last time, but I am sure it will not be the only time, that an American ambassador visited the origins of the modern United States.

Jim Shannon (Strangford) (DUP): I am very interested in history, and I have come across the Pilgrim Fathers in my study of history. I congratulate the hon. Gentleman on securing the debate, and it is a real pleasure to take part. Who would have thought 400 years ago that the Pilgrim Fathers would do something that would last 400 years? Does he welcome the strong economic, physical, emotional, cultural, military, and political ties between the United States and the United Kingdom, which are also united by language?

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I am not quite sure that that fits in with the Pilgrim Fathers on the 400th anniversary, and I think you need to sit down. We must be careful not to extend this debate beyond where the hon. Member for Bassetlaw (John Mann) wishes to take it, and I am sure that he will not be tempted that easily.

John Mann: There are huge principles that unite us and our strongest ally. They come from villages such as Scrooby in Bassetlaw, and from the other partners who from across our fair and pleasant land created the Mayflower compact. They included William Bradford of Austerfield, who became the first governor of the Pilgrim colony in Massachusetts; Richard Clyfton, the rector of Babworth, in Bassetlaw, whose preaching drew in the neighbours in creating the non conformity and the ideology of individual freedom that were so powerful in the setting up of America; Henry Brewster of Sutton-cum-Lound; Richard Bernard of Epworth and later of Worksop; Gervase Neville of Worksop; John Smyth of Sturton; and Francis Cooke of Blyth. Those dissenters and champions of conscience and liberty were all from the Bassetlaw area. They left the hamlet of Scaftworth on the Idle and went down to West Stockwith on the Trent. From there, they went to Amsterdam, and from Amsterdam to Leiden in Holland, where they recreated their Scrooby and Babworth churches in 1607. Having deepened their church and their philosophy, they set sail via Southampton and Plymouth to the new world, first in the Speedwell and then on the Mayflower.

On board, the Pilgrim Fathers finalised their original philosophy into the Pilgrim compact, which contains the foundation of the US constitution. The compact states that they would establish:

“a civil body politic...to enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions and offices, from time to time, as shall be thought most meet and convenient for the general good of the Colony, unto which we promise all due submission and obedience.”

John Quincy Adams, President of the United States, described the compact as

“the only instance in human history of that positive, original social compact...the only legitimate source of government. Here was a unanimous and personal assent, by all the individuals of the community, to the association by which they became a nation.” That was a recognition of equal consent as the source of authority, and its birthplace was that tiny corner of England in Bassetlaw.

In setting up the Plymouth colony, the Pilgrim Fathers agreed a compulsory seven-year partnership between everyone who arrived, which involved a pooling of profits, an equal division of wealth and full rights for women, including widows and dependants. Most of the wives died in the first year. Only five survived beyond the first year: Mary Brewster, Elizabeth Hopkins, Eleanor Billington, Susanna White and Elizabeth Tilley. Many of the daughters survived, and they grew to be adults. Through their marriage vows, they replenished the community, to build the United States of America from that tiny group of people.

The context is vital to understanding just how significant the achievement was to the modern day. Feudalism was still the order in the United Kingdom. This was the period soon after Cromwell and the Star Chamber. It was a few years after Guy Fawkes attempted to destroy Parliament. Soon afterwards, William Tyndale, who translated the Bible, was burnt at the stake as a heretic, at Vilvoorde near Brussels.

These dissenters, democrats and visionaries advanced not just religious freedom, but human emancipation. Their story needs expounding, because the ripples of their influence continued beyond their settlement in the United States. In 1703, when John Wesley and his family lived in Epworth, where one of the Pilgrims came from, the influence of the Pilgrims helped to formulate his religious vision and views. He shared the same ethos, and drank from the same well of wisdom.

In 1740, another Bassetlaw pioneer, John Cartwright—his family coat of arms happens to adorn my current property in Bassetlaw—wrote “The English Constitution”, which for the first time stated the principles of universal suffrage, the secret ballot and equal electoral districts. That became the template for the Chartists, and provided the basis of and the detail for the Great Reform Act of 1832. As Thomas Jefferson said, his work must be held in “high veneration and esteem”. It was in East Retford in Bassetlaw that Cartwright witnessed the original rotten borough. There were 200 voters for the two seats, which were sold at 20 guineas a vote or 40 guineas per voter, until the Great Reform Act, which came from the principles established by the Pilgrims. It is hardly a surprise that Cartwright’s last act was to build a mill in Retford that he called Revolution Mill.

The year 2020 provides a historic opportunity—in Leiden, Southampton, Plymouth, Massachusetts and of course Bassetlaw, as well as elsewhere—to reinvigorate the Pilgrim compact in relation to our shared values and, through Parliament, our democracy. In Bassetlaw, the Churches, acting together, have begun our local preparations with their Illuminate 400 project. We welcome the offer of financial support that the Chancellor of the Exchequer has already made, and we look forward to that support being specified in detail in the near future. We foresee a celebration of sound and light to illuminate the Pilgrims’ stories, and their churches and locations.

We will recreate the experience of the world’s first international tourism a century and quarter after Americans—they travelled on cruise liners—came to

Bassetlaw as the first mass tourists. We will welcome the Pilgrims’ descendants, whether they are famous ones such as the Rockefellers, Clint Eastwood and Richard Gere, who are all direct descendants of the Bassetlaw Pilgrims, or less famous ones. Each and every one will be equally welcome, as indeed will you, Mr Deputy Speaker, and Mr Speaker, to participate in the historic celebrations.

Let this Parliament recognise the importance of the Pilgrims and welcome these celebrations. Their courage, their organisation and their political philosophy of freedom—the rights of the individual, and the responsibility to one another—formed the bedrock of the US constitution. It did more than that, however, because it provided the ethical vision for Wesley and the democratic template for John Cartwright, with the spreading of religious tolerance and freedom, and the emancipating of feudal society to become a representative and participatory parliamentary democracy. Our shared history with the United States of America, our joint purpose today, our unwavering commitment to parliamentary democracy in the United States and the United Kingdom and our resolve to protect it across the world, which we have bequeathed to the world, are what the Pilgrims gave us.

7.19 pm

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Mr David Evennett): I begin by congratulating the hon. Member for Bassetlaw (John Mann) on securing the Adjournment debate this evening. I commend him for raising the topic in the House and for his excellent and powerful speech, which we listened to with great interest. He highlighted the strong and friendly links that this country has with the United States, and our historical contribution to that great nation. Personally, I love history and I believe that highlighting the pioneers of our past is very important. The hon. Gentleman has therefore done a great service this evening not only to history and to his constituency, but to the Americans by letting them know that they should visit Bassetlaw as part of the celebrations commemorating the Pilgrim Fathers and the Mayflower.

Oliver Colvile: Does my right hon. Friend recognise that we should use the occasion for a fantastic trade exhibition to make sure that we have lots of American companies coming over here to visit Plymouth as well and to boost our growth?

Mr Evennett: My hon. Friend makes a powerful case. I know that he has been a champion of his constituency and of the celebration of the 400th anniversary of the Mayflower. It is good to see my hon. Friend the Member for Stone (Sir William Cash) and also my hon. Friend the Member for Newark (Robert Jenrick), who tells me that there is a civil war centre funded by the Heritage Lottery Fund and an exhibition in his constituency, so we are getting to grips with this important historical occasion.

We want to encourage as many Americans as possible to learn at first hand about the journey of their forefathers, which underpins our special relationship. In doing so, we want them to discover more of our beautiful country, and to visit, look up their roots and enjoy our heritage.

The Mayflower with the Pilgrim Fathers on it left Plymouth on 6 September 1620 with just 102 passengers and crew on board. It arrived 56 days later on

[Mr Evennett]

11 November in Cape Cod on the US east coast. The Mayflower sailing is celebrated by many in the US as the beginning of their national legacy, and in the UK as the beginning of one of the most enduring alliances the world has ever known. The Mayflower sailed from Plymouth, but, as the hon. Member for Bassetlaw pointed out, three of the four signatories to the Mayflower compact came from Bassetlaw and south Yorkshire. They must be remembered too for their contribution.

Sir William Cash (Stone) (Con): We should remember that four of the children who were on that journey came from Shropshire and were directly related to a distinguished former Member of this House, Sir Jasper More.

Mr Evennett: I am grateful to my hon. Friend for enlightening us on that matter.

It is only right that all parts of the United Kingdom that were involved in that momentous occasion can profit from the renewed interest that the citizens of the USA will have in visiting the UK as part of the 400th anniversary commemorations in 2020. This matters not just for the constituencies involved, but for tourism and the economic benefits brought by those tourists from America and other parts of the world, because we have a great story to tell. American tourists spent nearly £3 billion in this country in 2014.

The Plymouth area has received financial support from the Government, with £35,000 announced to upgrade facilities at the Mayflower museum. However, I would like to allay any fears that the people of Bassetlaw might have that all Mayflower-related financial support is going to Plymouth and will not be distributed across the country: £500,000 worth of support was announced in the autumn statement 2015 by my right hon. Friend the Chancellor, as we heard, for Mayflower-related celebrations across the country. VisitEngland is in the process of allocating that sum and will involve in its work a number of areas across the nation, not just the city of Plymouth.

John Mann: I am delighted that in response to a question on the record from me to the Chancellor, he confirmed that additional money will be made available on top of that £500,000.

Mr Evennett: I am grateful to the Chancellor for the support he is giving.

Other support might be available as well. To date, the Heritage Lottery Fund has not given any Mayflower-specific grants, although I understand that it is in discussions with other organisations across the UK, including in Bassetlaw, regarding possible bids.

I congratulate Plymouth on the proactive approach it has taken to deepen the cultural, educational and tourism links with large US target audiences, because all those aspects are vitally important. I congratulate Bassetlaw and other areas of England on getting together with Plymouth and other areas to discuss how they can all get involved in this historic event and make the most of this opportunity to encourage tourists to discover their areas. I understand that Bassetlaw Council, as a member of the Mayflower 400 organisation, is currently in discussions with the Heritage Lottery Fund about a bid

for funding to support a planned series of events for the 400th anniversary celebrations. The result of that bid has yet to be decided, but I wish Mayflower 400 every success in its efforts.

That is exactly the type of collaboration, spreading the economic and cultural benefits of tourism right across the country, that this Government are seeking to encourage through our five-point plan for tourism. On that point, I welcome the fact that the hon. Member for Strangford (Jim Shannon) is in his place this evening. We all want to see as many visitors as possible coming to the UK and getting out and about across our fantastic country to see our heritage, because it is not just in London but across the country. The hon. Member for Bassetlaw made some powerful points about the people, the times they lived in, the effect they had on this country and their contribution to the creation of the United States of America.

Oliver Colvile: Will my right hon. Friend also recognise that it is really important that we have good transport links down to the south-west so that people can not only fly into the place, but take a train or a decent road down to Plymouth so that we can maximise the benefit for the city and for south-east Cornwall?

Mr Evennett: I note what my hon. Friend has said and will come to that point in a moment if I have time.

International tourism has grown spectacularly in recent decades. Obviously the Pilgrim Fathers took a long time to get across the Atlantic, but today that journey is very quick. International tourism is so important, and we are determined to capitalise on these opportunities to benefit the whole country.

The Prime Minister published the five-point plan last summer, within the first 100 days of this Government. One of our most important priorities has been to see greater collaboration between destinations in England. We have seen that this evening, with Plymouth and Bassetlaw working together on exciting opportunities and initiatives, and we also want our national tourism bodies, VisitEngland and VisitBritain, to work more closely together to promote holidays in England. That is why we have announced changes in the governance of VisitEngland and VisitBritain, and why we have announced a new £40 million Discover England Fund to incentivise destinations to work together. Having participated in a couple of regional roadshows for the Discover England Fund, I can say that it has been fantastic to see the creativity and energy of destinations when we all come together. I think that in this debate we have seen that creativity and the determination to celebrate this anniversary effectively.

Jim Shannon: In responding to the hon. Member for Bassetlaw (John Mann) the Minister has encapsulated my wish, which is that we do something for the whole United Kingdom of Great Britain and Northern Ireland, including the Ulster Scots in Northern Ireland, the Irish from the Republic, the Scots from Scotland and the Welsh from Wales. Together, in this great United Kingdom of Great Britain and Northern Ireland, we can come together to try to attract tourists from across the United States of America.

Mr Evennett: I am pleased to note the hon. Gentleman's positive points. We want to ensure that the whole of the United Kingdom of Great Britain and Northern Ireland has more tourists and more opportunities to show what fantastic places we have across our nations.

Our second priority has been jobs and skills. We want to boost apprenticeships in tourism and to promote it as a career choice for the brightest and the best. Tourism is a growth area and it is exciting for people to get involved and have a career in it.

Thirdly, we realise that regulation is an issue for small business. We are looking at what we can do to ensure that regulation and how it is enforced is both proportionate and common sense.

A moment ago, my hon. Friend the Member for Plymouth, Sutton and Devonport (Oliver Colvile) mentioned transport. We need good transport, high-calibre locations, and great hotels and hospitality, but we need a joined-up approach. When visitors want to discover England, it is right that the transport offer is easy and straightforward to access—when they get off the train, ideally there will be a bus to take them to their final destination. I am working with colleagues in the transport and tourism industry to explore what more can be done, but it is important that we have a joined-up approach to ensure that people coming from America or wherever else around the world have not only a good experience—a high-calibre experience of history, culture, heritage and tradition—but good facilities and hotels. We do pretty well in this country, but we can always do better. That is what we are looking at most passionately.

We want to ensure that all visitors receive a great welcome. That means we must drive improvements in our visa service and ensure that tourists to the UK are greeted warmly when they arrive. Most recently, we have had negotiations on two-year visas for people coming from China, which would make a lot of difference—they want to visit on several occasions but do not want to apply for a visa every six months. My hon. Friends in the Home Office are dealing with that, and we have had considerable success.

We want people to go home with great memories and experiences, highlighting the best of Britain. We want them to go home and tell other people what has been achieved, and that Britain is not only open for business, but a top-level tourist attraction across our nations.

We want to ensure that our history is celebrated. That is why it is so important that we celebrate the 400th anniversary of that fantastic experience, so that we can learn about it, and so that our young people in schools and colleges know about it. We should talk about it and promote it. I am passionate that this has been a great opportunity this evening to highlight that and put it on the record. We have a little time to prepare, which is important. What I have heard from the hon. Member for Bassetlaw is encouraging and we want to do anything we can to assist. It is very important that we understand such a historic milestone. I have learned so much from what he has told us about his constituency, its people and what life was like at that time. We need to ensure that that is transmitted to the Americans, particularly so that they come back over here and see what life is all about.

I look forward to working with the hon. Gentleman to encourage as many tourists as possible to the Bassetlaw area during the coming years. The anniversary represents a great opportunity to commemorate an important historical event, which changed lives. As he highlighted, it was the opportunity to be the basis of what became the United States of America. We have learned a lot this evening about the history of Bassetlaw and the people involved.

John Mann: Before the Minister finishes his speech, I cordially invite him to Bassetlaw. I offer a personal guided tour of the site. He will have the opportunity to stay in the historic Sherwood forest. Of course, the majority of the Sherwood forest that still exists is in Bassetlaw. That is surely an offer that no tourism Minister could ever refuse.

Mr Evennett: I will certainly take that kind invitation on board. I will put it forward and have a look at the diary to see whether it is possible.

Oliver Colvile *rose*—

Mr Evennett: We are almost out of time. I welcome the debate, which has been good-humoured, interesting, factual and bipartisan. We have highlighted the great country we are and the history we have, and we want to celebrate it.

Question put and agreed to.

7.34 pm

House adjourned.

Deferred Division

EU MEASURES TO COMBAT TERRORISM

That this House takes note of European Union Document No. 14926/15, a Proposal for a Directive on combating terrorism and replacing Council Framework Decision 2002/475/JHA; endorses the Government's decision not to opt in under Protocol 21 on the Position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice annexed to the EU Treaties; and supports the Government's approach of working with other Member States to support our international partners and strengthen the international response to the threat from terrorism, recognising that national security is a matter for individual nations through their sovereign Parliaments.

The House divided: Ayes 302, Noes 217.

Division No. 209]

AYES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Ansell, Caroline
 Atkins, Victoria
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, Richard
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Boles, Nick
 Bone, Mr Peter
 Borwick, Victoria
 Bradley, Karen
 Brady, Mr Graham
 Brake, rh Tom
 Brazier, Mr Julian
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair
 Cairns, Alun
 Cameron, rh Mr David
 Campbell, Mr Gregory
 Carmichael, Neil
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clegg, rh Mr Nick
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Colvile, Oliver
 Costa, Alberto
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Davies, Chris
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Dodds, rh Mr Nigel
 Donaldson, rh Mr Jeffrey M.
 Donelan, Michelle
 Dorries, Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Elliott, Tom
 Ellis, Michael
 Ellison, Jane
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evans, Mr Nigel
 Evennett, rh Mr David
 Fabricant, Michael
 Fallon, rh Michael
 Fernandes, Suella
 Field, rh Mark
 Flynn, Paul
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Freeman, George
 Fuller, Richard
 Fysh, Marcus
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Gillan, rh Mrs Cheryl
 Glen, John
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen

Gray, Mr James
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Halfon, rh Robert
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hermon, Lady
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Hopkins, Kris
 Howarth, Sir Gerald
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Jackson, Mr Stewart
 James, Margot
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kennedy, Seema
 Kinahan, Danny
 Kirby, Simon
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Lilley, rh Mr Peter
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McLoughlin, rh Mr Patrick
 McPartland, Stephen
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Jenkin, Mr Bernard
 Phillips, Stephen
 Philp, Chris
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Pritchard, Mark
 Pugh, John
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Sheerman, Mr Barry
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Julian
 Smith, Royston
 Solloway, Amanda

Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Swire, rh Mr Hugo
 Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew

Tyrie, rh Mr Andrew
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vaz, rh Keith
 Vickers, Martin
 Villiers, rh Mrs Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 White, Chris
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williams, Craig
 Williams, Mr Mark
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wilson, Sammy
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Haigh, Louise
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendry, Drew
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hosie, Stewart
 Howarth, rh Mr George
 Hussain, Imran
 Irranca-Davies, Huw
 Jarvis, Dan
 Johnson, rh Alan
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Susan Elan
 Keeley, Barbara
 Kendall, Liz
 Kerevan, George
 Kinnock, Stephen
 Kyle, Peter
 Lavery, Ian
 Leslie, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Mr Ivan
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Mr Angus Brendan
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCaig, Callum
 McCarthy, Kerry
 McDonald, Andy
 McDonald, Stuart
 C.
 McDonnell, Dr Alasdair
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McLaughlin, Anne
 Meale, Sir Alan
 Mearns, Ian
 Monaghan, Carol
 Monaghan, Dr Paul
 Moon, Mrs Madeleine
 Morden, Jessica
 Morris, Grahame M.
 Mullin, Roger
 Newlands, Gavin
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten

Owen, Albert
 Paterson, Steven
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Pound, Stephen
 Powell, Lucy
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Ritchie, Ms Margaret
 Robertson, rh Angus
 Rotheram, Steve
 Ryan, rh Joan
 Salmond, rh Alex
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Jeff
 Smith, Nick
 Smyth, Karin
 Spellar, rh Mr John
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stuart, rh Ms Gisela
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Thomas-Symonds,
 Nick
 Thompson, Owen
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, Valerie
 Watson, Mr Tom
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Williams, Hywel
 Wilson, Corri
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Dame Rosie
 Wishart, Pete
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

NOES

Abbott, Ms Diane
 Abrahams, Debbie
 Ahmed-Sheikh, Ms Tasmina
 Alexander, Heidi
 Ali, Rushanara
 Anderson, Mr David
 Ashworth, Jonathan
 Austin, Ian
 Barron, rh Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackford, Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blenkinsop, Tom
 Blomfield, Paul
 Boswell, Philip
 Brennan, Kevin
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Burden, Richard
 Burgon, Richard
 Burnham, rh Andy
 Butler, Dawn
 Cadbury, Ruth
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Cherry, Joanna
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cox, Jo

Coyle, Neil
 Crausby, Mr David
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 David, Wayne
 Day, Martyn
 De Piero, Gloria
 Doughty, Stephen
 Dowd, Jim
 Dowd, Peter
 Durkan, Mark
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Esterson, Bill
 Evans, Chris
 Fellows, Marion
 Ferrier, Margaret
 Fitzpatrick, Jim
 Fletcher, Colleen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Gardiner, Barry
 Gibson, Patricia
 Glass, Pat
 Glendon, Mary
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew

Question accordingly agreed to.

Westminster Hall

Wednesday 9 March 2016

[MR DAVID NUTTALL *in the Chair*]

BT Service Standards

9.30 am

Caroline Nokes (Romsey and Southampton North) (Con): I beg to move,

That this House has considered BT service standards.

It is, as ever, a pleasure to serve under your chairmanship, Mr Nuttall, and I express my gratitude to Mr Speaker for having granted this debate. I am conscious that there are many colleagues here today and presumably, because of their attendance, they have experienced similar problems to those that I have in my constituency. Those issues centre on BT's inability to deliver its service obligations to its customers—our constituents. I reassure hon. Members that I intend to be generous with my time and in taking interventions, because I know that this subject fills many of our postbags. Lucky constituents have the ability to send us emails, although some of my constituents in Romsey and Southampton North have resorted to quill pen and ink, such is their frustration with their poor service.

I make it clear from the outset that this is not about broadband, although I will mention it, and I am sure that will give colleagues an opportunity to vent. Instead, I plan to focus on the myriad problems my constituents have faced over the course of the last 12 months and, in some cases, BT's inability even to seek to rectify faults. Its contractors have repeated errors that have caused mayhem in some villages in my constituency.

Julian Knight (Solihull) (Con): I congratulate my hon. Friend on securing this important debate. I was prompted to rise when she mentioned the limits of the service, in terms of faults not being rectified. In my constituency, a 99-year-old lady's phone line was down, but BT refused to send an engineer. Thankfully, my office forced it to send one in. After the work was done, however, she had a stroke. Her son managed to make phone contact to discover that, but it could have been so very different if the line had not been fixed and her son had been unable to get through. She could have died without immediate assistance, and that shows the importance of phone lines.

Caroline Nokes: I thank my hon. Friend for that contribution. He makes a really valid point: we rely on our telephones, and not simply to make social calls or to run businesses. They also enable a huge number of elderly people, through modern technology and particularly through their personal alarms, which are connected to the phone service, to live independently and safely in their own homes and to alert relatives to a problem simply at the push of a button.

Inevitably, I will conclude with some specific questions for the Minister and even some suggestions about what BT are doing well, but perhaps might do better. I welcome the publication by Ofcom last month of its review into digital communications, which came after I had applied for this debate, but before I heard that it had been granted. In many respects, the review addresses some of the

significant criticisms that I will make today of BT. I was particularly pleased to see its headline point: that Ofcom intends to introduce tougher rules on faults, repairs and installations; transparent information on service quality; and automatic compensation for consumers when things go wrong.

Anne Marie Morris (Newton Abbot) (Con): I congratulate my hon. Friend on securing the debate. She is making a very good point, but in my constituency I had a case that was not about the system that was in being repaired, but about no system being put in at all. For six months, residents in a new housing development had no telephone and, to cap it all, they also had no mobile signal, so they were effectively cut off. Until I got involved, absolutely nothing happened.

Caroline Nokes: My hon. Friend is absolutely right to point that out. Like me, she represents an area with enormous rural parts where the mobile signal is often patchy, shall we say, at best. It is absolutely true that in cities it can perhaps be less serious if there is no working telephone connection, because mobile coverage is better—not perfect, but better—but in villages there is often no mobile signal at all. I am sure that we all share the frustration that our constituents do not get the satisfaction that they are looking for from BT until they turn to us.

As I was saying, I welcome the intent expressed by Ofcom, but I ask the Minister to ensure that it is delivered promptly and with absolute rigour, and that Ofcom publicises widely the manner in which customers might communicate with it about faults, the length of time that it takes for repairs to be done and, importantly, transparency of information.

It would not be a debate in Westminster Hall if I did not have a quick trip around the geography of my constituency and the myriad faults and problems that have occurred.

Mike Kane (Wythenshawe and Sale East) (Lab): I congratulate the hon. Lady on securing the debate. Does she agree that the trouble is that in 2015 BT reached all its targets as prescribed by Ofcom? Is there perhaps something wrong with the targets prescribed by Ofcom and not just with BT?

Caroline Nokes: The hon. Gentleman's point is very important, and actually we want the targets to be much higher. We live in a world where consumer demands are getting greater by the day. We expect incredibly high levels of customer service, and companies such as BT should be able to respond to that and have stretch targets to make sure that they are delivering the sort of communication services that we can reasonably expect in the 21st century.

Jack Lopresti (Filton and Bradley Stoke) (Con): I congratulate my hon. Friend on securing this very important debate. This is not just about targets, but about attitude and the way that people are dealt with. A constituent of mine paid a deposit for a phone line but the line never arrived, and she was sent several bills. In the end, BT refused to respond to any complaint from her and called in debt collectors. It was sorted out only when I intervened. This is a shocking state of affairs, as I am sure my hon. Friend would agree.

Caroline Nokes: My hon. Friend makes a good point that when services are ordered, there is an expectation that they will be installed. I can think of a case in my constituency where a customer's order was accepted, but they were told that they could not have it delivered because they were in such a remote location, yet the properties on either side of the customer both had phone services. It just required my input, yet again, to say to BT, "Come on, you can do this. This isn't the middle of nowhere; there is a telephone network running down the road."

I turn first to the village of Sherfield English, which is a settlement of about 400 houses, in a linear development, where there has been very little house building over the past 10 years. However, with the increase in people working from home, or perhaps running small businesses, which we would all seek to encourage, there has been growth in the demand for telephone lines. It appears that BT has struggled to keep up with that demand, but rather than telling potential customers that they cannot have a new line and acting transparently, it has accepted the orders. There have then been repeated incidents of contractors working on behalf of BT simply extracting an existing line's connection to the cabinet and putting in a new one in its place.

I refer in particular to my constituent, Mr Ian Forfar, to whom that has happened four times. I assume that his connection must be at the top of a row of connections within the cabinet. He is now on first-name terms with many members of staff at BT and is in the habit of stopping at the local cabinet when passing if he sees someone working on it, just to check that his line is not about to be disconnected again. Mr Forfar is an extremely articulate, determined man—a man who is not to be messed with. He has provided me with a very clear timeline of all the events that have impacted on his telephone service over the last year or so. Each time he has gone home and found his line dead, it has been because a third-party contractor has taken out his connection in order to provide a new line for a new customer. Mr Forfar was promised a full investigation last year of what was going wrong in Sherfield English, but then the regional manager went on holiday and Mr Forfar heard no more. It comes to something when, earlier this year, Mr Forfar's line went dead for a fifth time, and he was celebrating because it had been caused by a branch that had fallen across the line.

Lack of capacity seems to be a real problem, and it is not just limited to the rural parts of my constituency. Cabinet No. 7 in Bassett, which is right on the edge of Southampton, has suffered from a lack of availability of new lines, as well as many other faults. Again, one of my constituents—this time a local councillor, Alison Finlay—has provided a very detailed timeline of events, which dates back as far as 2011. In common with the constituents in the middle of Romsey, the cabinet seems to provide a variable service, especially when the weather is not good. I do not know why rain should be such a problem, but as Councillor Finlay puts it:

"I mentioned that care would need to be taken when dealing with Cabinet 7 as my constituents experienced variable levels of telephony...from it, especially during winter months."

As we heard earlier, many elderly residents are dependent on the telephone line being in good working order for their personal safety alarms. Without a connection, if they push the button on their alarm in the case of a fall

or other incident, help might not be just minutes away; in the worst cases, as my hon. Friend the Member for Solihull (Julian Knight) said, it could be many hours or even days away. None of us wants that for our more elderly residents. Independence and the ability to stay in their own home is wonderful and technology today can provide great peace of mind for elderly people and their relatives, but that is dependent on having the network to back up the technology.

Cabinet 7 in Bassett was long scheduled for an upgrade. Indeed, in 2011 Councillor Finlay first flagged up the problems, and the fact that care would be needed with any changes and that they would have to be done with extreme caution because they were known to be very delicate. In December 2015, the cabinet was finally upgraded, after many delays and false deadlines. Sadly, that is not the end of the story because, in January about 30 households were cut off for four weeks, lines were crossed and, according to Councillor Finlay, only a semblance of service was restored.

That is similar to the almost entertaining, interesting experience of the residents of Up Somborne. A few weeks ago, most of the village's lines were crossed and neighbouring households were providing a message service to one another as lines were swapped and numbers were redistributed, apparently randomly. The spectacle of neighbours running up and down the road passing messages to one another may sound amusing, but in the 21st century it is not acceptable.

BT's obligations are very clear. For telephony, it has a universal service obligation, meaning that basic telephone services should be available on request for a reasonable fee. For broadband, a universal service obligation is not yet in place but is on its way for 2020, and I warmly welcome that. However, I question how well BT is meeting its obligation to provide a basic telephony service when residents are cut off for four weeks, poor Mr Forfar is a repeat victim of being cut off and residents of Up Somborne are running round the village passing notes to one another.

I am sure that every hon. Member present this morning is here because they have experienced exactly the same sort of problem and their constituents have turned to them because they cannot get satisfaction on their own. That is why the Ofcom review, published two weeks ago, is so important. Ofcom intends to introduce tougher rules on faults, repairs and installations, and I welcome that, but an intention is all very well. I urge the Minister to ensure that there is a stringent timescale for when that will be achieved.

Customers—constituents—want and deserve transparency. They want to know when they can expect a repair to be effected. They also want an automatic right to compensation at a level that is published, clear and available for anyone to check. I am always at pains to point out to constituents that, when service has been interrupted or orders placed and not fulfilled, they are entitled to compensation, but people have to know that to ask for it. How much better an automatic refund will be.

It is interesting to note from Ofcom's "Strategic Review of Digital Communications" that dissatisfaction with BT is at its highest in rural areas and that slow repairs and installations were the single biggest issue that consumers raised in the review. We all know about the automatic right to compensation for other services, such as electricity, gas and water. Customers left without a phone line often

describe it as being akin to a power cut, so reliant are we now on telephone services. So it is good news that Ofcom “intend to introduce automatic compensation”, but my question to the Minister is: when?

The review rightly comments that the landscape of digital communications has changed beyond recognition in the 10 years since the last comprehensive review, and I suggest that the gap between large-scale reviews is too long. Perhaps the Minister will urge Ofcom to carry out such reviews more regularly. Given that the new universal service obligation for broadband was announced last November for implementation by 2020, five years would seem to be a reasonable interval. Technology, price and availability change so fast that a decade can seem a lifetime.

Expectations of quality and customer service are rising exponentially and rightly so. We have a technologically literate and demanding customer base whose requirements grow every time a new platform is released. I welcome the news that BT is seeking to bring the vast majority of call centres back to the UK by the end of the year and I congratulate it on that effort to address some customers' genuine complaints in that respect.

Inevitably—this will not surprise the Minister—I cannot resist making a small reference to broadband because it would be remiss of me not to. There have been many debates in this place and in the House on broadband, its roll-out in rural areas and the great digital divide between the haves and the have-nots: those who are on more than 2 megabits and those who do not receive even that.

The week before last, I received a set of statistics that seemed to suggest that only 1.8% of households in my constituency were receiving less than 2 megabits and I worked that out to be in the region of 700 households. Given the number of complaints I have received, I think I must have been in correspondence with every last one of them. In fact, BT's own figures show that the number is many times that. Around 20% of my constituents do not receive 2 megabits, and this is in Hampshire, not the Outer Hebrides—[*Laughter.*] I suspect we are about to hear from the Outer Hebrides. Barton Stacey in my constituency is less than 70 miles from Westminster, but my constituent, Mr De Cani, has been told that he can no longer expect to receive broadband at all. That is despite BT's accepting his order, delivering a painfully slow and intermittent speed for a while, and now throwing in the towel and saying he is just too far from the cabinet to expect any service.

Julian Knight: On cabinets and their location to customers, a number of small businesses in my constituency have told me that BT is refusing to connect them to cabinets outside their premises. Clearly, that is not good enough from BT and is beginning to have a negative impact on small businesses in Solihull and employers across the country. Does my hon. Friend agree that, when the infrastructure is in place, it is unacceptable for BT not to connect to a cabinet that can be seen from the premises?

Caroline Nokes: My hon. Friend makes a good point. There are examples in Romsey of industrial estates with exceptionally low speeds where customers can see the cabinet on the other side of the road. They desperately want to be connected, but for business customers the regime is wholly different. I have specifically restricted

my comments to residential customers, but my hon. Friend makes a valid point. A number of people running very small micro-businesses from home are hugely affected.

There are too many people like Mr De Cani, there are too many properties without access to the services we take for granted, and there are too few solutions coming forward. Mr Blake of East Wellow makes one plea to BT and it is a good one: the technology exists. He works for IBM and went on a tour of a BT facility in Ipswich where he saw the G.fast mini cabinet, which can be placed on a telegraph pole and has the potential dramatically to increase speeds.

Another constituent was here yesterday as part of the SET for BRITAIN student competition and was showcasing her work, which puts amplifiers on fibre optics to increase capacity dramatically. These changes are all coming but we need to make sure they can be trialled. Mr Blake would like to put in a plea to BT today for a G.fast cabinet in Gardeners Lane, East Wellow. It is a fantastic idea and he is very happy to be part of any trial. In places like West Tytherley, communities are coming together and seriously looking at how to arrange wayleaves, dig ditches, lay cable and bypass BT altogether. When that happens, we know that things have got pretty desperate.

My final comments relate to the Hampshire and Isle of Wight air ambulance service, which operates from Thruxton, just north of my constituency, and RAF Benson, but provides services across the whole county of Hampshire and the Isle of Wight. To put in place the required high speed broadband and the necessary telephony at its new, upgraded base at Thruxton, the air ambulance service must liaise with BT to get Openreach to do the installation. No direct contact with Openreach is possible and the air ambulance service tells me that its attempts to make sure South Central ambulance service, the Hampshire and Isle of Wight air ambulance service and the operators, Bond Air Services, all have their connection done at the same time to minimise costs have so far been fruitless. It just requires a bit of joined-up thinking and co-ordination to make sure that the trench digging and installation are all done together. I am sure BT will be listening today and will ensure that it happens. When considering the essential and life-saving services provided by the air ambulance service and the lack of coverage by mobile phones in that sort of rural area, a BT solution needs to be provided.

I want to ask the Minister three specific questions. We all welcome the Ofcom review into digital communications, but some timescales should be set for the introduction of automatic compensation for our constituents. I would like consideration to be given to more frequent reviews. As I said, the last Ofcom review was 10 years ago. The landscape changes so fast that every 10 years is not often enough. And I ask that BT be encouraged to continue making the changes that customers want. As I mentioned, 80% of its call centre handling will be done in the UK by the end of this year. That is certainly something that customers are seeking; they feel frustration at the current situation. However, it must be about providing a level of customer service and reliability that we all expect in the 21st century.

9.50 am

Corri Wilson (Ayr, Carrick and Cumnock) (SNP): My constituency of Ayr, Carrick and Cumnock is predominantly rural, although it hosts a number of

[Corri Wilson]

small towns, the biggest of which is Ayr, where my constituency office is located. Ayr is home to some 47,000 people—the eighth highest population of any town in Scotland—and is less than 40 miles from Scotland's largest city, Glasgow. We have a lot to offer visitors and businesses alike, but unfortunately an adequate phone and broadband service is not one of them.

It is astonishing that a town such as Ayr should be unable to provide small businesses and households with a reliable telephone and internet service, but that is the case, and Ayr is not alone in this in my constituency. I receive many complaints from residents and businesses, from places ranging from Barr to Ballantrae, Coylton to New Cumnock and Dalrymple to Dailly. There are villages in my constituency with no mobile phone signal from any provider and no broadband capacity, either. Ofcom states that more than eight in 10 UK premises can now receive superfast broadband. That may be true in the rest of the UK, but it is certainly not the case in Ayr, Carrick and Cumnock.

My constituency office, for example, has not had a reliable working telephone line or a reliable internet connection for the past seven months. After working out of temporary premises since May, I wanted to retain the phone number and set up internet access—a simple request, one would think, but apparently not. I was advised by BT that the number would be transferred over without any disruption to the service. That smooth transfer did not happen. Both offices, old and new, were without a phone line and internet connection for well over a week. It turned out that there was no live line into the building, and thus there was a further delay while one was installed. During that entire period, almost every phone call to BT resulted in a new account being set up and a new hub being posted out. The number of accounts has reached double figures, and I am not sure what I am expected to do with the mountain of hubs in the office.

Next, the parliamentary IT team came in to set up the computers—and on that day, BT chose to disconnect me again. It seems that in an attempt to rectify the growing number of accounts, it tried shutting some down and left my team uncontactable for another few days.

All the while, I was receiving bills, both paper and online. Some days I would receive three or four bills, all for different accounts and different amounts. It seemed that the bills were multiplying faster than the accounts being opened. Although helpful and polite, the customer service staff were at a loss as to which bills were valid, which accounts were active and which hubs should be connected. Customer service even called us on a number that it claimed did not exist. We had the irony of BT leaving cloud voice messages, which I received via email, stating its frustration that it could not get through to my office.

We took BT at its word and bought into a package. The cloud phones are now plugged in—although not actually connected—to a further new line that BT had to install. All our IT equipment regularly drops out of service. In some cases, staff have even had to use their own broadband connections at home. Just yesterday, staff yet again arrived at work to find the whole system down and BT support again at a loss to explain what had gone wrong and how to fix it. This morning I have

staff connected to two different hubs to access the internet. One of them is not even plugged into anything, so I do not know how that works. I have no idea how many accounts I currently have with BT, and neither does BT. Although customer service staff continue to be helpful, no one seems able to see the big picture, and we get moved from the broadband department to the cloud department to the telephone department to the maintenance department—and then we start all over again. My staff have wasted hundreds of man-hours on this issue, and that is not to mention the number of dissatisfied constituents who are unable to get through to my office for help.

If that is the level of service received by the MP for the area, it is little wonder that my constituents are at the end of their tether, too. My case load continues to grow with similar problems, and we have no sight of resolutions. As an MP, I have a job to do, but my ability to do it well is being hampered by BT's inability to solve these issues. I feel powerless to help constituents with their BT issues when I cannot even resolve my own. It seems to me that BT has a long way to go to reach an acceptable level of service for the people and businesses in my constituency and, as this debate demonstrates, I am clearly not alone in that belief.

Mr David Nuttall (in the Chair): I intend to start calling the Front Benchers to sum up the debate at about 10.30 am. I do not want to impose a time limit, but I will have to if hon. Members speak at great length. If contributions are about five minutes long, we should be able to fit everyone in.

9.55 am

Huw Merriman (Bexhill and Battle) (Con): It is a pleasure to speak under your chairmanship, Mr Nuttall. I congratulate my hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) on initiating this important debate on BT service standards.

I represent the rural constituency of Bexhill and Battle, which is 200 square miles of east Sussex. We badly need more business in order to get the business rates that will ultimately be required for the constituency to stand on its own two feet. Unlike parts of Kent and parts of west Sussex that neighbour us, we do not have large towns that boost our constituency with business rates, so we badly need to attract more business to the constituency, but not just because we have to stand on our own two feet. As 28% of the population of the constituency is over the age of 65—the national average is 17%—we also need more business rates to fund our ageing population, who are vulnerable and rightly need more care and more resources. As well as needing a dualled A21 and high-speed rail, we need to ensure that our phones, our internet and, indeed, all our infrastructure, for both home and business, are properly funded and properly working in order to attract business into the area.

In the constituency, we also do our best to attract key workers, and those with money to spend, through the work-from-home concept. The commute is long, as I know on a daily basis, but we can attract people on the basis that members of our community can work from home. However, for them to come down to the area and build up their business, it is essential to have these basic provisions in place.

I welcome the moves that East Sussex County Council has made with its eSussex programme, through which it provides funding for the harder to reach parts of my constituency. Its aim is to deliver 660 square miles of broadband provision for 66,500 premises. I also welcome the Broadband Delivery UK programme that the Government have rolled out. Ultimately, however, we need BT to perform, and to perform better.

I shall give a few examples of where things have failed for us and how that will have an impact on our business infrastructure. I was contacted yesterday by NFF, a fencing company on the border of my constituency that is doing incredibly well and is looking to expand into my constituency. It takes on apprentices through an apprenticeships programme and helps to support those who are just leaving school. However, it cannot expand if it does not have the ability to connect its sales hub to the main hub in the constituency, and as a result it is stymied in making progress. It was told two years ago that it would be connected, but still nothing has happened, and—this is also difficult when businesses are trying to plan—it does not have a timeline for when something will happen. I want BT to do something for such businesses. Surely BT should work on the basis of prioritising the businesses that are boosting our local economy, rather than just missing them out. There should be a way of prioritising those companies.

Difficulties are also experienced by constituents who are not using BT, but are using companies that use BT's infrastructure. They are moved from pillar to post on whether the issue is the fault of BT or the service provider. Again, my constituents are experiencing a lack of clear communication that is driving them to despair.

There are rural areas within my big rural patch, Brightling, Dallington and Mountfield, which have little coverage. I met with my parish councillors to work out how we can do better, and they have some fantastic ideas of where innovation could deliver to the parts that BT cannot reach. To that extent, I note that many contracts are being supplied purely to BT, rather than to some of the more innovative solution providers. I would welcome the Government looking into how more competition could be created in the sector so that BT does not end up with every single rural fill-in contract.

My constituency includes the Rother levels, where the problem is not only broadband. Constituents have huge difficulties using any phone. As my hon. Friend the Member for Romsey and Southampton North mentioned, phones can be the lifeblood of many constituents. BT was good in the sense that it did an engineering project to try to work out what the problem was, but it found nothing, which perplexed many of my constituents.

As a Member of Parliament, I want to help BT to do better and to work in partnership with it. I am delighted to be setting up a parish council conference to which I will invite all my parish council heads to meet with BT, our county council and some of the more innovative service providers. We will try to match solutions needed by parishes with a provider that can deliver that at, perhaps, a better cost than BT. I welcome co-operation with BT to improve its service standards. It can do better and I urge it to do so.

10.1 am

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate. Thank you for calling me, Mr Nuttall. I thank the hon. Member for Romsey and Southampton North (Caroline Nokes) for clearly setting the scene. In my constituency, I have experienced all the issues that she and other hon. Members have described. In fact, my experience almost equals the points she made. We have to deal with BT's service team, which is quite a challenge. When it comes to faults and repairs, we phone them and then we phone again. They tell us that they have been out so we phone the constituent, and he tells us, "No, they haven't been out." Then we have to phone BT again to ask, "When were they out and what did they do?" That goes on ad infinitum. It is a real problem.

BT is one of the nation's most popular service providers. It has a competitive advantage as it was born out of the longest established communications provider in the country, yet in many ways it is just as bad as the rest of the pack when it comes to service standards.

Mr Gregory Campbell (East Londonderry) (DUP): BT uses its competitive edge to try to take Sky's customers, particularly regarding televised football. Does my hon. Friend agree it would be better if instead of—or maybe as well as—doing that, some of those millions of pounds of expenditure were diverted into improving the infrastructure, about which we have heard so many complaints this morning?

Jim Shannon: As always, my hon. Friend's pertinent point gets straight to the kernel of the issue. I agree with him wholeheartedly.

In the free market of communications, of course, consumers can vote with their feet, but that is not to say the Government have no role in ensuring proper service standards that customers of any business would expect. I always try to mention statistics because they reinforce the issues that I want to underline. Statistics published on 15 December 2015 show that in the third quarter of the year Ofcom received 22 complaints about BT per 100,000 customers for landline telephone services, compared with an average for 17 per 100,000 across all other operators. It also received 35 complaints about BT broadband services per 100,000 customers, compared with an average of 22 per 100,000 customers across all operators. As the hon. Member for Romsey and Southampton North said, that clearly indicates the level of complaints and the discredit to BT.

Clearly BT is not up to standard on its service standards and Ofcom, as the regulator, has to do something about that, as I will mention later. To help bring about the change that is needed and deliver real competition, BT Openreach will be required to open up telegraph poles and ducts that it uses for its fibre and telecom lines. Rival providers will now be able to use the ducts and poles for their own fibre networks to connect them to homes and offices. If and when that is in place, it will be positive and will be great for competition—and it might finally push BT to get its act together. The figures on BT's poor customer service show that it has abused its dominance for too long and, despite being aware of its poor service, it has not done enough. Indeed, many of us would say that it has done almost nothing.

[Jim Shannon]

The hon. Member for Romsey and Southampton North referred to the call centres. I get many complaints about call centres—about their distance, communication and the time that people spend on the phone. The hon. Lady said that she spoke to three people and then went back around again. That is so often the case, and it is so frustrating.

In reply to a supplementary question on superfast broadband last Thursday, the Minister mentioned that my constituency has an 85% connection to superfast broadband. Many of the employees of small and medium-sized businesses in my constituency who work from home would like better than that, and I would like the Minister to respond to that.

Openreach is part of BT Group, but it has obligations to treat all its customers equally. Ofcom introduced that structure in 2005, and it has delivered benefits such as stronger competition. However, the evidence from Ofcom's review shows that Openreach still has an incentive to make decisions in the interests of BT, rather than BT's competitors, which can lead to competition problems. Perhaps the Minister could respond to that point because it is important. Ofcom's duty is to look after the customer, but we are not sure whether Openreach is doing that in a very balanced way.

To achieve better customer service, Ofcom has outlined the ways in which it will regulate Openreach and BT to ensure better service standards. It says:

“First, Openreach will be subject to tougher, minimum requirements to repair faults and install new lines more quickly.”

Well, we need that today; if Openreach did nothing else but that, it would be a step forward. Ofcom continues:

“These will build on measures introduced by Ofcom in 2014, but will set...minimum standards and extend to other aspects of performance, such as how often faults occur. Second, Ofcom will introduce performance tables on quality of service, identifying the best and worst operators on a range of performance measures so that customers can shop around with confidence.”

In the background information we received, Ofcom said that it wants customers to be automatically compensated for service failures, that it is setting tough minimum standards for network performance, and that it will report on which are the best and worse phone and internet providers. It is good to do all those things, but I would like a response to all those points.

Ofcom intends to introduce “automatic compensation” when things go wrong. It says:

“Broadband, landline and mobile customers will no longer have to seek redress themselves, but will instead receive refunds automatically for any loss or reduction of service.”

That is good news.

Ofcom is to come back later this year with the finalised plans of how to implement the proposals and, although it is long overdue, constituents across the whole of Strangford, the whole of Northern Ireland, the whole United Kingdom of Great Britain and Northern Ireland and, indeed, my own office—we regularly phone BT about problems—will take comfort in this after having issues with BT for some years now.

I await this issue coming back before us with Ofcom's proposals on how to implement its recommendations. It is good to have such recommendations but we need an implementation procedure. I remain encouraged to see

greater consideration given to the largest communications provider in the country, and I look forward to building on today's positives.

10.7 am

Kelly Tolhurst (Rochester and Strood) (Con): It is a pleasure to serve under your chairmanship, Mr Nuttall. I thank my hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) for securing the debate. My constituents will be extremely interested to hear about some of the challenges that she faces in her constituency, which she summarised well.

Rochester and Strood is very close to London—only 26 miles away. My constituency has very highly urbanised areas and quite a lot of rural areas. In some parts, such as Allhallows, it is very touch and go as to whether people can get any kind of mobile signal so, although the area is geographically quite close to urban areas, it is remote within my constituency.

I am pleased to hear that I am not the only MP struggling with the live issue of getting telephone communications sorted in their constituency office. I am expecting—hopefully tomorrow—to have a telephone line installed in my constituency office. However, on previous visits the engineers have been unable to find the connection in the building, which apparently had a line connected previously. I very much hope that tomorrow I will be up and live with a telephone line in my constituency office. At the moment I have a number but not the mechanics.

Not so long ago, just prior to becoming an MP, my business was planning to move offices within the same site—perhaps only a couple hundred metres—in my constituency. We thought, “Well, we won't do it ourselves. We'll get BT in to do the move for us.” We thought that would be quite easy and that BT would just move the line from one building to another a few hundred metres away. Sadly, BT decided to cut off the existing line, resulting in our having a very poor service and no internet connection for up to six weeks, which was a difficult situation to resolve. So I have experienced some challenges in the delivery of telephone services.

Broadband has become a significant issue in my constituency. Some 74% of businesses in my constituency employ fewer than four people, so we are very much a small business economy. Like my hon. Friend the Member for Bexhill and Battle (Huw Merriman), we have to consider how our businesses are growing in the services that are provided. We are told that we are getting high speeds, but in reality, when I talk to businesses and residents, I find that at some of those properties we are not getting the speeds that BT says we should be getting.

A bigger issue is that large swathes of my town centres cannot get access to fibre broadband because BT tells us that it is commercially unviable to upgrade the cabinets. My constituents and I cannot understand why we can be in places such as Rochester town centre or the historical dockyard, where we have had new development—we have many microbusinesses and other growing businesses—and struggle to access the cabinets. I could understand the situation more if the rural parts of my constituency were struggling, because we all appreciate that such areas can have problems, but I would like to understand why some of the cabinets are not being upgraded and why BT has a clear view that the cabinets are commercially unviable. I would appreciate more information on that.

Medway City industrial estate employs more than 6,000 people and makes a real economic contribution to my constituency. The industrial estate is growing and successful, but I am getting complaints from businesses about the large fees required to get any kind of connection at Medway City. We have a growing proportion of digital economy businesses in my constituency, and such businesses need good service and good access. I want to keep those businesses, because I want to grow such commerce in my constituency. Bearing in mind that we are 26 miles from London and that we are an urbanised area—we are not a rural constituency—we should be getting a better deal from BT.

My office has taken on some issues for my residents and businesses over the past 10 months, and my phone calls have always been answered by courteous and pleasant members of BT staff. They always seem to try their absolute best to resolve the issues that we have raised but, obviously, someone nice on the end of the phone does not always satisfy a constituent or business with an issue. How does the Minister intend to hold BT further to account on some of the questions raised today? I welcome this opportunity to touch on a few things that have happened in my constituency in recent months.

10.14 am

Martyn Day (Linlithgow and East Falkirk) (SNP): It is a pleasure to serve under your chairmanship, Mr Nuttall. I thank the hon. Member for Romsey and Southampton North (Caroline Nokes) for securing this timely debate. The issue of BT service standards is wide-ranging, but my interest is specific to one local area in my constituency, namely the village of Westfield in west Lothian.

The village is at the centre of the constituency and lies almost midway between Edinburgh and Glasgow in Scotland's central belt, yet electronically it is almost cut off from society. There is huge investment in the roll-out of superfast broadband throughout Scotland, and through work with BT, Scotland is well on the way to becoming a world-class digital nation by 2020. Despite that ambitious programme, however, there remain a number of communities that the digital revolution is passing by. That was an issue some 16 years ago, when I first represented the village as a local councillor. Sadly, it is still an issue today, despite the efforts of local councillors, parliamentarians and the local community.

The heart of the problem appears to be the distance from the exchange and the supporting BT cabinet equipment. Cabinet 31, relatively nearby, will be upgraded to fibre within the next six weeks. Welcome though that is, its distance from the village, being more than 1 km away, is expected to negate any benefit for most residents. For that village in the heart of Scotland, the issue is one of access to basic broadband, never mind superfast broadband.

I note with interest one of the conclusions in Ofcom's recent strategic review of digital communications, published last month:

“Better broadband and mobile coverage. Ofcom will work with the Government to deliver a new universal right to fast, affordable broadband for every household and business in the UK.”

I welcome that recommendation, as will my constituents. However, the question remains, when will it become a reality for residents in villages such as Westfield? Ofcom has basically said that communications must work in the interests of UK citizens. As the regulatory powers

to address market failure are reserved to Westminster, the UK Government need to do more to ensure that Scotland's rural communities are not left behind.

Last month, the report of the Select Committee on Environment, Food and Rural Affairs on rural broadband urged the Government to set clear target dates for when the last 5% of properties will obtain access to superfast broadband. That is a sensible recommendation, and I urge the Government to take it on board. The experience in my constituency is a mixed bag. On the one hand we are in the top 20 constituencies for the highest fixed broadband speeds, but we are also in the bottom 20% of constituencies for access to superfast broadband. As I have said, some communities do not even get basic broadband. More must be done to ensure good basic services for all households in relation to broadband and phone coverage.

10.17 am

Brendan O'Hara (Argyll and Bute) (SNP): I congratulate the hon. Member for Romsey and Southampton North (Caroline Nokes) on securing this important debate. As the Member of Parliament for Argyll and Bute, an area covering 7,000 sq km of west Scotland, including 26 islands, I know only too well how much rural Scotland depends on BT for both landline infrastructure and the delivery and roll-out of broadband. Sadly—indeed, it is a sad thing to report—BT is all too often letting down its customers in my constituency.

We all have horror stories of constituents who have been promised everything but received very little or nothing. On the wild west coast of Scotland, where storms are commonplace and power shortages are a regular occurrence, other utilities act as an emergency service, but BT all too often acts as it always does: rather slowly and too inefficiently. Sometimes it takes weeks, or even months, to get a landline reconnected in my constituency—in an area where connectivity ranges between patchy and non-existent—leaving people entirely cut off. I know I am not alone in saying that my inbox is bulging with complaints from constituents about BT. My fear is that, particularly among the elderly, once my constituents do not have a landline, they cannot get to me quickly enough to seek my help. What is happening elsewhere in the United Kingdom is magnified many times over in rural Scotland, particularly in Argyll and Bute. My biggest concern is on the roll-out of broadband. Although I fully support the fantastic Scottish Government initiative to roll out broadband across rural Scotland, BT is all too often a stumbling block to that progress.

As the Member for Argyll and Bute, people would expect me to talk up my constituency, but anyone who has ever visited Argyll and Bute will know that that is a very easy thing to do. The scenery is stunning; we have wild open spaces, there are the lochs and the islands, and our locally produced food and whisky are the envy of the world. However, the reality is that we face a crisis in Argyll and Bute, and it is a crisis of depopulation. Our population is ageing and in decline, and we have to do something before it is too late. I am firmly of the opinion that the lack of connectivity is the single biggest barrier to our reversing that decline and beginning a recovery. At the moment, we cannot keep our young people and we cannot attract other people to move from other parts of these islands to Argyll and Bute.

Carol Monaghan (Glasgow North West) (SNP): My hon. Friend will know, of course, that more and more of the school curriculum depends on reliable internet access. People do not even need broadband for that, but need at least slow speeds. Does he agree that without a reliable connection, schoolchildren across rural areas in Scotland could be put at an educational disadvantage?

Brendan O'Hara: I absolutely agree, and I will come on to that in a moment. My hon. Friend is absolutely correct, and my postbag is full of letters from parents of school pupils who are deeply concerned that their children cannot access the internet in the way that 90% of the country's children can. I also constantly receive letters from businesspeople saying, "We were promised the roll-out would be here six or eight months ago, and it's still not here. It is continually being put back."

Jim Shannon: If broadband were rolled out in our constituencies in the way that we would like to see it, we would soon see small businesses that operate from people's homes creating more jobs. Back in my constituency, people tell me, "We could get more jobs if we had superfast broadband across 100% of the area." Does the hon. Gentleman have the same concern about his area?

Brendan O'Hara: The hon. Gentleman is absolutely correct, and we share many of the same problems and frustrations in attracting businesses to our communities. There are people who want to come and live and work in our constituencies but simply cannot, because we do not have the connectivity and the infrastructure to allow them to do it.

I do not want to appear melodramatic, but there is a crisis looming in Argyll and Bute, and we have to act now to avert it. All too often, when our young people leave for college or university—be it in Glasgow, Edinburgh or London—we simply cannot attract them back. Once they leave and go to an area where broadband and mobile connectivity are quite rightly treated as a utility, asking them to come home is like asking them to return to a place without running water or electricity. We would not ask someone to return to a place without running water or electricity, so why should we ask them to return to a place without basic levels of connectivity?

Similarly to the situation that the hon. Member for Strangford rightly points out, we are struggling to attract families and businesses into Argyll and Bute. Everything that a family would want is there—we have a clean environment, fresh air, wide open spaces, wonderfully welcoming communities and a safe place in which to raise a family—but we do not have connectivity. We do not have sufficient broadband or mobile phone coverage, and what aspiring and ambitious entrepreneur would bring his or her family to an area where they may have to rely on very expensive and not particularly efficient satellite broadband, with the limited usage that that would provide for a business? They simply would not do it.

As my hon. Friend the Member for Glasgow North West (Carol Monaghan) pointed out, parents who want the very best education for their children know that whereas 90% or 95% of children in the UK can access the internet freely through their smartphones, children in my constituency are once again disadvantaged because of the lack of connectivity.

Last month, the Argyll and Bute economic forum, chaired by Nicholas Ferguson, who is the chairman of BskyB, produced an excellent, detailed and wide-ranging report. It concluded that the single biggest barrier to the development of Argyll and Bute is connectivity and pointed out that Argyll and Bute does not even have 4G coverage at a time that the Government are discussing how to roll out 5G. That emphasises how deprived we are.

My postbag is bulging with complaints about BT, and I am sure the same is true for many other hon. Members. This issue is far more than inconvenient for my constituents; I believe that it is a matter of our survival. BT has a responsibility to my constituents and to people in other rural constituencies to make sure it gets this right. This is a once-in-a-lifetime opportunity, and it cannot be allowed to pass. As I say, our survival depends on it.

Thank you, Mr Nuttall, for calling me to speak, and I once again congratulate the hon. Member for Romsey and Southampton North on securing this very important debate.

10.25 am

Alex Chalk (Cheltenham) (Con): It is a pleasure to serve under your chairmanship, Mr Nuttall.

The importance of the internet is hard to overstate. Its availability has an impact on small businesses, children who want to do their homework and people who want to engage in social media. If someone does not have superfast broadband, they do not just feel disconnected; it is almost as if they feel disfranchised.

The position in Cheltenham, which of course is not a rural constituency—it is the home of GCHQ, for goodness' sake—is that in this day and age we still have pockets of real broadband blight. In Old Bath Road, Grace Gardens, Tommy Taylors Lane, Tivoli and Pittville, people are living in what I have described as e-poverty.

I am the first to accept that BT has connected up a huge number of people, but the real concern is that the e-rich are getting richer but the e-poor are being left behind. There are people on 24 megabits per second, for example, who are now being offered ultra-fast broadband. They have extraordinarily good internet connectivity, but there are significant pockets of people who are being left without any decent broadband at all. That, fundamentally, is the problem.

When we liaise with BT about the issue, it effectively says, "Well, look, it's very difficult for us to go and deal with these 'not spots'." However, through Broadband Delivery UK and our local equivalent in Cheltenham, which is Fastershire, taxpayers have the money to step in and say to BT, "Right, go and fill in these 'not spots'", but that is not taking place. So this is not an issue of funding—the money is there, as is the will and the political backing—yet the logjam is not being broken. Consequently, we have this strange stand-off, with politicians saying to BT, "Look, there's the public funding, these are the areas; we can explain to you which parts have not been connected, so please go ahead and do it", yet it simply does not happen.

Meanwhile, MPs who have bulging postbags on the issue are given mixed messages. I was told in an email from BT this morning, "Don't you worry. There are zero areas in Cheltenham that have less than 2 megabits per second." That is simply not correct. I recognise that

a huge amount of work has been done, but that kind of messaging from BT causes a great deal of irritation. As I have said, this is not simply about people being inconvenienced. It is about people in my constituency saying that they will have to move, or that they will not be able to employ people, or that their children cannot do their homework. That kind of breezy disdain from BT is inflammatory and causes real difficulties.

I end with a plea. Given that the funding from the taxpayer is there and given that BT has the wherewithal to step in, I really hope that heads can be knocked together so that the remaining areas in my constituency can be covered. As I have said, Cheltenham is the home of GCHQ, and consequently somewhere that people might expect a decent broadband service. The time for action is now.

Mr David Nuttall (in the Chair): Before I call Calum Kerr to begin the Front-Bench speeches, I remind Members that I would like the mover of the motion to have a couple of minutes to sum up at the end. I ask the Front-Bench spokesmen to bear that in mind when making their remarks.

10.29 am

Calum Kerr (Berwickshire, Roxburgh and Selkirk) (SNP): I am happy to get the opportunity to respond to the debate for the Scottish National party. I do so in a couple of capacities. First, I am the SNP's Environment, Food and Rural Affairs spokesperson, and nowhere is the digital divide felt more acutely than in rural areas. Secondly—I have to declare an interest—before I came to this place with my slender 328 majority, I worked in the telecoms sector for 20 years, starting off with a Dutch company but working mostly with Canadian and American companies. The subject is therefore close to my heart for many reasons.

I am pleasantly surprised by and happy with the way the debate has gone. If Members read the Library briefing and the SNP briefing—most Members will not have seen that—those documents had nothing to do with BT service levels. The debate has stuck to the subject, so I congratulate the hon. Member for Romsey and Southampton North (Caroline Nokes) on setting the right tone and everyone else on following it.

There are real challenges out there, and sometimes in Parliament we are guilty of just making a lot of noise and not putting forward proactive suggestions on how to make things better. Complaining about that to my party leadership got me the traditional response of, "Well, Calum, if you are not happy about it and you worked in telecoms for 20 years, why don't you set up a group to go and look at it?" So we have an SNP MP group involving a number of people with a range of experience in the industry, and we are proactively trying to understand the issues at a deeper level so that we can come forward with constructive suggestions.

I congratulate the hon. Lady on securing the debate. I thought she set us off well with her tone and by talking about the importance with which this issue should be treated. A number of Members have spoken about the Ofcom report, which is important. It sets an intent and expresses the importance of that intent, but as she rightly identified, tougher rules, transparency and compensation need to be delivered. Her constituent Mr Forfar and his connection saga are, I am afraid, not unusual. I think

we all have experiences of things like that. I sometimes wonder whether the ever-so-helpful BT engineers getting one job done means someone else unfortunately being dropped off the other end. As someone who worked for six years as a channel manager with BT—not for BT, but with BT—I understand only too well the nature of its people. It has some fantastic people, but some challenging systems and approaches.

The hon. Lady said, "This is Hampshire, not the Outer Hebrides". My hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil) would say "Amen to that!" I will have to pass on to him what she said, and I am sure he will have some choice words for her. I would turn what she said on its head: if broadband truly is a utility, it should not matter where someone is in these isles; they should be able to expect a proper level of service.

My hon. Friend the Member for Ayr, Carrick and Cumnock (Corri Wilson) wins the prize for the biggest tale of woe from a constituency office. I point out that it is not only BT that faces this challenge, because the circuit to my office in Galashiels, which was supplied by Virgin through parliamentary authorities, did not appear, so we got in touch and said, "Where's our circuit?" Virgin said, "It has been installed." "No it hasn't." "Yes it has." "No, it hasn't." It was installed to the empty property next door. My hon. Friend deserves a prize, though, and I will work up a certificate later.

I commend the proactive approach of the hon. Member for Bexhill and Battle (Huw Merriman)—talking in Westminster Hall is very useful for learning the names of everyone's constituencies; I hope I remember at least half of them—in seeking solutions. A lot of us have done that at local level. We know there are challenges and that the system that has been put in place can be moved forward. The Minister will make a justifiable case for the system being successful, but where it fails is now being flushed out, and that is where we must go next. I thank him and his team for their positive engagement as we seek solutions. I can say with some confidence that they at least understand the problem, which is the first step towards finding a solution. I look forward to supporting them further on that.

Members may have noticed that the hon. Member for Strangford (Jim Shannon) is thankfully better at articulating his case than he is at providing me with a glass of water. A member of my staff sent me a text message saying, "I hope that wasn't coffee." If they are watching, no, it was not. The hon. Gentleman made some fantastic points. The sector has a challenge with customer service, and part of my background is in contact centres and customer service. Bigger organisations have that challenge, but I have severe and real concerns that our looking for more structural separation may just lead to more finger-pointing between BT and BT Openreach about who is to blame for something not being done. A joined-up approach to customer service and the ability to hold BT to account are important. He also highlighted the lack of competition, which is a real issue in rural areas. I will come back to that point.

The hon. Member for Rochester and Strood (Kelly Tolhurst) used a word that we have probably all used today: "hopefully". In my old job, if an area or regional leader said the word "hope" to me, I would say, "Hope is not a strategy", but when it comes to BT, sometimes it feels like that is all we have. If we are reliant on hope,

[Calum Kerr]

that is not enough. We should be able to rely on levels of service on which we can hold organisations to account, whether they are BT or others.

My hon. Friend the Member for Linlithgow and East Falkirk (Martyn Day) highlighted the challenge of simply getting broadband—he went very local, and I congratulate him on that. He brought up the universal service obligation. We are all interested in that, but we must ensure that it does not paralyse us, as the BT broadband roll-out has, with communities waiting and waiting because they think they might get BT broadband and so not pursuing other schemes. It is also critical that the USO covers not only download speeds but upload speeds, levels of service and cost. I encourage the Minister and Ofcom to consider such things as voucher schemes. It does not necessarily need to be a case of, “Here’s the satellite solution”, or whatever it may be. If there were a voucher scheme, communities might choose to use it in a different way to provide local solutions.

My hon. Friend the Member for Argyll and Bute (Brendan O’Hara) has a stunning constituency, and I look forward to talking with him later in the debate on whisky. That will be a more uplifting experience, I feel. Depopulation is a massive issue, and we must match the policy reality to the rhetoric about communications being a utility.

I suggest to the hon. Member for Cheltenham (Alex Chalk) that perhaps GCHQ has made a conscious decision that it does not want any connectivity around it. I suggest that GCHQ be moved to Argyll and Bute, where that can be done more successfully.

Jim Shannon: Within the Union.

Calum Kerr: The hon. Member for Strangford has to whisper “Union” repeatedly in my ear every time I speak. It is a skill he has.

BT’s position is key. I am a big supporter of it, and it gets kicked about too much on its broadband roll-out scheme. It is a commercial entity that acts in a commercial way, but we also need to remember that it was a public carrier, and it has market dominance. The role of MPs, the Government and regulators is critical. We must and should hold BT to account, and we should hold it to high standards. Ofcom’s report states that it wants:

“A step change in quality of service”.

We must define that, measure it and hold BT to account as soon as possible, and I think BT would welcome that. Clarity and transparency of message are key. Two of Ofcom’s aims are:

“Empowering consumers to make informed choices”,
and to:

“Deregulate and simplify whilst protecting consumers”.

We must accept that the market does not function in rural areas. We need different solutions. We need Government interventions and more flexibility of mind about what the solutions look like. In a lot of scenarios that probably does not mean BT, because BT has established ways of working.

I thank the Minister for the way in which he has engaged with me and my colleagues on this topic so far. I urge him to act on the Ofcom report in relation to

services and to work with us to ensure that the rhetoric of digital comms as a utility is backed up by substance and policy.

10.40 am

Chi Onwurah (Newcastle upon Tyne Central) (Lab): It is a pleasure to serve under your chairmanship, Mr Nuttall. I congratulate the hon. Member for Romsey and Southampton North (Caroline Nokes) on securing this important debate. I too must declare an interest: I worked as a chartered electrical engineer in telecommunications for 20 years before coming into Parliament, although I never worked for BT. I always wanted digital connectivity—broadband and mobile telecoms—to be higher up the parliamentary agenda. However, I am disappointed that it has moved higher up because of service failure rather than because of the social and economic potential that digital and telecommunications connectivity offers. The notoriety of certain cabinets—was it cabinet number 7?

Caroline Nokes *indicated assent.*

Chi Onwurah: Such notoriety is not to be welcomed, but I believe we will see more and more cabinets getting a national profile.

The economic benefits of communications infrastructure—or, as we have heard in some contributions, any kind of infrastructure that does not involve running up and down the street—are well known. We have heard detailed contributions about the limitations of that infrastructure from the hon. Members for Ayr, Carrick and Cumnock (Corri Wilson), for Strangford (Jim Shannon), for Rochester and Strood (Kelly Tolhurst), for Linlithgow and East Falkirk (Martyn Day), for Argyll and Bute (Brendan O’Hara) and for Berwickshire, Roxburgh and Selkirk (Calum Kerr), and we have heard some heart-rending stories about the impact on their constituents. We also heard from the hon. Members for Cheltenham (Alex Chalk) and for Bexhill and Battle (Huw Merriman).

As the hon. Member for Berwickshire, Roxburgh and Selkirk said, we should have connectivity from Hampshire to the Outer Hebrides and everywhere in between. The economic benefits of better communications have been accepted by the Government. Their own broadband impact study states:

“It is now widely accepted that the availability and adoption of affordable broadband plays an important role in increasing productivity.”

The UK has one of the worst productivity records in Europe.

As well as economic benefits, there are social benefits to connectivity, which we have heard about in detail in today’s debate, from online shopping, which is often cheaper, to access to more public and private services and remote healthcare. It is not right that some people cannot access those essential benefits of modern living because of the lack of a digital infrastructure. As has been said, the internet opens up a world of free education; indeed, it is a window on the globe. However, many people are missing out.

Many hon. Members focused on basic telephony; others emphasised mobile and broadband. The Minister recently admitted that his mobile infrastructure project was a failure, but he still claims that the broadband

roll-out has been a success. Only last week, he was once again rubbishing Labour's pledge to have fully funded 2 megabits per second universal broadband for all by 2012. We have heard today that far too many people—more than official figures admit—still do not have even that service. The Minister trumpets the universal service obligation of 10 megabits per second by 2020, but he should note that within eight years the broadband universal service that he proposes will have increased by only 1 megabit per year, and his commitment is entirely unfunded.

The importance of broadband for the rural economy has also been emphasised. A third of small and medium-sized enterprises do not have access to superfast broadband, so we have tabled amendments to the Enterprise Bill, which we will be debating in the House today, to improve the broadband available to SMEs, which, as is often said, are a driver of the economy.

Broadband is the fourth utility. That has been the consensus of today's contributions. The Government have a responsibility to deliver it, and they have failed. I, too, do not wish to focus the blame entirely on BT—it is not BT's responsibility, because it was the Government who did not ensure that there was competition so that we have the standards we need.

Ofcom's recent consultation on the strategic review of communications found:

"The single biggest issue attracting comment" was "quality of service". It went on to say:

"Openreach's performance is a particular source of concern."

It concluded:

"These problems can only be addressed through more effective network competition or through regulation."

It also stated:

"Over time we have found it necessary to apply more prescriptive regulation in order to address concerns about Openreach's performance."

That is a clear admission that competition cannot now be relied on to improve service standards, because the Government have failed to foster a competitive market-led roll-out.

I do not know whether betting is in order, but may I ask the Minister to forecast how many times he will be called to the House in the next Session to try to explain his failure on broadband and digital infrastructure? We have a related debate on this subject tomorrow.

The Ofcom review focused on two things: service standards, as we have heard, and opening up duct and pole access to support competition. How will the Minister determine that we have finally achieved a competitive environment in broadband and digital connectivity? What will he do if that is not achieved? In the absence of competition, how will he ensure that the service standards set out by Ofcom are met? What will he do to ensure that the targets are not gamed by BT and others, and that there is appropriate action if they are not met? How long does he think it will take for BT's service standards to meet the expectations set out in today's debate? An important point made today was that expectations are rising. As broadband and digital connectivity become more and more essential, what measures will he take to ensure that such expectations are met in this country?

All the measures set out in the Ofcom report are subject to further consultation and debate, and no doubt many lawyers will be present. Ofcom will need the right kind of political support to ensure that those measures are put in place. Our digital infrastructure is critical and strategic, and we have wasted five years in the policy wilderness not improving our digital infrastructure. The Minister will need to focus minds on that rather than on the exit from Europe that his Secretary of State is focused upon.

10.49 am

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): It is a pleasure to serve under your chairmanship, Mr Nuttall. I congratulate my hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) on securing this excellent debate. She has unleashed tales of woe from colleagues in England, Scotland and Northern Ireland, and no doubt there are similar tales of woe in Wales, so the question is: what are we going to do about this? Before I move on, I should thank the hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) for his judicious response to the debate on behalf of the Scottish National party—he took a better approach than his party's approach to Sunday trading, I must say. He has vast experience in the sector and made a very balanced case about the issues.

Of course, that contrasted with the traditional speech given by Labour's shadow Minister, the hon. Member for Newcastle upon Tyne Central (Chi Onwurah), who is clearly launching Labour's long march to power by promising 2 megabits to the country. Labour remains entirely silent on which policies will deliver the superfast speeds that people now want.

Chi Onwurah: Will the Minister give way?

Mr Vaizey: No. The hon. Lady has just had 10 minutes to set out her position and there was absolutely nothing in it. What is Labour's position on the digital communications review? How would Labour get superfast broadband to the entire country?

Chi Onwurah: Fibre!

Mr Vaizey: How are they going to pay for the fibre that she is shouting about from a sedentary position? Of course, there is nothing. There has been only one failure in the superfast broadband roll-out programme that I have supervised and that was in south Yorkshire, where we inherited a useless Labour contract and had to write off £50 million of taxpayers' money. Everything else has been an unadulterated success. We now have 93% of the country able to receive fibre, 90% of the country able to get superfast speeds of 24 megabits and above, and 50% of the country able to get ultrafast broadband speeds of 100 megabits and above.

I should say, though, that I have no truck with Openreach and its customer service levels. This morning I read an article in *The Times* by Danny Finkelstein, who is a remain campaigner. He is so depressed about the woeful leave campaign that he set out some measures that he thought the leave campaign should concentrate on. So, I shall give a speech on behalf of Her Majesty's loyal Opposition.

Let me begin, as a member of the Opposition, by regretting the low levels of satisfaction with BT Openreach under the last Labour Government. There were low

[Mr Vaizey]

levels of satisfaction for pretty much everything under the last Labour Government, but they were woefully low for BT Openreach. They have improved under this Government, but they remain very much behind other providers. TalkTalk runs Openreach close in levels of customer satisfaction, but Virgin and Sky are way ahead. Perhaps BT should spend less money on sports rights and hire Sky's customer services director instead.

As the Minister responsible for telecoms, I find myself a bit like a person who has been forced to adopt an unruly teenager. I go around telling my colleagues that he means well and is doing his best, but they simply tell me about the latest outrage they have suffered at his hands. That is the unfortunate position in which I find myself when it comes to Openreach customer service. I hold regional surgeries for MPs so that colleagues can tell me about the mess that Openreach has made of one or another connection, and I try to sort things out as best as possible. I also write to MPs every quarter to update them on the roll-out.

In defence of Openreach I should say briefly that, rather like the BBC compared with ITV, it suffers because it is the national provider and we all feel that we have a stake in it. There will inevitably be more complaints about BT. For example, I noticed that my hon. Friend the Member for Cheltenham (Alex Chalk) decried the fact that BT has not rolled out to the whole of Cheltenham in a way that he perhaps would not decry Virgin, because he does not expect Virgin to deliver a 100% roll-out in Cheltenham. Yet, when he thinks about it, BT and Virgin are in exactly the same position: they are both private telecoms providers rolling out a network.

Nevertheless, BT has a universal service obligation and is seen as the national provider. I acknowledge the fact that it has put in £10 billion of investment, that it has hired 3,000 engineers, that it is bringing its call centres back to the UK and that it continues to innovate with new technologies such as G.fast. Indeed, when I dealt with BT over Christmas and new year in relation to the floods in the north, it pulled its finger out and did a good job for many people who had suffered outages because of the flooding. There was a particularly important issue with emergency resilience. Still, there is absolutely no question but that BT must do better. I have spent five years in this job being inundated with tales of woe.

One other point in BT's defence is that, because of functional separation and the fact that Openreach's network is used by other providers, it can often be the case that the customer is contracting with, say, TalkTalk, or another provider, and the network is being provided by Openreach, and something falls between the two stools. Sometimes the provider with which the customer has contracted has simply put its order in wrong to Openreach, but it is very convenient for that provider to blame Openreach for its own failure.

As I say, Openreach must do better. As the Minister responsible, I find it particularly frustrating that I have to step in to sort out these problems. Why has Openreach not put in place a hit squad to deal with some of the more prominent complaints that come from MPs? We represent our constituents, and most of us are fairly judicious people; we do not raise complaints to Openreach unless we think they are serious. My hon. Friend the

Member for Solihull (Julian Knight) mentioned a 99-year-old lady who suffered a stroke. On behalf of a Labour colleague, I dealt with a factory that had been built to be ready to open specifically on the basis of when Openreach was going to connect it, but Openreach was already a year behind schedule. That cost that factory many tens of thousands of pounds. It continues to baffle me why it cannot get its act together and sort out these prominent problems.

I had to intervene on new builds. When a housing development is being put together, one would have thought it was the most obvious thing in the world that the people buying the houses are likely to be relatively young and likely to have children, and therefore likely to want, in this day and age, fast broadband connections. However, it took me a year to 18 months to bang together the heads of BT and the house builders to get an agreement. Thankfully it was put in place at the beginning of the year and now new housing developments will have superfast broadband. One would have thought it was the most obvious thing in the world that there would be lots of customers on a new housing estate of, say, a thousand homes, selling for possibly £250,000 each.

I am really pleased with the Ofcom digital communications review. On the timing, I have said on the record that by the end of the year I want to see not necessarily a full and final agreement but clarity on where we are in relation to what Ofcom is calling for in its review. There are three parts to it. First is opening up BT's network, which really needs to be done. BT has to look at what Ofcom is proposing and come to the table with credible answers. Secondly, BT has to make concessions to what Ofcom is saying about the governance of Openreach. Thirdly, there are consumer issues, one of which is automatic compensation. We might need to consider legislation, but my current understanding is that we will not need it. We need automatic compensation for consumers and small businesses that have suffered problems with service quality. That is another thing on which I want us to be close to agreement by the end of the year.

Ofcom will start publishing its quality of service reports in early 2017, and I want to ensure that that happens. We need much clearer information from providers. I, for one, would love them to get rid of this landline rental charge that they put on our bills. They put on their adverts a nice, big, juicy low price for broadband, and then an asterisk and a line saying, "By the way, you'll have to pay £25 a month for landline rental." All providers, whether it is Virgin, BT, Sky or whatever, should get rid of landline rental and just charge people for what they are buying: broadband, TV and a telephone service.

I hope that the Advertising Standards Authority will crack down on how providers advertise their speeds. At the moment, if only 10% of customers are receiving the advertised speed, in the eyes of the ASA that is supposed to be okay. I totally accept that the ASA does a good job—it is a great example of self-regulation—but it really needs to go further on that. In my humble opinion, at least 75% of people should be getting the speeds that the broadband providers are advertising.

As I think you have probably worked out, Mr Nuttall, I am completely at the end of my tether. I agree with all the complaints made by all my colleagues in this debate

and am going to ensure that action is taken. I hope that if we debate this subject again in a year's time we will have seen some action. Members may see a different Minister if I do not succeed, but we will do our best to make some progress.

Question put and agreed to.

Resolved,

That this House has considered BT service standards.

Clinical Negligence Claims

11 am

Sir Edward Garnier (Harborough) (Con): I beg to move,

That this House has considered the Government's proposals on fixed recoverable costs in clinical negligence claims.

Thank you, Mr Nuttall, for presiding over this very short debate. I thank Mr Speaker for granting it and my hon. Friend the Minister for being here to respond on behalf of the Government.

I should make it clear at the outset that, although I am a barrister in private practice, my work does not include clinical negligence cases, so I have no personal interest in this subject. I have, however, been approached by a number of solicitors from Leicestershire, the Leicestershire Law Society and the Law Society of England and Wales. They are concerned that the Government's consultation on the fixed fee regime, which is being conducted by the Department of Health, has been delayed, although I understand that the Government intend to introduce a fixed recoverable cost regime in October. Those concerns are shared by a number of other solicitors' firms, including Irwin Mitchell and Slater and Gordon, and organisations such as the Association of Personal Injury Lawyers, the Society of Clinical Injury Lawyers and the Bar Council. I am grateful to all of them for the assistance they have given me in preparing for this short debate.

Let me begin by placing my concerns in context. On the face of it, the Secretary of State's statement, which has been trailed in the press—apparently, he is going to make a statement in the House of Commons this afternoon—confuses punishment, which is dealt with under criminal law, and civil law remedies, but no doubt he will make himself clearer this afternoon. Perhaps my hon. Friend the Minister can clarify that issue briefly this morning.

I accept that the Government do not have a bottomless purse. Taxpayers' money is needed to pay for a huge range of public services, all of which compete for scarce resources at a time when the Chancellor is trying to balance the books and decrease public expenditure.

Nick Thomas-Symonds (Torfaen) (Lab): Will the right hon. and learned Gentleman give way?

Sir Edward Garnier: I will not give way.

That this debate takes place only a week before the Budget underlies that point. I further accept that the vast majority of patients who visit a GP, an NHS surgery or a hospital leave satisfied with their treatment and the outcome, but very occasionally something goes wrong. In just over 3% of those cases an error caused by a negligent decision or act of omission by a clinician leads to a claim being made by the injured person against the NHS. Such cases can include, for example, birth injuries or misdiagnosed or mistreated illnesses. Of course, those are not deliberate actions by ill-motivated doctors or nurses, but negligent ones that lead to adverse consequences for the patient.

What does 3% mean numerically? In 2011-12, the NHS reported just under 420,000 so-called "adverse incidents causing harm", of which 13,500, or just over 3.2%, resulted in a clinical negligence claim. In the following year, there were just over 458,000 such incidents and 16,000

[*Sir Edward Garnier*]

claims, or about 3.5%. In 2013-14, there were just over 470,000 incidents and just under 18,500 claims, or 3.9%. In the great scheme of things, those numbers are small, but they represent permanently damaged or shortened lives, pain, suffering, heartache and anguish.

Of course, they also represent monetary expense to the claimant and the NHS. We should therefore aim to ensure justice and proper compensation for the claimant who has been injured, and protect the taxpayer from excessive and unnecessary expense in legal and medical experts' fees.

Mr Pat McFadden (Wolverhampton South East) (Lab): Will the right hon. and learned Gentleman give way?

Sir Edward Garnier: I regret that I cannot; this is a half-hour debate, and I am afraid we are rather pushed for time.

It is uncontroversial to state—and the common law expects this—that damages should, as far as they can, put the injured party back where they were before the incident. We need a system that does not prevent the bringing of justified claims and encourages excellence and proportionality in the conduct of each claim, as well as in the conduct of the defence. An efficiently and expertly brought claim saves money, as it leads to the real issues being considered within a suitable timeframe. It allows the defendant to focus more quickly on what they need to do to satisfy the claim and not waste time and money on irrelevant or hopeless points.

Any changes that the Government intend to impose should not be retrospective—that is a basic rule of fairness—and must be even-handed. The Treasury must be an umpire and not a partisan ally of the Department of Health, because in the long run a poor set of reforms will lead to greater expense, not less, and a lessening of public trust in the NHS and the Department. Given that the Department of Health is managing the consultation and is the most common defendant in clinical negligence claims, it is difficult—despite, I hope, the construction of very high Chinese walls—to think of this as a wholly disinterested exercise.

It is easy to say—although it is not so easy to accomplish this—that the best way to reduce the number of clinical negligence claims against the NHS is to reduce the incidence of medical negligence. That is no doubt a statement of the blindingly obvious, but it may occasionally get forgotten as the Government look for ways to cut expenditure. Let us start by improving the training and decision making of those in the NHS who are statistically most likely to do things that lead to clinical negligence claims.

Let us also remember that the Legal Aid, Sentencing and Punishment of Offenders Act 2012 automatically cut the costs and expenses paid out by the NHS Litigation Authority by about a third, and that for claims worth less than £25,000 those savings come to 39% of the costs budget, or £71 million a year. In the NHSLA's annual report of 2014-15, the chairman asserts that more than a third of the NHSLA's spending was received by the legal profession, and most was paid to claimant lawyers. In fact, the report shows that the NHSLA's operating costs amounted to £2.64 billion, of which £291.9 million, or 11%, was paid to claimant lawyers and £103.2 million, or 4%, to defence lawyers.

The report's figures suggest that 15% of the LA's spending is paid to lawyers, but there is no breakdown of what that number includes. The report indicates the LA's net operating costs reduced from £3.373 billion to £2.641 billion between 2013-14 and 2014-15—a reduction of £732 million. It also says that claims reported to the LA reduced from 11,945 in 2013-14 to 11,497 in 2014-15—a reduction of 3.7%. The amounts paid out in damages reduced from £840.7 million in 2013-14 to £774.4 million in 2014-15—a reduction of 7.9%. The NHS has therefore achieved significant reductions in expenditure. The NHSLA also reports an increase in sums paid to claimant lawyers for costs and disbursements from £259 million to £292 million between 2013-14 and 2014-15. The average cost per case increased from £16,852 to £17,735—an increase of 5.2%.

There is inadequate analysis of those figures, and the report is, to that extent, misleading. The NHSLA claims to have

“saved over £1.2 billion... in rejecting claims which had no merit.”

However, as claims without merit always fail, those savings are illusory. It cannot claim to have saved money it would never have spent. The authority also claims that £38.6 million was saved by taking a significant number of cases to trial, but it does not say how much was spent unsuccessfully contesting cases at trial or settling cases soon before trial.

The NHSLA refers to the levels of costs recovered by claimant lawyers without distinguishing between costs and expenses. It compares the level of costs incurred by different sides without noting that the burden of proof requires claimants to undertake much more work than defendants. APIL says that nearly half of what the NHSLA says it pays out in legal costs to claimants' lawyers are accounted for by success fees on conditional fee agreements, after the event insurance premiums, court fees and expert witnesses' fees. Much of that could be saved if the NHSLA were better at its job of settling the claims it ought to realise it will lose on liability from or close to the outset.

That said, not all medical negligence claims are straightforward, but proving what went wrong is not made easier for a claimant's lawyer when the NHS holds all the information and is reluctant to disclose it. On far too many occasions, cases that could have been settled more quickly, cheaply and satisfactorily are not, because the NHSLA withholds information, does not respond in good time to requests for information, or simply fails to apply its collective mind to the best way of dealing with the complaint. I have lost count of the number of times that I, as a constituency Member of Parliament, have corresponded with a hospital, insurance company or some large institution, private or public, that, when faced with a complaint, has buried its head in the sand and hoped that it will go away.

Most complainants just want someone to take responsibility and say sorry, and are not after money or revenge. That applies to the bereaved parents of stillborn babies as much as it does to the adult children of an elderly patient who died after a fall from a hospital bed, or who lay for days in agony because of untreated bed sores. The defensive failure to apologise often causes more heartache than the negligence itself and causes claimants to believe that they have to sue to get justice.

In addition, the NHSLA too often engages in unproductive trench warfare: it must not be seen to be giving ground, so the order goes out: “Deny, defend, delay!”

Cases that could have been resolved months and sometimes years earlier end up being settled at the door of the court, or lost after a trial, by which time advocates' brief fees have to be added to all the other costs that have piled up unnecessarily since the complaint was first raised. If ever there was a need for a patient to heal himself, it is the NHSLA in its refusal to free itself from the indefensible, or to see the wood for the trees. Rather than too often denying, defending and delaying in the wrong cases, it should assess, admit and apologise in the right cases.

An example of that is in the failure to look for and to release medical records. Requests for records should be met under the Data Protection Act 1998 within 40 days, and under Government guidelines for healthcare organisations within 21 days. Far too often both deadlines are missed, and not by a whisker, but by a country mile. It can often take more than six months for claimant lawyers to get patients' records from GPs and hospitals and, with a limitation period of three years to bring a claim, pressure mounts to issue proceedings to protect the claim. It is not unheard of for long-delayed medical records to show that the claim is unwinnable, so it is dropped—but why not send out the records within a month and save the time, the expense and the anguish?

The NHS is a hydra-headed organisation and, when dealing with medical negligence claims, that can lead not to the proper use of decision-making powers at the most local level, but to procrastination, duplication and more expense. Some NHS trusts have in-house legal departments and when they receive a claim pass it directly to the NHSLA; some hold on to them and pass them on much later. My informants from the legal profession tell me that trusts' legal teams are far less settlement-minded and tend to use every point, good, bad and indifferent, to string the claimant along. If a case gets towards trial, the NHSLA instructs outside lawyers. Why not make it a matter of policy for all claims to be handed straight over to the NHSLA, and thus minimise, even if not abolish, delay and unnecessary costs?

Finally, I want to urge the Government to reconsider their proposal that all clinical negligence cases up to a value of £250,000 should be low-value claims. First, in any view, £0.25 million is not a low-value claim either to the claimant or to the taxpayer, not least when one considers how many there are every year.

Secondly, to take just one example, hundreds of babies are left brain-damaged every year because the NHS has treated them negligently either before or after birth and, sadly, some of them die soon after birth. A claim brought by the parents of a child who has died aged a few hours, days or weeks will not of itself lead to a large award of damages, but the evidential route to determining where liability lies for the acts or omissions that led to that premature death can be highly complex in investigation and assessment. The same legal costs may be incurred in proving a claim, whether it is of low or of high value.

For instance, in a case of delayed cancer diagnosis, the same expert evidence may be required where a patient's life expectancy has been reduced by two years and the award is £30,000, or where life expectancy is reduced by 50 years and the case is worth £500,000. Those worst affected will be the most vulnerable—the elderly, those on low income and people with disabilities.

On 13 January, in answer to my written questions Nos 21040 and 21037, the Minister accepted, unsurprisingly, that there is no exact correlation between the value and

complexity of clinical negligence claims, and it must therefore follow that to impose an artificial limit on the amount of costs recoverable by the claimant based only on the quantum of damages could lead to injustice, especially when the NHSLA will not be equally constrained.

Already claimant law firms reject 90% of inquiries in this field and the proposed fixed-fee regime for cases of up to £250,000 will simply dissuade firms from assisting even more claimants. As one experienced Queen's bench master who specialises in such cases recently said, further research is

“essential in order properly to understand the impact on access to justice of the existing system of funding before implementing any further changes.”

A fixed-costs system for claims under £250,000 would affect 95% of cases and make many meritorious claims unviable for patients, undermining the legal and the medical systems. That would not be in the interests of justice, of medicine, of the economy or of the country, and we need to think again. The Minister is a thoughtful man, and I am sure he will want to give a thoughtful response, today and subsequently.

11.16 am

The Parliamentary Under-Secretary of State for Health (Ben Gummer): This is a fascinating matter, which deserves a great deal of debate. We could discuss this interesting subject for many hours. I am grateful to my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier) for condensing a complicated issue into a 15-minute, eloquent explanation of the problems that face us.

In addition to the reading that my right hon. and learned Friend has already done, I point him in the direction of the MBRRACE-UK—Mothers and Babies: Reducing Risk through Audits and Confidential Enquiries across the UK—report into the quality of investigations into stillbirths and neonatal injuries and deaths in the NHS, which was published at the end of last year. Although it charts a significant improvement in the reduction of stillbirths and neonatal deaths over the past 20 years due to the advancement of science, it draws one very depressing conclusion, which is that the quality of investigations has not improved since the 1990s.

I admit immediately that there is not yet any clear, scientifically proved correlation between that and the fact that litigation costs have increased, but I hope that my right hon. and learned Friend will accept my initial submission, which is that there is not the evidence for one of his claims, that somehow the increase in litigation automatically leads to an improvement in investigation and, therefore, to an improvement in patient safety. I therefore suggest that one of the statements that he made in his very careful speech is not a full reflection of the truth that we are seeking to uncover.

My right hon. and learned Friend said that we should aim to achieve proper justice and proper compensation for the claimant, and that that is the endpoint of litigation—but it is only a partial endpoint. The first thing that we are trying to achieve is an understanding of what went wrong to ensure that that is immediately transmitted back into the service, so that we prevent such a clinical catastrophe from happening to another individual or family. That is exactly where the existing system does not work, because it militates against learning early in the litigation process. In many instances, it provides a

[Ben Gummer]

definitive account only at the point of judgment. That is what we are seeking to change through our proposed reform.

Nick Thomas-Symonds: I am grateful to the Minister for giving way, and I congratulate the right hon. and learned Member for Harborough (Sir Edward Garnier) on securing the debate. I also declare that I am a non-practising door tenant at Civitas Law in Cardiff.

I accept the Minister's point about the quality of investigation. Will he also agree that access to justice is itself crucial, particularly given that the Lord Chief Justice, Lord Thomas of Cwmgiedd, recently said that access to justice is now "unaffordable to most" and available only to the very richest?

Ben Gummer: I will turn to access to justice. I do not entirely accept the hon. Gentleman's interpretation of the judge's words.

In our proposed reforms, I intend to change the balance for the NHS Litigation Authority and for claimant lawyers to ensure that we get to a single version of the truth as early in the process as possible. I accept in its entirety my right hon. and learned Friend's interpretation of the NHSLA's performance in past years. I do so on the basis that many claimants have been immensely frustrated—as have the clinicians involved—by the length of time that trusts and the LA have had to respond to claims, the length of time it often takes to reach a resolution and the fact that there is often too much defence, delay and prevarication. At the same time, I have full confidence in the NHSLA's current management, because I have seen a real determination to get to grips with the problems it inherited and change the authority into something far more fit for purpose.

I accept my right hon. and learned Friend's contention that we need to change what happens with the NHSLA, but I posit that the existing costs regime encourages some claimant lawyers to stack costs in the early stage of a claim process rather than get to what we need to do: to establish a version of the truth agreed between all parties. I am not arguing that that is a deliberate and malicious intention, but that is how the system is constructed at the moment. Therefore, in attempting to reform how costs are settled between the NHSLA and claimants, we want to incentivise learning right at the beginning of the process, to ensure that it is as rapid as possible and that, if claimants have a fair claim, they receive justice and compensation as quickly as possible. Our interests are therefore entirely aligned.

That is why I say to claimant lawyers—I have said this privately to them on several occasions—that this is a genuine consultation. We are seeking to find out how best to reform a system that we all accept is not right. I therefore warn them against preemptory lobbying of Members of Parliament about a scheme that has not yet been determined. This is a genuine consultation, in which we will accept all their views, but they cannot—I hope they will not—proceed on a basis that could lay them open to accusations of pleading for special interests rather than trying to contribute to the consultation.

Mr McFadden: The right hon. and learned Member for Harborough (Sir Edward Garnier) said that law firms currently reject 90% of cases brought to them

because the burden of proof is high. I therefore do not think that we should portray this as a field of many frivolous claims. With that degree of rejection by law firms as background, will the Minister tell the House how the Government came to their figure for estimated savings for the new regime of £80 million? Where will those savings come from?

Ben Gummer: I hope that I in no way suggested that any of the claims brought forward were frivolous. I am saying that the way in which the current system is constructed loads costs at the beginning, and that does not help get us to a fair and equitable solution as quickly as possible. I am merely positing, but I believe there is fault on both sides. It is not necessarily the fault of either organisation; it is the fault of the system as a whole, which does not encourage good behaviours. The result is that we are not extracting learning as quickly as possible from litigation; we are not using claims, when unfortunately they are brought, to ensure that we improve medical practice; and, frankly, we are not using the early stage of complaints sufficiently well to ensure that claims are not brought.

I entirely agree with my right hon. and learned Friend that almost all complainants are not after a financial reward; they just want someone to say sorry and to accept responsibility for what happened. If we can achieve that far quicker in a learning culture, we will do something remarkable, not just for them, but for the many people who will follow. In answer to the right hon. Member for Wolverhampton South East (Mr McFadden), the estimate of savings proposed in the initial consultation document was part of the spending review round, and it was done through the usual modelling processes employed by the Treasury and the NHSLA, which understands the value of claims coming through.

My right hon. and learned Friend asked about the £250,000 limit. That limit was not arbitrary, but drawn from the original intentions of Lord Justice Jackson's review on civil litigation costs in 2010, with which I know he is well acquainted. In that review, Lord Justice Jackson pressed for fixed recoverable costs in the lower reaches of the multi-track up to £250,000. That was in relation to personal injury claims, but, in trying to draw a line somewhere, we felt that that was an appropriate place, given his recommendation to do so. That is, however, subject to consultation. We want to hear the full range of views about where the limit should be placed. My right hon. and learned Friend's contribution will be an important part of that consultation, and I and officials will take note of it.

My right hon. and learned Friend spoke of the Chinese walls and why the Department of Health is bringing forward this review. He is well aware of the usual practice that Departments bring forward proposals that relate to their areas of responsibility. The Ministry of Justice did so in previous reforms in which it had a financial interest, just as the Department of Health is doing here. I hope that, in our open approach, we will be able to explain that our primary concern is around changing the culture of the NHS and making sure that we are driving down claims for good reasons—that there are fewer of them because we are improving clinical practice—rather than just trying to deny people access to justice, which is the opposite of one of the intentions of the review.

The hon. Member for Torfaen (Nick Thomas-Symonds) is entirely right to say that we should ensure that we make justice as open as possible. The litmus test of the reform will be that, if people feel that, despite everything we are doing to make the NHS a better organisation—listening to complaints, learning from mistakes and providing restitution early—they still wish to bring forward a claim, it will be easy to do and no unreasonable barriers will be placed in their way.

Christina Rees (Neath) (Lab): If a person has a claim as a result of a serious injury, but they cannot get legal representation, that person is still severely injured and the costs will still fall back on the state.

Ben Gummer: I am well aware of that, and that is why we need to ensure that, at the end, the reform produces good effects rather than deleterious ones. I am aware of the concerns of the hon. Lady and many hon. Members, but I ask her to be open to what the Government are trying to do and to feed in her suggestions for how we can make the system better, because clearly at the moment, as I have tried to explain, it is not working in the interests of patients in the NHS. That is why we so badly need reform of the clinical negligence system.

Finally, my right hon. and learned Friend spoke about the speech that the Secretary of State is due to give—he will brief the House in due course—and wondered whether punishment was being confused with civil law remedies. We must all understand—many in the clinical negligence community have not quite grasped this—that a revolution is going on in medicine at the moment, learning from other sectors such as air accident investigation, that appreciates that one can have learning and lessons learnt in an organisation only if one provides safety for clinicians, for example, to speak openly when something has gone wrong. Sometimes we need to provide context around such discussions to make them feel safe. That has been achieved for air accident investigations and we want to do something similar for the NHS, so the Secretary of State will make more of that plain to the House in due course.

None of that is to change the basic freedom of people to find remedies in law. As we develop this exciting area of medicine in the next few years, I hope that the interplay between those two will mean reductions in deaths, accidents and patient safety problems in the NHS by tens of thousands and then hundreds of thousands in the years to come. That will possibly be one of the biggest factors in reducing mortality in the NHS since its foundation more than half a century ago.

Question put and agreed to.

11.30 am

Sitting suspended.

Scotch Whisky Industry

[MRS MADELEINE MOON *in the Chair*]

2.30 pm

Brendan O'Hara (Argyll and Bute) (SNP): I beg to move,

That this House has considered the contribution of the Scotch whisky industry to the UK economy.

It is a pleasure to serve under your chairmanship this afternoon, Mrs Moon. I am delighted to have secured this debate and to see so many of my colleagues present, particularly as they were all made aware that this is most definitely not a tasting event. I sincerely thank them for their attendance.

I understand that several hon. Members want to take part in this debate. If I have learned one thing since coming to this place last May, it is that no one loses points for repetition. However, in order to let colleagues develop their own arguments, I shall endeavour to speak in fairly broad terms about the remarkable economic success that is the Scotch whisky industry. I shall highlight the industry's success before touching on what measures I believe that the Government must take to build on the achievements that we are currently enjoying and to ensure investor confidence for many years to come. I shall also look at the importance of the industry for rural communities throughout Scotland.

Thereafter, I shall shamelessly indulge myself in promoting the beauty of my Argyll and Bute constituency, which, regardless of what some of my green-eyed colleagues may claim later this afternoon, is without doubt the world's whisky centre of excellence. As the home to the world-renowned whisky coast, Argyll and Bute can boast no fewer than 14 distilleries, which are working round the clock to produce the finest whisky in the world, consumed in ever greater numbers both at home and abroad. That said, I am inclined to agree with Raymond Chandler, the great American novelist, when he said:

“There is no bad whiskey. There are only some whiskeys that aren't as good as others.”

I have a theory that all Scots children are born knowing certain incontrovertible truths—the kind of thing that you just know and do not have to learn, such as the fact that everything good in the modern world was invented by a Scot, that that ball never actually crossed the line in the 1966 World cup final and that Scotch whisky is, as George Bernard Shaw so wonderfully described it, “liquid sunshine”.

That liquid sunshine provides a silver lining for the UK Exchequer, as sales of Scotch whisky both at home and abroad contributed more than £5 billion to the UK economy last year. Last year alone, almost 100 million cases of Scotch whisky were exported to every part of the world. That is 40 bottles every second of every day leaving Scotland, bound for Spain, Brazil, America, Canada, China and just about everywhere else in between. Those exports earned this Exchequer £4 billion—or, to put it another way, £135 every second of every day for the UK balance of payments. Indeed, Scotch whisky is liquid sunshine for the Chancellor.

To be fair to the Chancellor—please take note, as this is probably a once-in-a-career event—he had the foresight last year to cut spirit duty by 2%. Indeed, it was only the fourth time in 100 years that that had been done.

[*Brendan O'Hara*]

Although that cut was very welcome, many of us feel there is much more we can do, as taxation still accounts for 76% of the price of a bottle of whisky.

It is worth remembering that last year's cut in spirit duty was, by the Treasury's own Red Book calculation, believed to result in a shortfall of £185 million to the Treasury. The reality, however, was very different: the 2% cut in 2015 actually increased the tax take to the Treasury by more than £100 million. I am not saying that every 2% cut in spirit duty will recoup £100 million for the Treasury, but I think we can argue with a great deal of justification that a cut in spirit duty helped to increase sales in the domestic market for the first time in several years. It also sent out a very important signal to potential investors in the Scotch whisky industry.

Investor confidence is vital. The initial duty freeze, followed by a duty cut, gave confidence to investors, who saw that, for the first time in decades, there was a Government who did not view the Scotch whisky industry simply as a cash cow. As we know, spirit can only become whisky after it has been laid down for three years; only then can it be classified as Scotch whisky. For at least three years, investors can therefore have little or no return on their money. The fact that nine new distilleries have opened across Scotland in the past two years, with no fewer than 40 in various stages of planning and construction and hoping to come on stream over the next two decades, is in no small part due to the change in policy of not hiking spirit duty at every possible opportunity.

In fact, such is the confidence in the industry that there are advance plans to open a new distillery in the Scottish borders. To put that into context, the last distillery in the Scottish borders closed its doors in 1837—the year Queen Victoria ascended to the throne, and shortly after the birth of the great Mark Twain, whose love of whisky was such that he was moved to say:

“Too much of anything is bad, but too much good whiskey is barely enough.”

I have heard several people question how we can call for a further cut in spirit duty while at the same time campaigning in Scotland for a minimum unit price on alcohol. Let me say immediately that those are not contradictory positions. The adoption of a minimum unit price was never intended to affect sensible, moderate drinkers, and it would have no impact whatever on the production, consumption or export of Scotch whisky. Minimum unit pricing is designed to impact on the most harmful drinkers and is targeted at own-brand spirits and ciders that are high in alcohol but usually very cheap at the point of sale.

In the past few years, we have seen a signal to investors that Scotch whisky is a solid and sound investment. It is an investment that creates jobs and prosperity. The industry already supports directly and indirectly more than 40,000 jobs, many of which are highly skilled, across the United Kingdom. Included in that figure are 7,500 jobs in rural communities, where it is often very difficult to find alternative employment. A classic example of that is the new Isle of Harris distillery, which opened last year with the aim of producing 300,000 bottles of single malt a year. That one distillery has created 25 new jobs in the town of Tarbert, which has a population of barely 1,000 souls. That is an oft-repeated story across

the highlands and islands of Scotland, where whisky distillation and high-skilled local employment have gone hand in hand for centuries.

As I said at the outset, in my opinion—and as chair of the all-party group on Scotch whisky, I suggest that that opinion is not to be taken lightly—the finest whiskies in the world come from Argyll and Bute, although I fear that my right hon. Friend the Member for Moray (Angus Robertson) and my hon. Friends the Members for Ross, Skye and Lochaber (Ian Blackford) and for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) may be of a different opinion. On our whisky coast in Argyll, we have 14 distilleries producing some of the most famous brands in the world. We have Bowmore, Ardbeg, Bruichladdich, Bunnahabhain, Caol Ila, Lagavulin, Laphroaig, Kilchoman, Isle of Jura, Glengyle, Springbank, Glen Scotia, Tobermory and Oban—and if you can still reel those names off after a good night, perhaps the night was not as good as you thought it was. As well as producing great whisky and creating employment, those distilleries attract tourists to the area in their tens of thousands. Indeed, visits to distilleries have rocketed in recent years; I saw a figure suggesting that one in every five visitors to Scotland visits a distillery.

Stuart Blair Donaldson (West Aberdeenshire and Kincardine) (SNP): I thank my hon. Friend very much for securing this debate. Will he join me in welcoming the fact that Royal Lochnagar distillery in my constituency—the home of the first distillery tour, for Prince Albert and Queen Victoria—has almost doubled its visitor numbers since 2008, with 16,384 visitors visiting in 2015?

Brendan O'Hara: I absolutely join my hon. Friend in welcoming that, and that statistic is replicated across the country. Islay, for example, which has a population of just 3,000, has eight working distilleries with two more currently under construction. In 2014, Islay had 125,000 visitors to its distilleries—that is 41 visitors for every permanent resident on the island. The importance of tourism, and whisky tourism, cannot be overstated, and if hon. Members have not holidayed in Argyll and Bute, I suggest that they put it on their bucket list immediately.

I used to think the sky was the limit for our Scotch whisky industry, but it appears that I was wrong. It seems that there are absolutely no limits on what our industry can achieve, as I recently discovered, when I was told that a quantity of Ardbeg was sent into outer space to the international space station—for research purposes, I believe. Who would have believed that Argyll and Bute would be exporting liquid sunshine into outer space? Indeed, if that is not an argument for awarding the UK space station to Machrihanish, I do not know what is.

Wayne David (Caerphilly) (Lab): My intervention is not specifically on that point. Sadly, I say as a Welshman that there is no whisky industry in my constituency, but there is one not very far away, and it produces wonderful Welsh whisky—one day perhaps there will be competition. My point, however, is that not only is Scotch whisky tremendously important to Members' constituencies and Scotland as a whole, but to the United Kingdom. Given that the Scotch whisky industry is worth some £3.3 billion directly and £1.7 billion indirectly to the UK economy, does the hon. Gentleman agree that it is important not only locally in Scotland, but to Wales and the United Kingdom?

Brendan O'Hara: I could not agree more with the hon. Gentleman—my honourable Welsh friend—about the importance of the Scotch whisky industry. For all these islands, it is absolutely vital and I am delighted that the Government have shown a commitment to creating a more level playing field than there has been in the past.

The Scotch whisky industry is not just one of Scotland's oldest, most iconic and most culturally significant industries, but one of our largest and most successful. As I said, it contributes massively to the UK balance of payments, supports 40,000-plus jobs and pays out £1.5 billion in salaries. Exports are up, domestic sales are up and investor confidence is at an all-time high. There is a golden future for Scotch whisky, and I urge the Government to keep faith with that industry and allow it to build on recent successes by applying a further cut to spirit duty in next week's Budget. Together, we can boost the industry and the wider economy for the benefit of us all.

Mrs Madeleine Moon (in the Chair): Before I call Andrew Percy, I will just say that there is a lot of interest in this debate; I have eight people down to speak and I can see a lot of people who will want to make interventions. I suggest that speakers take five minutes maximum each, if all are to get in, which will include the time that hon. Members give for interventions.

2.45 pm

Andrew Percy (Brigg and Goole) (Con): It is a pleasure to serve under your chairmanship, Mrs Moon. I congratulate the hon. Member for Argyll and Bute (Brendan O'Hara) on securing this important debate in support of the whisky industry, which is important not only to Scotland, but to the whole of the United Kingdom.

I declare an interest as an avid Scotch drinker. In fact, I drink all sorts of whisky, whether it is Arkansas rye whiskey or my particular tippie of Highland Park. Or there is even the whisky produced by the English Whisky Co., which is very good, or Penderyn, which is very lemony, very citrusy, very nice. I have named enough now in the hope that somebody sends me a free crate; we will see. I will not talk about my evening on Kintyre with a full bottle of Laphroaig—we will leave that one, but the photos are still out there.

This is an important debate for all the reasons that the hon. Gentleman gave. Scotch whisky is a huge part of the UK economy. I want to talk in particular about its impact on the whole of the United Kingdom and my constituency, the duty rate, and the potential for growth in the market through trade agreements such as the Canada-EU comprehensive economic and trade agreement.

I have just accepted a small role as the Prime Minister's trade envoy to Canada, and one of my mandates from him is to market and push CETA and its benefits. I am not the first politician to hold two diametrically opposing views at the same time, but while promoting CETA, I am, of course, also campaigning for us to leave the European Union. Leaving that small inconsistency aside, CETA will obviously be of great importance to the Scotch whisky industry. I would argue, of course, that outside the European Union we would still have the same access, blah blah blah, but Canada is the 15th biggest market for Scotch whisky, with about £66 million-worth of exports—about 20% of all Scottish exports to Canada. Unfortunately, however, due to the liquor board system

in Canada and some of the burdens placed on imports, Scotch whisky is unfairly discriminated against at the moment. We have to make sure, through the final stages of CETA, that those barriers are removed so that we have full access for Scotch whisky to the Canadian market.

That is a reminder of just how important trade treaties can be to jobs. There is a lot of opposition to the Transatlantic Trade and Investment Partnership, and some of that is unfortunately filtering through to CETA, but we have to make it very clear not only to people in this place but to the wider public that it is a good deal that will support jobs across the United Kingdom.

Scotch is doubtless a Scottish product, and Scottish people should be very proud of it, but it is also a great British product. IG Industries in my constituency provides a lot of the packaging, and Muntons, also in east Yorkshire, provides some of the cereal. I like to think that when people have their tippie of Scotch whisky, the taste comes not just from the fine Scottish water but from the even better east Yorkshire grain.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): The Scotch whisky industry creates prosperity and jobs right along the supply chain, be it in cereal, ceramics, glass or haulage. Does the hon. Gentleman agree that we should do all that we can to support the industry and to protect the many jobs that depend upon it, and that we should listen to its calls for a small drop in duty?

Andrew Percy: I do have sympathy with that. It was nice to hear the hon. Member for Argyll and Bute pay tribute to the Chancellor, which is not something I often do either. He was correct to do so on this issue, because the calls that were made last year were successful. We have all seen the incredibly positive impact that has had on the supply chain and jobs, and if there could be movement again, that would be appreciated. I need not reiterate the number of jobs that the hon. Gentleman quoted, but they are a huge part of this country's economy and employment profile. As we heard, our trade deficit would be 11% higher without Scotch whisky. It is a great product, and a British product in so many ways, including the fine Yorkshire grain and the packaging from my constituency. It supports jobs at the Immingham port complex through exports, so it is important to the whole UK market.

I am conscious of your instruction on time, Mrs Moon, so I will end with a simple request to the Minister, which he will hear many times today. If there is an opportunity ahead of next week's Budget for some movement on the 67% duty rate, I will entirely support it, not least because of the arguments we have heard so far today.

2.50 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is a pleasure to serve under your chairmanship, Mrs Moon. I thank my hon. Friend the Member for Argyll and Bute (Brendan O'Hara) for initiating this important debate today.

Whisky is Scotland's gift to the world, a gift that brings enormous benefit to the Exchequer. It has a substantial impact on our trade statistics and generates substantial employment in Scotland. The success of the

[*Ian Blackford*]

whisky industry is rooted in rural Scotland, where the addition of well-paid employment puts substantial income into many local economies.

There has been a renaissance in Scotch whisky with so many iconic brands being marketed and sold throughout the world. Its brand identity is unparalleled and has been hard won, although it needs to be protected and invested in. There is a competitive threat from other products, but none have the right to call their product Scotch whisky. The rich diversity of successful Scotch whisky global brands has helped to create the circumstances for an explosion of investment in new distilleries, often small community-based operations that add to the rich tapestry of unique product offerings and the breadth of those offerings to the discerning palate. Each whisky is unique and is shaped by the environment and character of each distillery with the barley, the local source of water and the peculiarities of the still among other things affecting the character of each whisky.

We have several distilleries in my constituency, including some in the planning and development phase. In Skye, we have the iconic Talisker whisky, which was the favourite of writer Robert Louis Stevenson. In his poem, "The Scotsman's Return from Abroad", he said:

"The king o' drinks, as I conceive it, Talisker, Islay, or Glenlivet."

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): Will my hon. Friend give way?

Ian Blackford: Because of lack of time I want to press on, but before my hon. Friend the Member for Argyll and Bute gets excited about Islay being mentioned in the same sentence as Talisker, I should point out to him that the king of whisky, Talisker, is the first and foremost whisky to be mentioned in the poem.

Moreover, in the film "Charlie Wilson's War", CIA agent Gust Avrakotos presents Congressman Wilson with a bottle of Talisker. The agent explains to Charlie that Scotch is mentioned in a Robert Louis Stevenson poem, but the bottle is bugged and allows him to listen to the congressman's conversations. One would hope that in this House Talisker may be enjoyed by all and certainly never used for more subversive activity, although with this Government you never know.

One website on whisky stated the following of Talisker:

"This alluring, sweet, full-bodied single malt is so easy to enjoy, and like Skye itself, so hard to leave."

What must be kept in mind is that Talisker distillery and so many of our distilleries are located not just in the most beautiful parts of our country but in areas of varying degrees of fragility of economic activity. Talisker is located on the western side of Sky where the potential for full-time, year-round employment is limited. The distillery employs 45 staff members, a significant number for an island with a population of just over 10,000. It is of note that only nine of those jobs are in production, with the vast bulk of employment being around the visitor centre. Last year, it welcomed a grand total of 67,000 visitors. The distillery is the second highest visitor attraction in footfall on the island of Skye.

Clearly many people come to Skye to visit Talisker, among other places, helping to grow and develop our tourist offering and tourist spend, not just at Talisker

but throughout the island. The motion today refers to the economic value of whisky to our country. That economic benefit is based on the direct value of the whisky industry to many rural communities in my constituency and elsewhere. Talisker is a well-established, successful brand, but the story does not end there.

Torabhaig distillery is under construction on the Sleat peninsula on Skye. This distillery is expected to employ a staff of eight when it enters production. There are also plans for a new distillery on the island of Raasay. There is a birth of a new spirit in the Hebrides, a spirit that will excite the whisky world with these new ventures adding to the appeal of Skye and Raasay as the premium whisky region of the entire industry.

I have many distilleries in my constituency. The Glen Ord distillery in Muir of Ord is a contrast with Talisker. It employs just shy of 60 workers and as well as production of the Singleton of Glen Ord brand and a successful visitor centre, there is also a maltings at Glen Ord as well as an engineering base for the parent company, Diageo.

I am glad to say that not far from Glen Ord, just outside Dingwall, is another new distillery, GlenWyvis, based on a long-held tradition of distilling in this area, under the name of the previous Ferintosh distillery. Our national bard, Rabbie Burns, famously lamented the previous loss of this distillery when he said in 1759:

"Thee, Ferintosh! O sadly lost!"

Well, it is lost no more.

Because of lack of time, I will wrap up. We celebrate the success of the whisky industry, but let me quote Douglas Fraser of the BBC, who stated in 2013:

"Scotch whisky is a national brand worth toasting. It is a drink that can only be distilled and matured in one country—Scotland—but which sells in to 200 markets around the world. How did Scotch go from cottage industry to global phenomenon and how does it benefit its country of origin?"

That question requires more time for debate than we have today, but let me reflect briefly on employment.

As has been mentioned, 40,000 jobs are connected with the industry, 7,000 of which are in rural Scotland. My challenge to the industry is that, as well as the very welcome investment in distilleries, more can be done to make sure a greater part of the supply chain is secured in the area of production. Let us increase the dividend available for those in whisky-producing areas and let us toast the success of the industry, but let us have the ambition to grow this fantastic industry on a sustainable basis. To encourage this to happen, the Chancellor must play his part next week by reducing duty and introducing greater equity for the Scotch whisky industry.

2.56 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): Everyone here today understands that Scotch whisky is a huge player in the UK economy and overseas markets, and without the success of this industry Britain's trade deficit of around £35 billion would be around 11% larger. This wonderfully popular product is the biggest net contributor to UK trade in goods. Exports are worth almost £4 billion and imports in the supply chain, such as packaging for products and casks for maturing the spirit, add value to our economy. The industry's trade balance is £3.8 billion, supporting almost 40,000 jobs, 10,800 of which are worth £1.4 billion to UK workers.

As my hon. Friend the Member for Argyll and Bute (Brendan O'Hara) pointed out, more than 7,000 workers in the Scotch whisky industry are employed in rural communities such as Arran in my constituency, leading to considerable added value in both direct and indirect incomes. Further, it accounts for 21% of the food and drink exports of the whole of the UK.

I am here today to applaud the success of this industry and its huge contribution to the UK economy. I am delighted that my constituency can boast some of the finest whisky distilleries in the UK with the Arran distillery being one of the few remaining independent distilleries in Scotland and the only malt whisky distillery on Arran, home to an award-winning dram. It opened in 1995 at Lochranza, which is the perfect location for producing the perfect malt. It is home to the purest water in all Scotland, water that has been cleansed by granite and softened by peat as it slowly meanders from the mountain tops into nearby Loch na Davie. Arran also enjoys a warm microclimate. The atmosphere of sea breezes and clear mountain air with the warm flow of the gulf stream is ideal for the speedy maturation of single malts.

I have painted a rather poetic picture. As for my hon. Friends the Members for Argyll and Bute and for Ross, Skye and Lochaber (Ian Blackford), I will put their gas at a peep because the Arran distillery, despite what they have said about their own neck of the woods, is a patron of the Robert Burns World Federation and, as such, has created a Robert Burns single malt and Robert Burns blended whisky in honour of Scotland's national poet. It is the only whisky distillery able to use the image and signature of Robert Burns on its packaging—a true accolade indeed. [*Interruption.*] Not for nothing does the island of Arran have a reputation for producing the highest-quality whisky, although I am sure that the whisky from the constituency of my hon. Friend the Member for Ross, Skye and Lochaber is quite nice, too.

I join my hon. Friends in urging the Government to make a cut in excise duty on spirits at the Budget next week to boost the Scotch whisky industry. The Government must make it clear that the whisky industry will not be viewed as a cash cow, as the oil industry has been for too many years. Failing to cut the excise duty in the Budget will risk holding back this vital industry and the revenues, jobs and tax receipts from which the whole of the UK benefits. We need to help to create the conditions for the growth of this industry in our home market and stimulate long-term investment. If we cut excise duty, the revenues will go up, not down. The current staggering and eye-watering 76% tax on a bottle of Scotch whisky is far too high. Consumers hand over almost £10 on each bottle of whisky that they buy. That is 51% more duty than beer drinkers and 27% more duty than wine drinkers. That is clearly unfair and unsustainable. The 76% duty is the fourth highest rate in Europe. A cut would at a stroke support not only the whisky industry, but farmers, local pubs, rural and island economies, responsible consumers, manufacturers, exporters and supply chains across the UK.

There is no denying that distilleries are a source of jobs in areas that, as has been pointed out, might otherwise find it hard to sustain them and they are strongly aligned with wider tourism activities in rural economies. In my own constituency, a visit to Isle of Arran Distillers Ltd is all part of the experience of visiting the island of Arran.

The Scotch whisky industry is, rightly, a source of pride to all Scots, and no wonder, but it is also a huge success story that needs to be told more often. The question is not whether the UK Government can afford to cut excise duty on whisky. The question is whether the UK Government can afford not to make that cut? This is an iconic industry for both Scotland and the entire UK. It has a crucial role to play in the economic health of the UK, and that must be recognised. I urge the Minister today to support a cut in excise duty on whisky and recognise this jewel in the crown of Scotland's—and the UK's—industrial strength.

3.2 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): It is a pleasure to serve under your chairmanship, Mrs Moon. I congratulate my hon. Friend the Member for Argyll and Bute (Brendan O'Hara) on securing the debate and providing us with an opportunity to discuss the significant contribution that the whisky industry makes to the national economy. I am well aware of the contribution that the industry makes to his constituency of Argyll and Bute, an area that I regularly visit for family trips, and my office manager, an Ileach, speaks often about the importance of the distilleries to the Islay economy. With eight distilleries on an island of 3,000 people, and another two being planned, soon there will be one distillery for every 300 residents. My office manager tells me that, from hazy memory, the Islay festival of malt and music is a very good time to be on the island.

Like Argyll and Bute, my constituency of Paisley and Renfrewshire North benefits greatly from having an active and successful whisky sector in the area. We have heard much, rightly, about areas of production, but there are equally important parts of the industry. Indeed, I recently visited the Chivas Regal bottling plant in my constituency and spoke with staff about the work that they do. The facility employs more than 500 staff, and it is where the company bottles most of its whisky portfolio, including brands such as Chivas Regal, the Glenlivet and Aberlour and the super-premium products such as Royal Salute. Chivas Regal is famous the world over—

Roger Mullin: Does my hon. Friend agree that in the aspect that he has mentioned—bottling—the whisky industry has led fantastic growth in productivity and innovation? The growth has been such that in Fife, the bottling plant in Leven now bottles not only malt whisky, but most of the company's London gin.

Gavin Newlands: Indeed. I thank my hon. Friend for that intervention. The productivity leads to further investment, which I will come on to later.

The staff at the Paisley site are proud to distribute whisky to all corners of the world, including China, India and the United States. During my visit, I was grateful to be shown around the new north bottling hall, which was opened last year as part of a wider £40 million investment by Chivas Brothers and helps to highlight the positive future that the whisky industry has in Renfrewshire and across the UK.

However, it is not only Chivas that operates in my constituency. Diageo is also well represented, with facilities near Braehead and at Blythswood. Both are long-standing providers of many jobs in the constituency, and I look forward to visiting them in the near future—that was a

[Gavin Newlands]

plug. Chivas and Diageo are extremely important to the Renfrewshire economy and help to support more than 1,000 local jobs. The Scotch Whisky Association estimates that the Scotch whisky sector directly employs 10,800 people. I am very proud to say that about 10% of those jobs are based in my constituency. Back home in Renfrewshire, we probably do not realise or appreciate how important our constituency is to the wider success of whisky. The three plants based in my constituency are extremely important, both locally and nationally, and I would like to record my thanks to all those workers who contribute to the success of the “water of life”.

We cannot stress enough the importance of the whisky industry to Scotland. It is part of our DNA, and we are famous all over the world for being the home of whisky. According to the SWA, the whisky industry’s contribution to the UK’s GDP amounts to £5 billion and it helps to support 43,000 jobs across the UK. In 2013, more than 1.1 million visits were made to whisky distilleries, with many of the visitors coming from all over the world to sample some Scotch whisky and see how it is distilled. Scotch whisky can be and has been described as the star performer of the UK economy. When we look at the activity of the industry in overseas markets, it becomes clear why it is so important to our national economy. Last year, Scotland exported 99 million barrels of whisky, which, according to the Library, were worth almost £4 billion, with imports amounting to £200 million. Without the success of whisky, the UK’s trade deficit would be 11% higher than it is today.

Given the success and significance of whisky in the national economy, our call for a further reduction in spirit duty by 2%, which is supported by the SWA, is entirely legitimate. A 76% tax burden is entirely excessive and ultimately unsustainable. What is more, with less than 9% of the EU population, UK consumers pay 25% of all EU spirit duties. Indeed, revenue raised by spirit duty has gone up by more than £100 million in the last year, following the Chancellor’s 2% cut in last year’s Budget, so he does not have to look too far for the evidence.

The future is bright for the Scotch whisky sector. I see that at first hand in my own constituency with the investment that has been made in the plants in Renfrewshire. We should be proud that our whisky is famous the world over and attracts tourists all year round. Scottish whisky is one of the star performers of our national economy. It is vital to our local communities and vital to supporting local jobs, and we should do as much as we can to encourage its growth in any way we can. Slàinte!

Several hon. Members *rose*—

Mrs Madeleine Moon (in the Chair): There are four speakers left. At 3.30 pm, I need to start calling the three Front Benchers, so please keep your eye on the time. I call Chris Law.

3.7 pm

Chris Law (Dundee West) (SNP): It is a pleasure to serve under your chairmanship, Mrs Moon. I commend my hon. Friend the Member for Argyll and Bute (Brendan O’Hara) for securing this important debate. Scotch whisky,

as we know, is one of Scotland’s most recognisable, ubiquitous exports. We have heard a lot today about its valuable contribution, including to the Exchequer, to which I will turn at the end of my speech. It is also enshrined in our history, art, culture and science. In fact, the late Alexander Fleming, who discovered penicillin, gave the very scientific advice:

“A good gulp of hot whisky at bedtime—it’s not very scientific, but it helps.”

I want to turn my attention to the innovation, research and development that are vital to ensure that Scotland’s journey in the industry is a continuing success story. I will do that by sharing with hon. Members the stories of two local companies close to my constituency of Dundee, one of which is not known for producing whisky. They are indicative of the wider needs and aspirations of our industry, and they assist in leading the way to future progress.

One of the companies is just over the water from Dundee, in the county of Fife. The Eden Mill brewery and distillery is a small craft company that faces the same almost insurmountable challenges as many others starting out in whisky distillation. Eden Mill is the first of its kind in Scotland. In a few years, it has gone from one employee to 40 employees. It has a turnover of between £3.5 million and £4.5 million this year, and more than 15,000 people from more than 30 countries have visited it. Those are all the hallmarks of having great success ahead.

What makes the company unique, however, is its approach to making whisky. It is estimated that the average cost of starting up an independent craft whisky distillery is £10 million. In order to begin laying down casks for whisky production, it began with the production of beer and now has its beers stocked nationally by Tesco, Sainsbury’s, Whole Foods Market and Aldi. In addition, it produces more than a dozen gins with a range of flavours. As we know, gin takes a much shorter time to produce than whisky and can generate much-needed cash flow while whisky, which takes more than three years to mature at a minimum, comes slowly to fruition. A little-known fact is that 70% of the gin produced in the UK is from Scotland, and the UK is the world’s largest gin exporter.

Eden Mill’s innovate business model has helped to at least stem the loss-making years of whisky production to some degree and has allowed affordable investment in whisky being laid down for future sale upon maturation. Small distilleries such as Eden Mill also add enormous value to local economies as tourist destinations, and they bring local sourcing of ingredients and high employment per litre of whisky produced compared with big distilleries.

I asked Paul Miller, one of the co-founders of Eden Mill, what more could be done to help grow our industry and whether there was value to his company in a duty reduction, for example. He said that in simple terms, duty and VAT were expected to be between £390,000 and £500,000 in the current year. A 2% reduction, for example, which I fully support, would allow Paul to create another job for a trainee distiller.

However, Paul added that the real opportunity could come from creating an environment for small, growing businesses to mirror the benefits that stimulated craft brewing back in 2001-02, when the sliding-scale tax on

small breweries was introduced. That encouraged authentic small breweries to grow and was the catalyst for an entire industry. Paul pointed out that the US bourbon trail was a great example of such a move. The UK Government should focus their efforts on the impact of the limiting volume written into the EU derogated power. Changing that would be a major prize, a point not lost on those of us who point out the valuable contribution that Scotland and the rest of the UK make by being part of the European Union and not sitting on the sidelines, as we would in the event of an EU exit. The UK should focus on that now, while it is seeking a better position within Europe. If that happened, Eden Mill could reinvest more than £175,000 per annum in better infrastructure and a retail experience for visitors, and could ultimately create a better global brand. Imagine what that could do for the other 111 distilleries.

At the other end of production, but no less important, is my other neighbour, the James Hutton Institute, a world-leading scientific research organisation that is working to provide solutions to global challenges in food, energy and water security. As I speak, the James Hutton Institute and Dundee University have launched a campaign to set up the international barley hub, which will be the world's leading centre for research into barley and its potential in a future where demands are ever increasing owing to production, reduced chemical use and climate change. Without vital support there are dangers ahead for our Scotch whisky industry.

The cost of developing and building the hub is £36 million, and it will create 3,400 highly skilled jobs and add £700 million in economic value. It will be financially sustainable by year seven. Let us not forget that 20% of our food and drink exports depend on that research. Increased exports of our precious whisky and greater consistency of barley for the whisky industry will be just two key benefits. Doing nothing, however, would mean the UK no longer leading in barley research. As researchers naturally follow investment, that would lead to a downward spiral in capability and viability. To return to the point that my hon. Friend the Member for Argyll and Bute made about £135 being generated per second, the Treasury could have the future of our research into barley, the essential ingredient in our dram, bought and paid for in less than three days.

There is no doubt that innovation, investment and a careful eye on the future of our industry have to be paramount. I make this simple plea to the UK Government: if the Chancellor is serious about expanding exports threefold by 2020, investment and a large pinch of serious industry advice from companies such as I have mentioned will go some way towards that. Doing nothing is simply not acceptable or desirable, especially given the world's desire for our liquid gold. To reiterate the point that my hon. Friend made, the American writer Mark Twain was undoubtedly correct when he said:

“Too much of anything is bad, but too much good whiskey is barely enough.”

3.13 pm

Martin Docherty-Hughes (West Dunbartonshire) (SNP): It is always a pleasure to serve under your chairship, Mrs Moon. I thank my very close hon. Friend the Member for Argyll and Bute (Brendan O'Hara), who has a neighbouring constituency, for securing this debate.

I have a long association with whisky, and not just as a drinker. In 1992, I was elected to the then Clydebank District Council for ward 3, Mountblow. The district of Mountblow is home to one of Scotland's most lowland malts and the only triple distilled whisky; it has been producing the uisge beatha for nearly 200 years. The Auchentoshan distillery is found in the foothills of the Kilpatrick, in the old Auchentoshan estate. I was honoured to represent the area in 1992, and I am delighted and honoured to do so in this House as we debate the impact of whisky on the economy. For the record, that is “whisky”, without an e—that is just a note for *Hansard*.

In recent times my constituency has mourned the passing of Littlemill, which was dismantled in 1997, although thankfully its production was taken up by the vibrant Loch Lomond distillery, which produces Captain Haddock's favourite tippie in Hergé's “Tintin”—a truly European product. Whisky is a global product that will not be assisted by Members who favour Brexit. Loch Lomond marks the boundary between the lowlands and highlands of Scotland and has been at the heart of whisky production for centuries. Sadly, at least nine distilleries around the loch have been lost over the years, leaving Loch Lomond distillery to maintain the proud local tradition at that end of my constituency.

Auchentoshan is a true urban whisky, with an economic and social reach across my entire constituency and beyond. As hon. Members have said, that reach includes bottling, marketing, tourism, sales, printing, malt production and glass production. Each year the distillery of Auchentoshan alone uses 2,500 tonnes of malt, 12.7 tonnes of yeast and 12 million gallons of Scotland's finest water drawn from the Kilpatrick, with more than 1 million litres of pure alcohol. That is bottled as five expressions of Auchentoshan, including my personal favourite, American Wood. In addition, it has produced its exceptional eight limited editions.

Auchentoshan and Loch Lomond distilleries play their part in supporting national production with 40,000 jobs, of which 10,800 are directly in the industry, and supplying salaries worth £1.4 billion to UK workers. I call on the Minister and the Government to play their part in supporting them. The average-priced bottle of Scotch whisky is subject to 76% tax, and there is no doubt that that is bad for business, bad for the industry and bad for consumers. I am sure the Minister will at least agree that a 2% cut in duty on whisky in this year's Budget would be a welcome relief to the economy and a win-win for everyone.

The case for that is self-evident. From 2015 to January 2016, following the 2% cut in last year's Budget, duty receipts from spirits went up by £102 million compared with the same period the previous year. Spirits were the driver behind a £190 million increase in alcohol revenue, which was of huge benefit to the economy. The evidence is clear. The UK Government's rate of 76% on Scotch whisky is the fourth highest rate in Europe, and UK consumers currently pay 25% of all European Union spirit duties—more than consumers in Spain, Italy and Poland combined. It seems that at least in this case, the only drawback to being part of the European Union is the UK Government's self-made taxation rates on spirits. Although Scotch whisky enjoys widespread popularity, a further cut in duty would be a welcome move for a product that remains one of the most highly taxed in the world.

[*Martin Docherty-Hughes*]

Investment in new distilleries and production at established sites is unprecedented. Those new distilleries need a home market that encourages growth and long-term investment. Support for the industry through a further cut in excise duty would help and support that.

One last challenge remains. Some whisky producers have a local GDP equal to that of small nations. That could and should be challenged through our Community Empowerment (Scotland) Bill. It is my hope that one day whisky production will act as a catalyst for local community ownership, with broader local production being in the hands of the communities of Scotland.

3.18 pm

Carol Monaghan (Glasgow North West) (SNP): It is a pleasure to serve under your chairmanship, Mrs Moon. I congratulate my hon. Friend the Member for Argyll and Bute (Brendan O'Hara) on securing this important debate.

I confess that uisge beatha, the water of life, would not have been my drink of choice in the past, but I have joined the all-party group on Scotch whisky. When I asked at one of the first meetings whether whisky was still mainly drunk by men, I was informed that some of the world's most renowned tasters are in fact women, so I decided to do my bit for the industry and embark on some personal research. Since then, I have been practising. Hon. Members will be pleased to know that my taste for whisky is developing quite well, although it will no doubt cause a stramash among my colleagues to hear that I enjoy it quite a lot with Coke.

We have heard about the producers and the supply chain. A major employer in Drumchapel in my constituency is the Edrington whisky bottling plant, which bottles Macallan, Highland Park and the Famous Grouse, among others. The origins of the company stretch back to its 19th-century foundation by William Robertson in Glasgow. In the 1960s, Sir William Robertson's sisters transferred their ownership of Edrington to the newly formed Robertson Trust and insisted that a percentage of the profits should go to good causes—a practice that continues to this day. Many worthy causes throughout the UK have benefited from grants from the trust.

I had the pleasure of visiting the Edrington bottling plant last summer, where the chief executive, Ian Curle, voiced some of the industry's concerns regarding levels of duty. Although the debate is about whisky, other small producers would benefit from a reduction in duty. Along with my recent work on whisky, I had the pleasure of tasting a new local product, the Makar Glasgow gin, which is only two years old and would really be able to increase its outreach with a change in duty.

New whisky producers have come to the market, but how many more would there be if there were a more realistic taxation level? When we call for a reduction in the ridiculously high duty of 76%, it is about more than just finance. It is about our ambition for this key Scottish industry. Although I was told recently that to dilute my whisky with a mixer was an affront, I would argue that the real affront is the level of duty placed on whisky, which is stunting the growth of the industry in Scotland.

3.22 pm

Michelle Thomson (Edinburgh West) (Ind): It is a pleasure to serve under your chairship, Mrs Moon. Hon. Members might wonder what on earth my link with whisky is, as the Member for Edinburgh West. Well, here you go. BenRiach Distillery Company, which is in fact based in Speyside, was built by John Duff in 1898. The hon. Member for Argyll and Bute (Brendan O'Hara) will note that that was 10 years after the formation of Celtic football club. The distillery features a traditional floor and pagoda-style chimneys. It was a global whisky distiller of the year in 2015 and, more importantly, its head office is located in Edinburgh West.

Few people consider the wider picture around the supply chain. Bottlers, glass makers, ceramics, cereals, transport, energy suppliers, tourism and retailers all add value. There are spin-off businesses, such as Celtic Renewables, which makes biofuel capable of fuelling cars with the by-products of whisky production.

We have talked about the value of the industry to the economy of Scotland and the UK, and about the increase in the tax take with the tax cut in March 2015. I agree with what I suspect the Minister will say, which is that it is difficult to prove the so-called causality. However, from a business perspective, I believe that the tax cut gave businesses the confidence to invest. We cannot assume that a year-on-year tax cut will always result in this outcome, but we can reflect on the fundamental fairness of how the industry is treated compared with others, such as beer. The tax cut is also to be welcomed as we have seen a reverse in the trend of declining home figures.

There are new distilleries in Annandale, Arbikie, Ardnamurchan, Ballindalloch, Dalmunach, Eden Mill, Glasgow, Isle of Harris, and Kingsbarns—now, I would like the Minister to repeat those backwards, if he can. In fact, the finance director of the Glasgow Distillery is an old colleague of mine from the independence referendum. The new distilleries will initially focus on gin but, critically, we must emphasise the point about capital investments. It is about the creation of jobs and infrastructure. As I mentioned, the supply chain is of value to the wider economy, particularly to rural economies.

I am a member of the Select Committee on Business, Innovation and Skills, in which I recently questioned Ian Wright of the Food and Drink Federation. If the contribution of Scotch whisky to UK exports was underappreciated, he highlighted that the UK Government fail to appreciate the value of consumer goods in general and said that there needs to be a change of mindset on the issue. I agree with that.

Significant value is to be derived from increasing exports, especially looking at the massive potential of the emerging middle classes in the likes of India. The Scotch Whisky Association argues that taxing until the pips squeak sets a precedent for overseas markets. Indeed, Scotch faces a tariff of 150% in India. In reality, the economic picture is considerably more complex, with individual economies making decisions based on support for their own producers, not just on their perception of the high quality of Scotch, but the point is worthy of reflection.

I am concerned about a potential British withdrawal from Europe because barriers to trade are considered unhelpful by industry. We should go for a trade agreement in India and stay in Europe; we can have both.

On a more serious note, my last point is about Scotland the brand, which whisky most encapsulates. There have been a number of attempts today to bottle the essence of Scotland the brand. The brand is shaped by authenticity and personality, and that cannot be truer than of Scotch whisky. Brand has equity, and we mentioned that when we talked about the small gin distilleries. Brand is the recognition and embodiment of key values, pleasures, value and perception, but it faces competition and we must ensure that the industry can compete.

I leave hon. Members with two brief thoughts about whisky. The first is from my personal favourite, Tommy Cooper:

“I’m on a whisky diet. I’ve lost three days already.”

And, finally, “Alcohol is your trouble,” said the judge to the drunk. “Alcohol alone is responsible for your present predicament.” The drunk looked pleased as he said, “Thank you, judge. Everyone else says it’s my fault!”

3.27 pm

Rebecca Long Bailey (Salford and Eccles) (Lab): It is a pleasure to serve under your chairmanship, Mrs Moon, and it is a pleasure, as always, to debate opposite the Exchequer Secretary to the Treasury. I congratulate the hon. Member for Argyll and Bute (Brendan O’Hara) on securing the debate. In his opening speech, he eloquently explained why the Scotch whisky industry is so important to the Scottish and UK economies and why his constituency is the centre of the whisky universe.

I thank hon. Members for taking part in the debate, which I have really enjoyed. I feel as if I have had a bit of a history lesson. A few points that I was not aware of before include: that Talisker was Robert Louis Stevenson’s favourite drink; that Arran has the purest water in Scotland; and that Alexander Fleming’s advice was to drink whisky, which I now take as medical advice. Other fantastic things have been mentioned but I will not go into detail because we are pushed for time.

There was a consensus across all contributions that, beyond doubt, the Scottish whisky industry contributes significantly to the UK economy. A number of hon. Members raised points about excise duty. Of course, we all look forward to hearing what the Chancellor has to say about that next week and whether the Minister is willing to leak any information on that.

The Scotch Whisky Association, which supplied a very useful briefing in preparation for the debate, estimates that the industry added more than £3.3 billion directly to the UK economy and more than £5 billion indirectly in 2014. That makes the Scotch whisky industry arguably larger than the UK’s iron, steel, shipbuilding and computer industries, and about half the size of the UK’s pharmaceutical and aerospace industries in terms of gross value added. It is important to note that the industry just keeps growing. The 2014 figures mark an increase of 1.6% on the previous year’s estimates of GVA.

The contribution of the industry is equally impressive when one considers the number of people it employs. In Scotland, 10,800 people are directly employed in the

industry, with salaries totalling almost £530 million. Across the whole of the UK, both directly and indirectly, the association estimates that 40,000 jobs are supported. Any industry that provides employment to so many should indeed be recognised as an important UK industry.

Nor is that significant only in Scotland. The impact on the wider UK supply chain is also important, as we have heard in many of the speeches today. Of the nearly £2 billion spent by the industry, 90% remains within the UK. The latest input-output data published by the Scottish Government, and industry estimates, show that about three quarters of the goods and services purchased outside Scotland are sourced from the rest of the UK, and that they are worth about £330 million to the suppliers. That is particularly significant in relation to capital expenditure worth about £140 million, much of it on items such as machinery and vehicles that support the wider industry.

Constituencies such as mine, with its history of manufacturing and other traditional industry, stand to benefit from the Scotch whisky trade, despite our distance from Scotland. We have heard Yorkshire’s point of view in the debate, and I think there is agreement on that point. Greater Manchester has a longstanding and proud brewing and distilling sector of its own—not to mention a blossoming boutique sector, in which I am becoming an expert. Whisky distilling, along with much of the drinks sector, is effectively a manufacturing industry itself, and the debate should be set within the wider one about the need for an industrial strategy.

One of Scotch whisky’s distinctions is that it is famous the world over, and is one of the largest contributors to UK exports. Scotch whisky exports were worth £3.9 billion in 2014—1.4% of total UK exports. That represents 80% of Scotland’s and 25% of the UK’s total food and drink exports. Scotch whisky’s trade surplus is the second highest for any goods exported from the UK, and it has been estimated that the UK’s overall trade deficit would be 16% higher without Scotch whisky exports. I think that that fact has also been alluded to today. However, it must be noted that, while the £3.9 billion is significant, that figure marked a decline of 7%—the largest since 1998.

It has been suggested by commentators that that fall in exports might be due to the political and economic situation in export markets. For example, David Frost, the Scotch Whisky Association’s chief executive, suggested that

“economic and political factors in some important markets held back exports in 2014 after a decade of strong growth”.

Similarly, the drinks analyst at the market intelligence firm Euromonitor has highlighted the fact that the

“fall in exports to Singapore was linked to Beijing’s clampdown on gift-giving”,

noting that direct exports to China fell by 23% to £39 million. He also said that Scotch was losing out to types of whisky like US bourbon, which are targeted at a younger market. Political volatility in Russia and Ukraine is also reported to be having an effect on exports of Scotch

“with the value of direct sales there down 95% from £25 million to £2 million in a single year”.

In that context, we would be interested to hear from the Minister what steps the Government are taking to ensure that our key export industries are able to cope with volatilities in the global market. What help are

[Rebecca Long Bailey]

they giving the industry in its ambassadorial role abroad? For example, DEFRA's Great British food unit was created to promote British food and drink—such as Yorkshire Tea, the hon. Member for Brigg and Goole (Andrew Percy) will be pleased to hear—across the world. Could the Minister confirm whether Scotch whisky is currently included in the Great British food unit and, if so, how the initiative has helped the industry?

It is important to highlight the wider context of UK manufacturing. Frankly, I am concerned that this Government's industrial strategy is inadequate across the board, as the problems with the steel industry have illustrated all too starkly. That is why we have been calling for a proper industrial strategy, in the context of a wider economic policy focused on investment, not cuts. Scotch whisky is one industry that by its nature cannot be outsourced abroad but, in other ways, it will face many of the same challenges as we see across the UK in other manufacturing sectors.

The last time the Scotch whisky industry was discussed in Westminster Hall, the then Economic Secretary to the Treasury, now the Education Secretary, stated that Her Majesty's Revenue and Customs would

“shortly be launching its spirit drinks verification scheme.”—[*Official Report*, 8 January 2014; Vol. 573, c. 138WH.]

The scheme was designed to preserve the industry's reputation by requiring every business involved in the production of Scotch whisky to be verified as producing a genuine product. The introduction of the scheme was broadly welcomed at the time, but it might be useful for the Government to provide an update on its operation to date. Is the Minister satisfied that it has been implemented in full?

The UK should be proud of the Scotch whisky industry, which contributes enormously to employment and boosts UK exports at a time when the trade deficit remains large. I therefore hope that the Minister can respond to the issues that I and other hon. Members have raised, so that we can continue to back this important global industry.

3.35 pm

Calum Kerr (Berwickshire, Roxburgh and Selkirk) (SNP): I am delighted to get to sum up last. I know that my party likes to claim that we are the official Opposition—but I like this new order in Westminster Hall.

It is rare to have the opportunity to sum up with such a good-looking group of MPs. I do not know whether it is to do with the balance in the Chamber. The hon. Members for Salford and Eccles (Rebecca Long Bailey) and for Brigg and Goole (Andrew Percy) are very welcome to join the Celtic brotherhood—and the Minister too. [*Interruption.*] He has Celtic connections.

We have heard the benefit of an upbringing and affinity with the product we have been talking about, in the amazing lyrical literary references throughout the speeches.

Roger Mullin: I have another one. Does my hon. Friend agree with the great Norman MacCaig? I was sitting one time in Sandy Bell's and said “Norman, would you like another dram?” and he said, “Roger, my family motto is ‘Excess is not enough.’”

Calum Kerr: I thank my hon. Friend for that wonderful intervention. He is here all night, ladies and gentlemen.

It feels slightly superfluous to sum up in this debate; I do not know if anyone has not figured out by now, whether in the Public Gallery or anywhere in the Chamber, that Scotch whisky adds £5 billion to the UK economy. They should do a test, just to see. It has been repeated so much.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): I look forward to hearing what is clearly going to be an excellent summation of the debate from my hon. Friend.

On the point about investment, will my hon. Friend join me in welcoming the massive investment by Diageo in Scotland, particularly in my constituency, where there has been an investment of £10 million in a state-of-the-art cooperage, and £80 million in a new filling store, at Cambus; £30 million in a new warehouse at Blackgrange Bond; and £1.5 million to expand and upgrade the Diageo global archive? I encourage all Members to come and visit if they have not already done so.

Calum Kerr: I thank my hon. Friend for that wonderful intervention—and Diageo thanks her too. I agree that it plays a huge role in our industry—but a positive and constructive one—and is part of the success story.

As well as the £5 billion value that I mentioned, the trade deficit would be 11% higher without Scotch whisky; and there are 40,000 jobs. Every job supports a further 2.7 jobs in the broader economy. One point of particular importance, which has come up in a number of debates—not least in contributions by my hon. Friend the Member for Argyll and Bute (Brendan O'Hara)—is the importance of the industry to the rural economy, where there are fragile economies that people are leaving and where depopulation is a challenge. The industry is a success story in the rural economy.

Turnover in the industry has increased by 27% since 2008, and employment is up 6%. Salaries have risen too. Another challenge in the rural economy is low pay, but salaries in the Scotch whisky industry have risen by 12% and now average £47,000 a year. That is a great track record, and it demonstrates how important the industry is to our economy and country.

Whisky may be our national drink, but it is not a homogenous product, and as my hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) outlined—when he used the words “alluring” and “full-bodied” I thought he was talking about himself, but it turned out he was talking about one of the whiskies in his region—our malts are highly regional and wonderfully varied. Each area produces its own highly distinctive variations. It is sacrilegious to put Coca-Cola in them, though, and I fear that my hon. Friend the Member for Glasgow North West (Carol Monaghan) has done herself immense damage by what she said. Clearly, she is but a novice, and there is time yet. Perhaps the hon. Member for Brigg and Goole can help there, because he does frequent the bars, I am told. I think the different characteristics are what make Scotch whisky such a wonderful success story. I am with my hon. Friend the Member for Argyll and Bute in that Islay malts are my favourite. Their peaty, smoky nature is just fantastic.

One region of Scotland does not have a distillery at present. As my hon. Friend said, the last time whisky was produced in the borders, legally at least, was in 1837, but times are changing. It shows the success that can be harnessed in all the regions of our country that no fewer than three distilleries are currently planned in the Scottish borders, most of which I represent. R&B Distillers is looking at a site in Peebles, and the Three Stills Company has a £10 million project for a fantastic distillery in the centre of the wonderful town of Hawick. Last week, I visited a new site just outside Jedburgh operated by Mossburn Distillers, which has fantastic and ambitious plans for new distilleries on the site. I witnessed the full scale of its ambition and how significant the operations could be. Taken together, the companies could invest £50 million in the borders economy and create more than 100 jobs. In the borders, the distilleries will of course reflect the history and landscape of the region, as well as making use of our fantastic borders barley and pure water. Indeed, Mossburn is considering names such as “the Borderer” and “the Teviot” for its whiskies. *[Interruption.]* It is a river.

Andrew Percy: It is not the Humber.

Calum Kerr: Thankfully not. Those wonderful titles pay tribute to the region’s rich heritage and will help to promote us as the whiskies are sold across the world. Of course, I am sure the distilleries will produce lighter, lowland-style whiskies, and I am sure I am not the only one looking forward to tasting them—they cannot come soon enough, but we will have to wait.

The companies behind the new borders distilleries are certainly entrepreneurial, and they have plans, beyond traditional distilleries, to produce other spirits, including gin. The sites have the potential to be highly popular attractions in their own right, and the visitor centres look fantastic. If I had £1 for every person who has offered to be a taster, particularly at the Hawick distillery’s gin lab, where people can make their own gin, I would be a rich man. I am taking names if anyone here wants to sign up. The sites will be fantastic tourist operations.

I visited Springbank in Campbeltown with a number of friends, and I was struck by the number of people who were there because of the distillery. I met one group from Sweden who had matching blazers, and another group from America had whisky-tasting ties. I am not suggesting that we all had to get into uniform, but it reinforced the huge way in which a distillery puts a town on the map, raises its profile globally, brings more investment and creates more jobs than just those directly involved in the distillery.

Margaret Ferrier: I congratulate Speyside Distillers in my constituency. Founded in 1770, it has just secured a £2.3 million funding package to help it grow its market in the far east. Does my hon. Friend agree that the Chancellor should seriously consider duty reduction in next week’s Budget so that all distillers can expand, grow and contribute to the UK economy?

Calum Kerr: I agree with my hon. Friend. If the Minister has missed that point, why not reinforce it? I am sure he agrees with us. I notice a lot of nodding, and I am sure it is in agreement that the reduction should be at least 2%.

This is a hugely exciting situation, as is reflected in the energy and enthusiasm of the Members gathered here. Our export market is strong, and the hon. Member for Edinburgh West (Michelle Thomson) mentioned something that I wanted to highlight, too. The planned distillery in Hawick mentioned the duty in India. If we raise 76% in our own country, it puts us in a difficult position to argue for reduced duty elsewhere. Clearly, the Indian situation of 150% is unacceptable. I will be interested to hear the Minister’s comments on what we are doing about that.

We should also remember that the UK domestic market is the third biggest market by volume, with only France and the USA selling more. It still accounts for seven times more sales than China, so its importance to our producers is clear. We have already heard the case, so I will not reiterate how reducing duty is a win-win situation. By reducing duty, although there is not necessarily causality—good word—we might raise more money in total.

People often use the word “iconic” about whisky. I prefer to describe it another way. Whisky is literally the spirit of Scotland. It embraces all the very best aspects of our history and culture, and it is both romantic and emblematic. It uses our finest national ingredients and has strong green credentials. Of course, it is a product of very high quality and reputation. Just as the money it earns helps to bind together the UK economy, so its character and the joys of its depth and warmth bind Scots together as people. Whisky is one of Scotland’s great products and great successes. Now we need the Government to celebrate that success, to build on it and to work with the industry to grow this fantastic drink’s reach and prosperity. I urge the Minister to take that message away today. If he can secure the backing of his colleagues in Government, I am sure that is something to which we would all raise a glass.

3.46 pm

The Exchequer Secretary to the Treasury (Damian Hinds): It is a great pleasure to see you in the Chair, Mrs Moon. I congratulate the hon. Member for Argyll and Bute (Brendan O’Hara) on securing this important debate. I have sometimes wondered what it is like to be at the Scottish National party conference, and I need wonder no longer. I commend all colleagues, from the SNP and from the Conservative and Labour parties, for being here for this debate. I welcome all the contributions, including from the SNP spokesman, the hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr), fresh from his unexpected starring role at today’s Prime Minister’s questions—he was “Callum”. *[Interruption.]* I recall all his colleagues pointing at him. I also welcome the contribution of the hon. Member for Salford and Eccles (Rebecca Long Bailey), who as always made a thoughtful speech and some good points. During my remarks I will return to the points that have been raised.

This has been a good debate, which made me thirsty more than once, particularly when the hon. Member for North Ayrshire and Arran (Patricia Gibson) was speaking—and that was just when she was describing the water. Even the most enthusiastic champions of the spirits industry would stop short of calling whisky a daily necessity. *[Interruption.]* I may stand corrected but, according to the Wine and Spirit Trade Association, just over half of UK adults, the equivalent of 26 million

[*Damian Hinds*]

people, drink spirits. Aside from that, the whisky industry makes a hard and important economic contribution to the UK economy. Every second, whisky exports earn this country £125—we will not quibble over £125 or £135. Scotch is solely responsible for a quarter of all UK food and drink exports. With Scotch present in some 200 markets worldwide, there is a good case to be made for calling it our most widely consumed export. Leading markets for Scotch whisky exports include France, the US and Spain. In Spain, exports increased by nearly 8% in volume between January and June 2015.

Martin Docherty-Hughes: On sales, France is the largest consumer of Scotch whisky by volume. Does the Minister agree with SNP Members that a Brexit would be both fundamentally difficult for the Scotch Whisky Association and would limit its ability because further trade agreements would be required for that volume of sales to continue?

Damian Hinds: The hon. Gentleman anticipates some of my later points. If he will forgive me, I will delay my response until then.

One of my favourite whisky-related export stats comes from Japan. It will be a matter of equal sadness and joy to the hon. Member for Argyll and Bute that, scandalously, the best whisky of 2015 award was won by a Japanese brand but that Japan increased the volume of its imports of Scotch whisky by 23% between January and June 2015. Clearly the consumers of Japan have very good taste. We should also acknowledge the wider British spirits industry. I am pleased to say that the main trade association reported that 140 million bottles of British gin are exported to foreign markets, which works out as a 37% increase in five years.

It is also important to bear in mind the very positive effects that the Scotch whisky industry has on employment; many hon. Members have already alluded to those effects. The Scotch Whisky Association estimates that the industry already supports over 40,000 jobs, including—importantly—7,000 in the rural economy. Of course, distilleries remain a key source of jobs in the Scottish rural economy, and are strongly aligned with wider tourism activities. Also, as we have already heard this afternoon, every job in the Scotch whisky industry supports 2.7 further jobs in the broader economy, and some of that benefit is spread throughout the UK.

In the constituency of the hon. Member for Argyll and Bute, Scotch whisky is definitely a traditional industry that remains a critical part of its heritage. A total of 14 distilleries are in operation in the constituency, including Bowmore, Ardbeg, Kilchoman, Glengyle, Springbank, Glen Scotia, Tobermory and Oban, and a few others that are less obviously uni-phonetical, so I hope that he will forgive me if I stop there. It goes without saying that we want to continue and wholeheartedly support this Great British success story.

Over recent weeks, I have had the opportunity to meet the hon. Gentleman and some of his colleagues who are sitting with him today in the all-party group on Scotch whisky, as well as representatives from the SWA, and the Wine and Spirit Trade Association, among others. I have taken on board the confidence that they have about the continued success of their industry, and I

assure the hon. Gentleman that we are united in wanting to help the industry go from strength to strength.

Of course, it was precisely for that reason that my right hon. Friend the Chancellor announced in the Budget of March 2015 only the fourth duty cut in spirits history, the previous one having been in 1996. I strongly supported that decision. Since then, the trend in whisky production has been notable. Between 2014 and 2015, the volume of whisky cleared for sale in the UK increased by 2%. Increasing confidence from the Budget 2014 duty freeze, combined with demand for exports, has contributed to this significant turnaround from the decline in production that the industry had experienced between 2010 and 2014.

The encouraging news continues with the developing trend in small distilleries entering the market. From 2014, seven new whisky distilleries have opened, taking the total number of Scotch whisky distillers to 117. In addition, it is planned that a further 30 to 40 distilleries will enter the market in the coming years, which is a good thing for investment and jobs in Scotland.

I am pleased that the Scotch whisky industry remains dynamic. As has been mentioned, the £1.7 billion investment in its supply chain has helped to meet the demand from overseas markets, and supported jobs over the long term, which is particularly significant for our rural economies.

How can we as a Government continue to support the industry over the coming years? Hon. Members know that next week my right hon. Friend the Chancellor will deliver his Budget in the Chamber, and the hon. Member for Argyll and Bute and his colleagues know that it would clearly be wrong for me to anticipate that in any way whatsoever.

However, it is important to maintain our efforts in two particular areas. The first is the export market. Nine out of every 10 bottles of Scotch whisky sold are sold overseas, and I must remind hon. Members that, on that volume, no UK duty is paid. The hon. Member for Salford and Eccles rightly asked what export support could be given to continue the growth of this important industry. Through the efforts of UK Trade & Investment, we have seen some very strong success stories, all contributing to the 90% growth in exports that the Scotch whisky industry enjoyed between 2004 and 2014. Each second, 40 bottles of whisky are shipped overseas.

We have increased the budget and the remit of UKTI so that it can continue and even extend its promotion of British products worldwide and, importantly, negotiate with export markets for the right regulatory regime, to help people enjoy their dram wherever they may be in the world.

Distillers can now supply their product in countries including India, which can further open the door to other countries. Although Scotch whisky's share of total spirits volume in India is only around 1%, the SWA expects that that would increase to 5% if there was full and fair market access. The UK supports a broad and ambitious free trade agreement with India. However, there are outstanding issues, including on spirits, that need to be addressed.

The Government are keen to restart negotiations on the free trade agreement and have made the case for that to the European Commission and in bilateral engagement

with India. I am sure that most hon. Members here will agree that, as was mentioned earlier, in this endeavour we are better equipped as part of the world's largest single market than we would be alone, even if my hon. Friend the Member for Brigg and Goole—and Saskatchewan—(Andrew Percy) may only agree with that comment for half the debate. He also reminded us of the importance and the number of other potential export growth markets around the world, including Canada.

Opening up more export markets is just one part of the Scotch whisky success story, and I hope that we see much more success in the coming years, as our expanded UKTI teams continue to make the case for Scotch whisky.

The second area that the Government can support is a little more nebulous, and the hon. Member for Edinburgh West (Michelle Thomson) referred to it. I think of it as protecting and enhancing the quality mark of genuine Scotch provenance. Scotch whisky is clearly an iconic product for Scotland and the UK, but with iconic products comes the risk of poor-quality imitations. To protect the integrity and the high reputation of the brand of Scotch whisky worldwide, we launched the spirits verification scheme, which the hon. Member for Salford and Eccles mentioned. This scheme sets standards on production and labelling for producers to sign up to, helping to identify non-compliant products and counterfeits, and making sure that people who buy Scotch whisky get exactly that.

The geographical indication for Scotch whisky is now recognised in the laws of nearly 100 countries, including the whole of the European Union, which is another reason for there to be continued optimism in the industry and continued worldwide recognition for Scotch. But why limit consumers to what they recognise as Scotch whisky from the front of a bottle? The hon. Member for Ross, Skye and Lochaber (Ian Blackford) mentioned the tourism opportunities, and that point was echoed by a number of other colleagues.

Producers are offering tours of their distilleries, opening up a whole new way to connect with thirsty tourists who are keen to understand the traditional side of their whisky—the pride and the passion that go into every bottle of Scotch. According to the SWA, collaborative efforts by the industry and VisitScotland have contributed to more than 1.5 million visits over the last year, with visitors spending more than £50 million at distilleries.

The other aspect of protecting and enhancing the brand of Scotch whisky is, of course, the health issue. Let me be clear about this—Scotch whisky, like all drinks, is perfectly capable of being enjoyed responsibly, and of course it is also capable of being misused. However, this Government firmly believe that the irresponsible actions of some should not be a barrier to the vast majority of people who enjoy a drink responsibly. That is why we will continue to combine efforts with the industry to raise awareness of the need for responsible drinking.

The Scotch Whisky Action Fund is an excellent example of what the industry can do. It is entering its third year of a five-year programme and is delivering £500,000 of

funding to support community-based projects that are aimed at reducing alcohol-related harm in Scotland. I am confident that we will continue to strike the right balance between enabling responsible enjoyment of a traditional product, and dissuading irresponsible and harmful behaviour.

Let me turn very briefly to a couple of the other points that were made in the debate. It is not a new development that different countries choose to tax alcoholic beverages differently. Of course, countries choose their tax system, including the balance between direct and indirect taxes, to reflect their needs. When setting duty rates, the Government have to consider the wider fiscal picture. Total revenue from alcohol duty in 2015 was £10.7 billion, with revenue from spirits contributing around 30% of that. Just to give some perspective, £10.7 billion is the same as the entire budget for the Home Office.

I do not know of any EU country that has full duty equivalence among alcoholic drinks. In this country, of course, a typical serving of 25 ml of spirits has lower duty than other typical servings of drinks, for example a pint of beer or 175 ml of wine. As I have already said, the majority of Scotch does not have duty applied to it as it is for export. As I am sure hon. Members appreciate, any and all announcements on duty rates are made in the Budget.

The contribution of Scotch whisky to the UK economy is not least due to the tireless work of distillers who put in the hours and, in this case, the years to produce such a high-quality product. We want the industry to continue to succeed, both domestically and in ever widening markets overseas, promoting Scotland and the UK, and creating jobs and growth. Our programme for Government is based on creating long-term growth and security, and a successful and strong Scotch whisky industry is an integral part of that.

I thank the hon. Member for Argyll and Bute once again for bringing this important subject to Westminster Hall for debate today.

Mrs Madeleine Moon (in the Chair): I call Brendan O'Hara to speak again. I am afraid that you have only seconds left.

3.59 pm

Brendan O'Hara: Thank you, Mrs Moon, for your excellent chairing.

In the moments that are left to me, I thank the Minister for his reply. Without putting any pressure on him, I hope and feel that we have in him a real champion for the Scotch whisky industry, which does so much for the economy.

As I said earlier, Scotch whisky is liquid sunshine, so let us not put a cloud unnecessarily in front of that sun, and let us also push the Chancellor for a cut in duty on whisky in next week's Budget.

Question put and agreed to.

Resolved,

That this House has considered the contribution of the Scotch whisky industry to the UK economy.

Health and Safety Executive

[ANDREW PERCY *in the Chair*]

4 pm

Rosie Cooper (West Lancashire) (Lab): I beg to move,

That this House has considered the management of the Health and Safety Executive.

It is a pleasure to serve under your chairmanship, Mr Percy, in this debate, which aims to highlight serious concerns about the management, culture and practices of the Health and Safety Executive. The debate is built on the case of my constituent in West Lancashire, Linda Murray. She is a former Health and Safety Executive employee whose successful employment tribunal case highlights several issues, including a culture of bullying and the use of human resources practices to pursue personal vendettas; a culture of protection among senior managers; Health and Safety Executive staff providing misleading, disingenuous and even false information; reward instead of disciplinary action for inappropriate actions; the wasting of public resources without accountability; and the non-disclosure of information, amounting to secrecy, to hide failings.

It is not the first case in which I have been involved of senior executives in a public sector organisation creating a culture of bullying and fear using HR practices and disciplinary action to pursue individuals who would not bend to their will. It is not acceptable that those individuals can act in that manner as public servants. They are not running a family business with their own money: they operate in our name using taxpayers' hard-earned money, and there should be greater scrutiny of their behaviour and consequences for inappropriate action.

On Wednesday 5 June 2013, Judge Reed, sitting at the Liverpool employment tribunal, confirmed that Linda Murray had been unfairly dismissed by the Health and Safety Executive on 18 July 2012. The hearing lasted only several hours before giving a verdict in favour of the former employee. Linda Murray was awarded the maximum statutory compensation of £85,000. That was in addition to the Health and Safety Executive's legal fees, which were paid from the public purse. The bill ran into hundreds of thousands of pounds at a time when the organisation faced budget cuts and staff redundancies. It is unacceptable.

It is not only the monetary cost of the case that needs to be considered, but the personal and emotional cost paid by Linda Murray. Throughout the entire period she suffered stress-related ill health, requiring medication. She lost her financial security and her family suffered great distress. She had given 33 years' service to the Health and Safety Executive. She was held in the highest regard by the HSE staff who worked for her, much as she was by the chemicals industry when she managed an operational inspection team in the north-west.

I appreciate that there is insufficient time in the debate to outline every detail of the case and the events leading to Linda Murray's unfair dismissal, but I suggest that the Minister begins with the 200-page report compiled by Ian Travers and the findings of the employment tribunal for more details. Needless to say, if the whole situation had been handled differently it would not have been a major incident. Instead, it escalated out of control.

To allow time for a post to be found for her, Linda approached HR about returning to her substantive grade 7 post six months prior to the conclusion of her temporary promotion as an interim grade 5 inspector. Mr Peter Baker was the senior manager tasked with finding that post. There was considerable uncertainty as people took voluntary redundancy—an option that Linda Murray did not want and could not afford. Time passed with no post being offered. Linda found the process upsetting. The general uncertainty was allied to her senior manager's indifferent and sometimes hostile attitude towards her. In the end, she was given a position that amounted to a demotion, although she was told that it was a grade 7 post.

The whole episode led to a tense meeting between her and Mr Baker. Previously, Mrs Murray had provided challenge to and constructive criticism of Mr Baker. She expressed concerns about how decisions were being taken and the negative impact on her staff and the job they were employed to do. Following the meeting, Mrs Murray received notification of disciplinary action being taken against her. That resulted in a written warning, which was successfully appealed. The main grounds for the success of that appeal were that Peter Baker could not investigate the alleged misconduct when he was the sole person against whom the misconduct had allegedly been perpetrated.

Despite the appeal, Health and Safety Executive senior managers decided to run the disciplinary action again, and a senior crony then reinstated the written warning. A second separate investigation into Linda Murray was then pursued by senior managers, and that can be traced back to the period of her interim promotion. An underperforming staff member was put on her team, but no one told her about the performance issues. It reached a point where Mrs Murray and the staff member agreed that they could not work together. He was transferred to Mr Ian Travers' team. Despite the transfer, the staff member continued to treat Mrs Murray with a great deal of contempt and disrespect. She requested that the staff member's line manager, Mr Williams, speak to the person about their conduct, which he failed to do.

The acrimonious nature of a meeting between Mr Williams and Linda led to Linda being asked to meet with Ian Travers. Instead of dealing with the behaviour and conduct of the underperforming staff member, the two managers sought to deal with Linda Murray, claiming that she was bullying that member of staff. That led to Linda being forced off work with stress, and that situation was compounded by the hostility with which she was met by Ian Travers at her return to work interview. A suspension for 10 and a half weeks for insubordination was the outcome of that meeting. An example of that insubordination was asking for HR to attend the meeting with her. A 200-page report was produced and a dismissal for gross misconduct was the outcome.

From the outset of her dismissal, Mrs Murray was denied any measure of fairness or justice. Prior to her disciplinary meeting, she was not provided with the 60 questions that she would be asked. Those questions were overly long and loaded. She was refused the opportunity to interview some of the key witnesses in the case and staff were told that they did not have to provide written statements to her. Lies were told within the organisation to justify the disciplinary action. It was reported to

Mrs Murray by a former colleague that a rumour was circulating that she had assaulted Ian Travers. She was never afforded the opportunity to put her side of the story. Such a culture of fear existed within the organisation that people were not prepared to speak out for fear of losing their jobs. It seems coincidental that the only senior officer to stand up for Linda Murray, her ex-husband, was subsequently investigated and subjected to disciplinary proceedings.

Mrs Murray pursued her case to a tribunal, knowing that she had been hounded out of the Health and Safety Executive for personal, not performance reasons. She understood the grounds of her dismissal were erroneous and a complete fabrication. She is a well-educated woman with a law degree. She had one successful career and has gone on to build a second one, but she admits that going through the tribunal process nearly broke her. She was unable to afford a lawyer to represent her as she was on jobseeker's allowance, she had no access to legal aid, and her trade union, Prospect, refused to support her case, siding instead with the management. Linda Murray had to defend herself against the HSE's legal team, which was publicly funded. We paid for it.

In the end, an independent arbiter, Judge Reed, was the person who finally listened to Mrs Murray. Although she paid a very heavy price, no action has ever been taken against the individuals who pursued a personal vendetta, including Ian Travers, who initiated the investigation and who reacted in a fit of personal pique having had his management capabilities questioned; Alf Williams, who I understand is a personal friend as well as a colleague of Ian Travers, and whose evidence provided a major contribution to the investigation; Philip White, who led the deeply flawed and oppressive investigation and who was heavily criticised by the employment tribunal judge; Eddie Morland, who rubber-stamped the outcome of the investigation; David Snowball, the senior operations manager who oversaw the investigation in conjunction with Peter Baker, and who took the decision to elevate the issue to the head of human resources, who I understand is now deceased; and Gordon MacDonald, a very senior official in the HSE who was asked personally by Linda Murray to intervene, which he had the authority to do, but who failed to act, allowing Mrs Murray to endure a tortuous experience.

As an organisation, the HSE does not seem to have learned from the experience either. It has refused to acknowledge the outcome of the case and has failed to take any action to restore Linda Murray's reputation. Specifically, it has failed to address the rumour of assault being the grounds for her dismissal. Will the Minister give a commitment that the permanent secretary for the Department for Work and Pensions will personally ensure that this matter is investigated? Can he assure me that a conclusion will be reached within six months and a report produced that Mrs Murray and I can access?

The record should be set straight and Mrs Murray should get an apology, but for the Minister there are much wider questions. How does this happen in the Government's name—or any Government's name? Why is no action taken to investigate malpractice when a tribunal judge finds so heavily against an organisation or Government Department? What can he do to limit and, indeed, stop bullying in the workplace? Should fit and proper person tests be applied to the misuse of power? Then there is the cry from the taxpayer: how

much have these failures across public services cost the taxpayer? How much of that money would have been better directed into public services?

I have presented the case of a single person. In a couple of weeks there will be an even bigger report from the health service along similar lines. We cannot allow this behaviour to continue and I look to the Minister for assurances that it will be rooted out.

4.13 pm

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): It is a pleasure to serve under your chairmanship, Mr Percy. I thank the hon. Member for West Lancashire (Rosie Cooper) for raising this serious issue and giving me the opportunity to provide a response as the Minister responsible for the Health and Safety Executive. Neither I nor the board or senior management of the HSE are happy to hear of any distress felt by any member of staff working at the HSE. It strives to be a good employer and knows that its highly skilled staff are its most important asset.

I hope that the hon. Lady appreciates that it would not be appropriate for me to discuss matters relating to the individual case she outlined. However, I acknowledge the strength of the points she put forward and what she asked of me as a Minister. I am meeting with the HSE's senior team next week and shall bring this matter up. I want to investigate the case further, and I will also ask the senior team to meet the hon. Lady to discuss it. The hon. Lady has put a case on the record very powerfully and I have listened to it, and I give an absolute commitment to look into it further. I will try to do that as quickly as possible. I thank her for putting the case; it is a credit to her work on such matters. It is particularly important that she is asking whether this is just a specific case or a wider issue. We will certainly want to look into that.

Nick Thomas-Symonds (Torfaen) (Lab): It is always a pleasure to serve under your chairmanship, Mr Percy. I congratulate my hon. Friend the Member for West Lancashire (Rosie Cooper) on securing this debate and on the way she made her case. On the broader management of the HSE, can the Minister reassure me that while of course it has its advisory role, its enforcement role is equally important?

Justin Tomlinson: I absolutely agree with that point.

Because I cannot discuss specific cases here, I shall set out the wider issues relating to the work that the HSE is doing. Nevertheless, I have made a firm commitment to look at that serious case, and it should be investigated further.

Rosie Cooper: Before the Minister deals with the generalities, may I say that there is a huge irony in the HSE being the subject of the comments I have made? Will he look at the overall picture, in which employees are bullied, but even when a case goes as far as a tribunal that finds in the employee's favour, the system does not learn? The people who promulgate that behaviour are not held properly to account. The NHS has fit and proper person tests; what happens in other public services?

Justin Tomlinson: The hon. Lady's point is absolutely understood, and we will take that forward.

[Justin Tomlinson]

The HSE lies at the heart of a globally respected regulatory system and has been a catalyst for positive change in organisations ranging from the smallest micro-businesses right up to global players that manage major hazard facilities. It has helped Great Britain develop one of the best health and safety records in the world, and fatalities, injuries and ill health have all substantially reduced since it was formed in 1975. The 2014 review reflected the high esteem in which the HSE is held. There was widespread support from stakeholders for the organisation and for the professionalism and technical expertise of its staff. I have genuinely seen that at first hand when I have spoken to businesses at events. The previous Government accepted the review's recommendation of confirming the HSE's operating model and its status as an arm's length body.

Last week, the HSE launched a new strategy for the health and safety system in Great Britain, aimed at helping the country to work well. Almost a thousand people from hundreds of organisations attended seven roadshows in seven cities to develop the new strategy, with 7 million more being reached through social media. The six themes outlined during the engagement with stakeholders attracted strong support, and now the strategy is setting a positive new direction for health and safety across England, Scotland and Wales. It will help each nation to work well, protecting lives and livelihoods and helping Great Britain become more prosperous.

The strategy will help to ensure that we maintain our world-class health and safety record while maximising the wider benefits that the system can bring. Such achievements and the future ambition are made possible by the dedication, professionalism and specialist expertise of the HSE's staff and management. I have personally visited the HSE laboratory in Buxton and seen for myself the energy and innovation of the people there. Their work is directly helping industry to improve health and safety, both here in the UK and abroad, where a number of international contracts have been secured to provide advice and support.

The HSE is part of the wider civil service and, as such, offers modern employment terms that compare favourably with other large organisations. In line with the rest of the civil service, it is aligning its human resources policies with new, modernised terms and conditions. Its HR policies reflect good practice and are consistent with what is expected of a well managed modern employer. It has excellent retention rates and turnover is low compared with similar organisations. Excluding retirement, only 3% of staff leave each year. There is a high degree of loyalty, pride and commitment, which I genuinely saw on that visit to Buxton. Many staff enjoy long careers with the HSE, giving the organisation an impressive corporate memory. The civil service people survey results show that the majority of its staff say they are proud to work for the executive and regard it as a great place to work where staff are treated fairly and with respect.

Like any ambitious organisation, it has identified areas for improvement. Over the past year, under the leadership of the new chief executive, Dr Richard Judge,

and with the active support of the internal management board, the HSE has set itself a challenging agenda to invest in its people and capability. I will raise the subject of the debate with those people and ask for further work to be done.

As a result of the actions I have described, the HSE's overall engagement score is improving. It rose by 10% on the previous survey. Although it is currently just below the civil service average, the HSE's goal is to ensure sustained improvement and performance above the civil service average. The programme of action is designed to get the HSE into the best shape to deliver its responsibilities, not only to continue to improve an already effective health and safety system but to anticipate the future and embrace new ways of working. The programme will respond to feedback from staff, including through the annual people survey.

We are not complacent, and it is important that there is ongoing improvement. The senior leadership team's priority is to improve staff engagement and address leadership and management at all levels. In line with the rest of the civil service, a clear statement of values and expectations for those in leadership roles has been launched, against which all managers will be measured as part of their appraisals. A key element of that ongoing work is a structured leadership and management development programme, with an initial focus on new managers. That programme will eventually be targeted at all managers, equipping them to lead the HSE through change and to manage group and individual performance confidently.

In the most recent people survey, the rating for inclusion and fair treatment stood at 71%. That figure is increasing. However, about 11% of staff reported that they had experienced bullying and harassment in the previous 12 months—slightly above the civil service average of 10%. The HSE has a robust bullying, harassment and discrimination policy, which has recently been revised with its trade unions. It takes seriously any reports of bullying, harassment or discrimination, and any such cases are investigated independently of the line management involved.

My experience of the HSE is that it is a modern, effective regulator with a diverse workforce. It has a well deserved reputation for professionalism, expertise and dedication. I have seen at first hand the energy and commitment of its people, including its leadership team, and I am confident that it recognises the importance of engaging and managing its workforce effectively and has clear plans for driving further improvement.

The HSE has helped Great Britain to develop one of the best health and safety records in the world. It has done so as a result of the expertise, professionalism and dedication of its staff, and its future success will depend on their ongoing support and commitment. Its leadership and management team recognise that and are committed to ongoing improvement. I am confident that they have a clear plan of action to make the HSE an even better organisation.

The matter that has been raised will be taken seriously, and we will investigate it further. Once again, I thank the hon. Member for West Lancashire for taking the time to highlight it to me and the senior management team. We will endeavour to do what we can.

Question put and agreed to.

UK Energy Market

4.24 pm

Dr Daniel Poulter (Central Suffolk and North Ipswich) (Con): I beg to move,

That this House has considered competition in the UK energy market.

It is a pleasure to serve under your chairmanship for the first time, Mr Percy. Energy prices and the challenges facing the energy market—perhaps the failure of the energy market—are issues that have vexed consecutive Governments for many years. The challenges we face in tackling the behaviour of the big six energy companies were most recently illustrated by the debacle of the Age UK-E.ON energy tariff. Age UK offered its customers a tariff with E.ON—one of the big six companies—which was not the best deal on the market and cost them many hundreds of pounds more than they needed to pay. That is an example of the big six energy companies' behaviour. I have a good impression of Age UK from my engagement with both the local organisation in Suffolk and the national charity, which campaigns for the needs of older people. That tariff is an example of one of the big six energy companies behaving poorly and not offering good value for money for customers.

An important review of the energy market will be published tomorrow, so this debate is timely. It gives us an opportunity to talk about the challenges we face in developing a sustainable energy market that serves customers and looks after the most vulnerable—people on fixed incomes, people in social housing, older people and people who are in fuel poverty.

The energy sector faces three sometimes conflicting pressures, which we often call the “energy trilemma”. First, since the liberalisation of the domestic gas and electricity markets at about the turn of the century, energy customers have grown accustomed to relatively cheap energy. More recently—particularly since the recession—many households have struggled with energy bills and the cost of heating their homes due to increases in energy prices.

Secondly, the UK's future energy requirements are an increasingly pressing challenge. The Department of Energy and Climate Change—the Minister may talk about this later—estimates that electricity capacity in the UK will need to grow in the long term, as demand is likely to increase by between 30% and 100% by 2050.

Thirdly, and rightly, the UK committed to reducing its greenhouse gas emissions by at least 80% by 2050 under the Climate Change Act 2008. That Act, which set out steps towards the decarbonisation of the British economy, was underpinned by cross-party support. When it was enacted in 2008, the right hon. Member for Doncaster North (Edward Miliband) was the Energy Secretary, and the Prime Minister, who was then the leader of the Opposition, gave the support of Her Majesty's Opposition to that important measure.

In short, energy must become low carbon while remaining affordable to consumers and attractive to investment and investors. That is the energy trilemma. It has perhaps been made slightly less challenging in recent months by the fall in the global oil price and the lower fuel costs for many customers. Certainly, the cost of kerosene—the fuel that many of my constituents use for home heating—is at a record low level.

Since 2008, Governments and the energy regulator, Ofgem, have sought to reduce the barriers to effective competitiveness in the gas and electricity markets, particularly for supplies to domestic customers. Up until now, the main aims of the regulatory interventions have been to ensure that the wholesale and retail gas and electricity markets are competitive. For retail consumers, the aim has been to make tariffs simpler, clearer and fairer and to reduce the complexity that previously dogged pricing in the energy market. The various interventions culminated in 2014 when Ofgem requested that the Competition and Markets Authority conduct an energy market investigation. Referring the matter to the CMA was intended to secure a once-and-for-all investigation as to whether there were further barriers to competition in the energy market, because the CMA had the more extensive powers with which to address the issue of big, long-term structural barriers.

In the course of the CMA investigation to date, the authority has published a large volume of evidence on its website, including more than 100 submissions from interested parties and transcripts of 30 hearings with industry participants and other important groups. In the provisional findings, which were published on 7 July 2015, the CMA suggested a range of adverse effects on competition in the energy market, as well as areas that did not give rise to such effects. The key provisional CMA findings were that a range of problems is hindering competition in the market, including the extent to which consumers are engaged in it and the shortcomings of the regulatory framework to support active consumer engagement.

The CMA also found that customers are not taking advantage of switching suppliers. Dual-fuel customers could save an average of £160 a year by switching to a cheaper deal, again highlighting behaviour of the big six of which we are too well aware. Furthermore, about 70% of customers are on the default standard variable tariff, despite the presence of generally cheaper fixed-rate deals.

The CMA outlined that regulatory interventions designed to simplify prices, such as the four-tariff rule, are not having the desired effect. A lack of transparency is hampering trust in the sector and, as I am sure that Members in the Chamber today know, a good example of that is the scandal exposed by the Select Committee on Energy and Climate Change in the previous Parliament, under its then Chair, Tim Yeo. The price comparison websites were only advertising deals that they were sponsored to advertise, so some of the very best deals were not available to the people using the websites. Every step of the way, there has been a lack of pricing transparency, even on the part of the price comparison websites. The history of the big six energy companies is far from one of benefiting the consumer.

Competition in the wholesale gas and electricity generation markets can work well—according to the CMA provisional report—but the presence of vertically integrated firms does not necessarily have a detrimental impact on competition.

Julian Knight (Solihull) (Con): My hon. Friend is making an important contribution and I congratulate him on securing the debate. I understand about the failings in the aggregator and price comparison sites sector, which we need to be aware of, but competition in

[Julian Knight]

the energy market has made some progress. In 2010, 99% of the domestic market was shared by the big six, but we now have more than 30 providers and independent suppliers having 30% of households. Does he recognise that there has been progress, and that we just need more and at a quicker pace?

Dr Poulter: There has been progress, but it has been among empowered consumers. The most vulnerable consumers—such as people on fixed incomes, pensioners and those who live in the poorest housing, are unemployed, have mental illness and people who are sometimes the least able to advocate for themselves—might not even have engaged with the internet, which plays an important part in supporting consumer choice. Such lack of engagement is not true of all older people, but it is of some. Such consumers have not been engaged in the energy market and we have a duty to look after them, in particular those who live in fuel poverty. In that respect, there is ongoing market failure, and that needs to change.

May I develop my earlier point, which is key? As I am sure my hon. Friend is aware, this was picked up in the recent Which? report. Despite the CMA investigation and its provisional findings of last year, the behaviour of the big six energy companies seems to remain unchanged, profoundly uncompetitive and certainly not in the best interests of vulnerable consumers. Ahead of the final conclusions of the CMA's investigation into the energy market, which I hope and understand will be published tomorrow, the latest Which? research has revealed that the recent price cuts announced by the big six energy companies are dwarfed by the savings that customers could be making by switching to an alternative provider.

Customers on the standard tariffs of the big six providers save only £30 a year from the recently announced cuts, which is a 5% reduction for those on a standard single-fuel gas tariff and only a 2.6% reduction for those on a standard dual-fuel deal—the cuts applied only to gas, not to electricity. The same customers, however, would save a massive £400 a year if they were to switch to the cheapest dual-fuel deal on the market, or £260 a year for the cheapest gas-only tariff. Clearly, there are still problems with and concerns about the behaviour of the big six energy companies, in spite of the provisional CMA report.

That is why a number of not-for-profit energy collectives such as the Big Deal have sprung up to support consumers to get better energy deals. According to Government estimates—I am sure the Minister will correct me if I am wrong—only 12% of customers switch their gas provider, with seven in 10, or 71% of gas customers stuck on standard tariffs and nine in 10, or 88% of households still with the big six. The forthcoming energy inquiry must therefore make it easier for customers to engage with the energy market and to switch to a better deal.

Consumers include the most vulnerable people who live in our constituencies, in particular the elderly, pensioners and people who live in social housing and private rented accommodation—frequently in some of the worst and least energy-efficient accommodation. They are the poorest consumers, often living in fuel poverty, and they are paying the biggest price for the failure of the energy market.

David Mowat (Warrington South) (Con): I do not want to be an apologist for the big six, but there is something about the subject that I always find intriguing. We have heard mention of “market failure”—another term for a cartel, frankly—but why have the big six not been able to turn their cartel into profits? Yesterday, npower announced the laying off of some 2,500 people and a loss of £100 million. Other members of the big six, according to the numbers, do not appear to be making massive profits either. Where does the money go?

Dr Poulter: I assume that the inflated energy tariffs are benefiting the shareholders in a number of those companies, because the companies are certainly not passing the reductions in their costs on to the consumer. If we want to restore trust in the energy market, they need to do so. Some of the most vulnerable consumers, the people least likely to switch, are losing out. Clearly there is exploitation in the big six market position, at the expense of vulnerable consumers.

David Mowat: My hon. Friend is of course right: we must have more switching—we are all behind that—and we must make the market work better. My point, however, is that shareholders do not appear to be benefiting. Npower lost £100 million in the UK, and others have not made a great deal of money out of the market. It would be useful for us to reconcile that—perhaps the three Front Benchers will help us later.

Dr Poulter: The Front Benchers can speculate why the benefits of the reductions in costs for the energy suppliers are not being passed on to consumers, because they are clearly not being. The money is going somewhere, but not to consumers' pockets. If we genuinely want to have an energy market that has the trust of the public and protects those people who are perhaps not engaged with it effectively, something different needs to happen. The money is going somewhere, but not to the people to whom we want to see it going, and that is what a market mechanism is designed to do—to benefit the consumer.

Julian Knight: I was in conversation with Npower today, because it is a major employer in my constituency and I had concerns about the job losses that were announced. Npower told me that, in effect, the industry is running on a profit margin of about 4% to 5%; by comparison, Tesco and Sainsbury's normally look at about double that figure. So a huge profit margin is not in place and perhaps where the disconnect—excuse the pun—comes in is in areas such as prepayment meters, where vulnerable groups are paying over the odds for their energy, compared with more everyday and active consumers.

Dr Poulter: My hon. Friend is right. Indeed, I have raised that point. You quite rightly kicked off the debate a little earlier than we had anticipated, Mr Percy, because the previous debate came to an early end, and in my opening remarks I alluded to exactly that point in relation to E.ON's recent Age UK tariff, which was an uncompetitive deal compared with some provided by other big six energy providers—I give some of them credit in that respect. It was about £140 more expensive than the best big six deal at the time. That exploited the good will of Age UK and of its customers, who would have expected that Age UK would provide them with

the best deal available, which it clearly was not. That has further damaged the reputation of the big six and how they can use their market position to the detriment of the customers they purport to serve.

Julian Knight: My point related more to prepayment meters, which are topped up at shops or other retailers, but people find that they go into emergency credit and end up paying far more for their energy. My hon. Friend is making some valuable points, but I wonder whether there is an acute difficulty only in small areas of the market, with overall profit margins being relatively low.

Dr Poulter: My hon. Friend is right to make that point about pre-payment meters. In that situation we are often dealing with some of the poorest energy consumers who can least afford to pay, but who pay a lot more for their energy as a result of those meters. I am sure the Minister will want to comment on that. Citizens Advice gave evidence to the Energy and Climate Change Committee on the importance of protecting vulnerable consumers and ensuring that they are not left behind by an energy market that benefits more informed, internet-savvy consumers. We need to protect those who by dint of social circumstance—they may not be very well off, or they may be in difficult circumstances—may not have the same opportunities as others to choose where they live. They may have to deal with pre-payment meters, which I am sure none of us would choose for ourselves. There is clearly a role for the Government in looking at how to protect vulnerable consumer groups.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): The hon. Gentleman is making a fantastic speech. People on prepayment meters are the disguised self-disconnectors, which is a bad news story for those individuals but also for the country and for companies. That must be addressed, as the hon. Member for Solihull (Julian Knight) said.

Dr Poulter: I completely agree with the Chair of the Energy and Climate Change Committee; that is a good point well made. I hope we will have the opportunity to do that either through legislation or through cross-departmental work. This is an issue not just for the Department of Energy and Climate Change but for the Department for Communities and Local Government, which can implement much energy legislation that affects homes in the private rented sector. I am sure the Minister will want to take the issues forward with Ministers from that Department in some cross-Government working, because it is important that the energy market benefits the most vulnerable people in our constituencies.

Despite the CMA's investigation and its provisional findings last year, the behaviour of the big six energy companies seems to remain broadly unchanged, profoundly uncompetitive and, as I outlined, certainly not in the interests of some of our most vulnerable constituents. Ahead of the conclusion of the CMA's investigation into the energy market, numerous measures have been put in place that have not been in consumers' best interests. I am aware that other Members wish to speak, so I will try to bring my remarks to a conclusion fairly soon, but it is worth highlighting where that review is and where it may lead us.

The CMA's provisional findings were a clear indictment of a market that in my view—this is not without a good amount of evidence—is failing consumers. They showed that energy suppliers were exploiting their unilateral market power to price tariffs above a level that could be justified by the costs at which they were buying energy. In the Which? annual energy supplier satisfaction survey, three of the big six suppliers failed to meet the overall average customer satisfaction score of 53%, and npower had the lowest score for the sixth year running, at 41%. I am sorry to highlight that to my hon. Friend the Member for Solihull (Julian Knight), given the point he made.

Ofgem's latest complaints figures show that the big six received an eye-watering 5 million customer complaints last year. I am sure hon. Members agree that such flaws in the energy market demonstrate the need for radical reform and change. There is also concern about the level of detail that the CMA has provided to date on its potential remedies, which is seen as lacking. I hope that we will get clarity on that tomorrow when its final report is published. There may be merit in the safeguard tariff proposal, but not enough thought has been given to how it will interact with proposals to get more people switching.

Crucially, the CMA appears to have given little or no thought to the steps that will engage people in the energy market, particularly after the failure of Ofgem's retail market review. At a time when people should be saving as much as £400 by switching from a big six standard tariff to one of the smaller suppliers' cheapest tariffs, a rise in switching of just 15% is a drop in the ocean. That raises big questions about what can be done to get people to switch and save, and the CMA needs to deliver clear answers.

David Mowat: My hon. Friend mentioned npower, which got a very low customer satisfaction score, has lost 200,000 customers, I believe, and is having to make something like 2,000 to 2,500 people redundant. In that respect at least, there is an argument that the market is working.

Dr Poulter: The market may be reflecting the damage to npower's reputation, with some loss of jobs. None of us would like to see job losses in our constituencies, but clearly there are lessons for npower to learn. However, it is only one of the big six energy companies. As a group, their behaviour has consistently been not customer-focused, as the Which? survey bears out, and they have not made improved energy tariffs available to customers, particularly vulnerable customers. I do not believe that that is a good or healthy market, which is why Ofgem referred the issue to the CMA in the first place.

Crucially, the CMA appears to have given little or no thought to how we can engage people in the energy market. There are sticky customers—vulnerable customers, older people and those in the private rented sector—who do not engage, and we need to see that change.

In their draft legislation, the Government are looking at developing greater price visibility, compelling offers and quicker switching. Those ideas have a lot of merit and will encourage greater engagement in the market by some, but I am not sure all, customers. There is a compelling case for the CMA inquiry ensuring that the presentation of pricing is more engaging for customers. In particular, the switching process needs to be improved—

[Dr Poulter]

both the time limit and how it works. The Government are looking at that in the draft legislation, which is welcome. We know that customers will switch, but the challenge is getting them more engaged in the market.

Today's energy market is failing customers. Millions of people, many of whom are vulnerable and living on fixed incomes, are being punished for loyalty to their energy supplier, paying hundreds of pounds more for their energy than they should. The big six are using that money to hook in new customers with loss-leading tariffs, which is a cynical and poor way to treat customers that destroys market competition at customers' expense. That is one of the key reasons why the big six retain their market position. The situation is worsened by too many complex rules and regulations and a lack of pricing transparency.

The CMA has a unique opportunity to deliver a new regulatory model based on simplicity and common sense, underpinned by clear, strong and practical principles that protect vulnerable customers and those on fixed incomes. In a refreshed energy market, with the energy companies showing genuine corporate responsibility, there is an opportunity to put customers at the centre of a market that is meant to serve them. Those who profit from exploiting their customers should have no choice but to change or face much more stringent financial and other penalties from regulators.

I would like to see three changes to the energy market coming from the CMA review, and I would be grateful for the Minister's comments on them. We need to see fair pricing—energy suppliers' prices should reflect underlying costs, and suppliers should be stopped from overcharging loyal customers or running loss-leading tariffs that damage competition and drive smaller suppliers out of the market. Regulations should be based on clear principles, with the priority being to avoid customer harm and to protect vulnerable customers and those on fixed and lower incomes, particularly those in fuel poverty. That leads to the key third principle of energy market reform: we must protect the vulnerable. We need a regulated, annually set social tariff that stops the most vulnerable customers and those in fuel poverty being exploited by the big six.

If we do not achieve those things, the energy market will become a contradiction in terms. Consumers, particularly the most vulnerable, deserve better. I look forward to hearing from my hon. Friend the Minister.

4.51 pm

Chris Stephens (Glasgow South West) (SNP): It is a pleasure to serve under your chairmanship, Mr Percy. I have a sore throat, so you will be pleased to hear that I will not be shouting.

I want to touch briefly on the effects of the energy market in Glasgow. As the hon. Member for Central Suffolk and North Ipswich (Dr Poulter) said, it is easy to fall into the trap of assuming that everyone is online and knows which price comparison site is which. For the savvy and connected, it can be relatively easy to shop around, but in Glasgow, where half our residents have a home internet connection, the continued focus on online opportunities excludes hundreds of thousands of citizens.

Poverty prevents many people from getting online, which in turn prevents them from shopping around and deepens the fuel poverty that they might seek to address. That block on the capacity of the financially and socially excluded reduces incentives for the big six to compete. Why compete for business from those customers when they are heavily handicapped in their choices, due to both the information available to them and the means by which they are able to choose?

There is no incentive for the energy companies to compete in the prepayment market; there is no market to speak of. Hundreds of thousands of customers who have moved into properties with prepayment meters are left with a choice of paying through the nose for their card meter or paying through the nose to get the meter replaced if they pass a credit check.

One constituent of mine was chased by one of the big six for an energy debt accrued on the prepayment meter in his flat. Given that he had moved in while the meter was in situ, there was no possible way for him to have run up a debt. Nevertheless, it was only when my office intervened that sense prevailed. How many other cases like that are out there, with debt recovery agencies chasing innocent victims for non-existent debts run up on a non-existent meter using non-existent energy?

Another constituent—a pensioner on a fixed income—attended my surgery to talk about his electricity costs. His last quarterly bill showed that three quarters of his spending was on standing charges. Although I understand that energy companies need to ensure that the maintenance of infrastructure is funded properly, it surely cannot be beyond their ken to ensure that vulnerable and poor customers such as my constituent do not find themselves afraid to turn the heating on for fear that their next bill will be unpayable.

Comparing costs per unit, per day and per month is just part of the problem. Qualification for the warm home discount scheme, for example, varies from company to company, with some enrolling only those mandated by the scheme and others extending entitlement to recipients of qualifying benefits. Navigating that minefield and finding the company that offers the best terms requires time, patience and, again, an internet connection. One hundred and forty pounds off the electricity bill may not seem a huge amount, but to someone on a means-tested benefit it is invaluable.

Competition in the energy market is not simply about who sells the cheapest kilowatt-hours or who gives the biggest discount on direct debit. A proper market serving the wider population requires that population to have equal access to information, so that they can make informed decisions. Sadly, the number of people still falling into fuel poverty means that far from the situation improving, it has in fact worsened over recent years.

4.55 pm

Philip Boswell (Coatbridge, Chryston and Bellshill) (SNP): It is a pleasure to speak under your chairmanship, Mr Percy. I would first like to thank the hon. Member for Central Suffolk and North Ipswich (Dr Poulter) for securing this debate on such an important issue. His excellent speech covered all the key issues—the dominance of the big six, the lack of trust and transparency, loyalty to and by customers, fuel poverty and, of course, competition. I am delighted to see the general alignment

across all parties on this subject, and I look to the Minister and the Government to address the serious issues raised.

The UK energy market is, without question, dominated by the big six suppliers. That market structure is detrimental to energy customers because companies within such structures are, by nature, subject to far less competition than those in competitive markets, and competition is key to keeping prices down. Ofgem itself has acknowledged that while there was no evidence that the big six were operating as a cartel—something that the hon. Member for Warrington South (David Mowat) spoke of—there was a possibility of tacit co-ordination between them.

Last summer, the Competition and Markets Authority found a range of problems hindering competition in the market. Two key factors were a lack of transparency and trust in the energy sector, as well as the fact that customers were not switching suppliers, which many Members have touched on. It is easy to see why many do not trust the energy sector. While energy companies have seen record profits, customers have seen their energy bills become even more expensive.

Between 2009 and 2012, during a global recession that saw millions struggle to find a stable income and keep food on the table and a roof over their families' heads, retail profits of energy companies increased from £233 million to £1.1 billion. Ofgem has found no clear evidence that that increase in profits was due to increased efficiency by suppliers, meaning that the unprecedented growth in profits during a global recession could only be a result of charging customers more. Let us be clear: profit in itself is not a dirty word—it is vital to business and the economy. It is, however, the levels of profit that raise concern in this decade of austerity.

The CMA found last year that energy consumers were being collectively overcharged by £1.2 billion per year. Meanwhile, ScottishPower quadrupled its profits from £27 million to £114 million, and British Gas saw its profits rise 99% between 2014 and 2015—notably, at the same time as its parent company Centrica planned to cut 4,000 jobs. Just this week, npower announced it would cut 2,400 jobs, as has been well covered in this debate.

Even after the most recent overcharging scandal, energy suppliers are still overcharging customers. In January, Ofgem found that despite wholesale costs—costs that make up half of a customer's energy bill—falling by nearly one third over the past year, that decrease in cost has not been passed along to customers. How can we possibly expect consumers to trust these energy companies when they so regularly take advantage of customers to bolster their own profits?

Coupled with that lack of trust is a lack of transparency by energy companies in terms of the tariffs they are selling to customers. A huge number of tariffs are available, the abundance of which makes switching suppliers and choosing a new tariff complex and confusing. Moreover, the related benefits and charges of the tariffs available, such as introductory offers and exit fees, are presented in a variety of ways, making the options available even more difficult to understand.

While online comparison websites are a welcome tool for consumers to help navigate the complexity of the various tariffs available to them, the variety of tariff structures available means that even using those websites

does not guarantee that a customer will select the cheapest tariff or instil confidence in the customer in their decision to switch suppliers. Moreover, as my hon. Friend the Member for Glasgow South West (Chris Stephens) said, the most vulnerable in society are often unable to utilise those online resources. That combined lack of trust and lack of transparency makes customers hesitant to switch. In turn, it gives incumbency advantages to suppliers, which is a politically correct way of saying that suppliers systematically overcharge and exploit their existing long-term customers.

Turning to fuel poverty, in any debate on the energy market, it would be remiss of me to fail to acknowledge the real-life impact on consumers of the fact that the energy market, at present, does not work in their best interests. That impact is most evident in the prevalence of fuel poverty among the most vulnerable in society. My hon. Friend spoke articulately—if somewhat quietly—about the very serious issues of high tariffs for those in fuel poverty and the lack of opportunity to switch, telling us distressing real-life stories of how vulnerable and not well-off customers suffer most under the present system.

In the last 10 years, under energy market regulation dictated from Westminster by successive new Labour and Tory Governments, the number of households living in fuel poverty in Scotland has risen by 10% to 40% of households—let me say that again: 40% of households in Scotland are living in fuel poverty. Fuel poverty means more than simply not being able to keep the heating on. Fuel poverty has been found to cause mental health problems in adolescents, as well as respiratory problems in children. It affects the educational attainment and the emotional wellbeing of children and means that household income, which could otherwise be used to purchase healthy, nutritious food, goes on paying energy bills.

The combination of mental and physical health problems, poor diet, emotional turmoil and diminished educational attainment caused by fuel poverty is a recipe for condemning people to the cycle of poverty. To me, and clearly to most Members speaking today, that is completely unacceptable. Why should so many suffer while energy companies systematically continue to overcharge customers and take advantage of the market failures in the energy market that this Tory Government continue to fail to address?

After considering the many contributions made by hon. Members, it is clear to me what needs to be done to address the critical issue of the UK energy market's failure to benefit consumers. First and foremost, the systematic overcharging of customers must end, and the cost of energy bills must be reduced. The fact that this overcharging is so common is a clear indicator that the regulatory structure is not working at present.

More needs to be done to make switching suppliers easier. If customers had the confidence to switch suppliers, competition in the market would increase and, in turn, hopefully help to push down prices. That means addressing the two underlying reasons why customers are not switching suppliers—the lack of trust in the industry and the lack of clarity and transparency surrounding the different tariffs available to customers.

Finally, the growth of green energy provides a potential competitor to the big six energy providers, creating huge scope to help to push down prices for customers.

[Philip Boswell]

However, barriers to entry and expansion remain for energy providers. Proactive steps must be taken to ensure that this growing sector, which provides energy that is both renewable and potentially cheaper than traditional sources, is able to compete against the dominance of the big six.

5.3 pm

Dr Alan Whitehead (Southampton, Test) (Lab): I congratulate the hon. Member for Central Suffolk and North Ipswich (Dr Poulter) on securing the debate, which is so timely, given that it is within 14 hours of the Competition and Markets Authority's report on its findings coming out. Unfortunately, it is taking place 14 hours before the findings come out, but it is pretty closely targeted on the important development that we are about to witness. For this afternoon's debate, we have the CMA's provisional findings, which I guess will inform the report that will come out shortly. The hon. Gentleman directed his very thoughtful points about the whole question of competition in the energy market to a number of those.

This is a conundrum with many layers—exactly how competition works, how it can best work, how it can be better enhanced and how it can work for those customers who could benefit most from better competitive arrangements in the energy market. In many instances, those customers appear at present to be stuck in a non-competitive mode with energy companies. Energy companies almost regard those sticky customers as assets that they can use to make additional resources, as the hon. Gentleman mentioned, with which they can finance special offers and various other things, which, to some extent, rely on the knowledge that those sticky customers will remain with the company—perhaps that is part of the conundrum—apparently very much against their better economic interests and despite longer term concerns. I will perhaps return to that thought in a moment.

The hon. Gentleman also made the very important point that we are discussing one part of that energy trilemma, in that we have embarked on—and I hope we will continue to be solidly embarked on—a process of decarbonisation of our energy system. Clearly, that has to be achieved, but under the circumstances of two additional imperatives: first, that there should be security of supply, among other things to make sure that the lights stay on, which is perhaps a rather important part of the customer experience of electricity prices and the market; and secondly, that prices should be fair, reasonable and equitable, as far as customers are concerned.

I am not sure that it would too far outside this debate just to reflect on the first part of that energy trilemma. I gently ask whether the Minister has any sort of plan B in the light of the difficulties that we are having with capacity, the recent reports concerning the possible development of Hinkley Point C power station and the apparent inability of the capacity market as it stands to develop any contracts for new long-term building, particularly of gas-fired power stations. Does she wish to share any thoughts with us on how that particular leg of the trilemma might best be supported over the next period? That seems relevant to the other two legs, and particularly to the leg that we are discussing this afternoon.

As for the question of how prices can be as fair and competitive as possible to customers, we need perhaps refer to what is happening with the CMA. It was interesting last summer to see the CMA's report on provisional remedies. As the hon. Member for Central Suffolk and North Ipswich outlined, it concluded that a number of features of the market gave rise to the finding of an AEC—an “adverse effect on competition”. The report stated that that arose through

“weak customer response, which, in turn, gives suppliers a position of unilateral market power concerning their inactive customer base”,

which they are able to exploit through their pricing policies or otherwise. That refers particularly to sticky customers, but I was slightly surprised at the brief consideration that the CMA's interim report gave to a number of other factors that seemed to contribute to that, such as vertical integration in energy companies. That may not have a direct impact on competition, but it may have an indirect impact for a variety of complex reasons that may have a hand in the process.

Perhaps part of the answer to the conundrum that has been presented in this Chamber this afternoon about where the money goes when energy companies are apparently posting substantial losses is a better understanding of how vertical integration works. It is not just within the UK power generation and retail market. It has been suggested that companies that buy and sell to themselves create an opportunity to shift sums around considerably.

There is increasing vertical integration outside the UK. Some companies are reporting what is happening in the UK, but also in the context of what is happening outside the UK, such as company structures. The extent to which those companies are able to post profits or losses in particular countries in which they are working does not necessarily reflect entirely what is going on across the board in other countries of operation. That should be examined at least.

David Mowat: I am interested in the hon. Gentleman's comments about vertical integration, because the interim report looked at that and theory of harm 3a and 3b. My reading of it was that the CMA did not regard vertical integration as a major issue. I looked at it quite carefully.

On the point about moving profits around, which is the issue regarding vertical integration, the share price of Centrica, the owners of British Gas and the biggest player in all this, has gone down by around 40% in the last five or six years. I have no truck with these oil companies and big players, but if they are running a cartel, it is one of the worst I have ever seen.

Dr Whitehead: The hon. Gentleman makes an important point. This issue is like an onion. It has many layers that must be unpeeled before anyone can get anywhere need the essence of it. Part of the process is that some companies are losing customers with insurgent companies coming into the market, and some are setting up good companies and bad companies to bifurcate the process of where their investments go and where their profit centres are. That clouds the picture. Obviously, there is the effect of energy prices, particularly who has bought what, where and when, and what those prices now mean in terms of strategies that took place two, three or four years down the line.

David Mowat: People can move profits around and have good companies and bad companies. What I am saying is that Centrica, which owns British Gas, has somehow turned the cartel that it is apparently operating—we will find out tomorrow so we are speculating—into a 40% reduction in its share price in the last five years. That is not a good performance in running a cartel.

Dr Whitehead: Indeed. As the hon. Gentleman underlines, that may be a factor of other processes at work in those companies and what investors think is their long-term security and future in the light of rapidly changing energy conditions. A whole series of factors is at work, and I hope that, in the report that the CMA will publish tomorrow, it has paid due attention to the complexity of those factors. I fear that some of that complexity was not fully reflected in its initial proposals.

A second complexity is transparency: who is buying what at what point round the curve, how companies are hedging their trading processes and whether they are trading with themselves and hedging advantageously compared with other companies down the line. One might argue that that is good practice or bad practice, but we do not know that because the market is not transparent at the moment.

Andrew Percy (in the Chair): Order. The hon. Gentleman should have had five minutes, although he is within his rights to take more as we have more time, but he will shortly have been speaking for 13 minutes, which will leave a similar time for the Minister. It would be courteous if he concluded shortly so that the Minister may have the appropriate time.

Dr Whitehead: I thank you for your guidance, Mr Percy. I fear I was somewhat swayed by expert fellow Members in the Chamber into going down paths that took me longer to explain and which I might otherwise not have been involved in. I, too, want to hear what the Minister has to say and I will conclude as soon as possible.

All I want to say further concerns the central issue that the hon. Member for Central Suffolk and North Ipswich raised. Why is it that 70% of the big six energy companies' customers stick with those companies through thick and thin, regardless of what opportunities are thrown at them to switch? Some of the remedies that are likely to arise tomorrow may not address that issue as closely as they should. The idea of putting people on a temporary safeguard tariff while continuing to bombard them with suggestions that they switch works only when the latter process also works. If it continues not to work, those people move further from the market rather than closer to it.

Remedies that look at what people do—

Andrew Percy (in the Chair): Order. The hon. Gentleman has had substantially longer than the Minister will have, which is a discourtesy to her. Although it is in order for him to speak for longer than the allotted time, will he draw to a close within seconds and give the Minister the courtesy of responding?

Dr Whitehead: Indeed, Mr Percy.

What those people do should be a matter for considerable further examination and possible additional remedies. I hope that at the very least the CMA has provided in its report some additional arrangements that will work.

5.18 pm

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom): I congratulate my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter) on securing this debate within such a short time of the CMA report coming out.

I want to reiterate that my Department puts consumers at the heart of everything we do. We are determined to be genuine consumer champions. Hon. Members will know that our priorities are to ensure that we have secure supply of energy and that we decarbonise at the very lowest cost to consumers. I remind hon. Members that we are determined to focus available support on the fuel-poor.

My hon. Friend was right to mention the appalling story of E.ON and Age UK selling poor deals to pensioners and it is right that Ofgem is looking carefully at that. He also mentioned the scandal during the last Parliament of price comparison websites not giving the best prices. That has been addressed in amendments to the voluntary code, but he was right to highlight that some of these issues are extremely serious and that we must always take steps to prevent them. I want to use this opportunity to reiterate to any energy companies listening to the debate that when wholesale prices go down, the Government expect them to pass those reductions directly to their customers.

The CMA, as hon. Members know, published its provisional findings last July. It is very clear that it found that retail competition is not working. It found that a lack of competition means that about 70% of households remain on their supplier's most expensive energy tariff, despite the savings that they could make by moving to someone else. In fact, by switching from a standard tariff to the best fixed direct debit deal on the market, many people could save about £200 and some could save more, so again I will take this opportunity to say to anyone listening out there: please do shop around; it is really worth doing.

However, there is some good news to report. We have been working hard with Ofgem to improve competition, and the work is beginning to bear fruit. We now have 31 independent suppliers competing with the big six in the domestic retail market. That is up from just seven small suppliers in 2010. The independent suppliers are making inroads into the market share of the big six. They now have almost 15% of the dual fuel market; that is up from less than 1% in 2010. The Government have worked with the industry and Ofgem to halve the time that switching supplier takes from five weeks to 17 days. An increasing number of households are switching supplier. Ofgem recently reported a four-year high in the number of energy account switches; 6.1 million energy account switches took place last year. That is increasing competitive pressure on the big six, and prices are falling. We saw the price of the cheapest one-year fixed tariffs fall by more than £100 during 2015, and prices are continuing to fall. That is good news for consumers who shop around and switch tariffs and supplier.

Matthew Pennycook (Greenwich and Woolwich) (Lab): Will the Minister give way?

Andrea Leadsom: I will not give way at the moment. I want to get through part of my speech, as it has already been severely curtailed.

[*Andrea Leadsom*]

It is a massive challenge to inject the sort of competition that we are seeing for fixed tariffs into the standard variable tariff segment of the market. That is the default tariff that most people are on. Despite the good news that all of the big six have announced price cuts to their standard variable tariffs this year, we want to see much more effort.

The Government, too, must do more, so we are working with Ofgem and the industry to move to 24-hour switching and we are continuing with our Power to Switch campaign. In just one month of the Government-funded Power to Switch campaign last year, more than £38 million was saved by 130,000 households switching energy supplier. Of course, we have already committed to acting urgently on the CMA recommendations that we expect to see tomorrow.

Matthew Pennycook: Does the Minister think that there is any merit in looking at what more Ofgem can do to help new entrants better to understand the regulatory environment, as Ofcom does, I think, with the telecommunications sector?

Andrea Leadsom: Yes, the hon. Gentleman makes a good point. It is something that Ofgem is very aware of, but I will certainly take that point away and look at it again.

I want to address the point made by the hon. Member for Glasgow South West (Chris Stephens). He is absolutely right to say that prepayment meter customers are particularly ill served by competition. That has been picked up by the CMA. It is true to say that those customers have far less choice of tariffs. We had a very good debate about that quite recently in the main Chamber. However, we are beginning to see some improvement in competition, with some suppliers offering smart prepay tariffs. We are working with Ofgem to remove the barriers that those customers face in switching supplier. For example, Ofgem is working with suppliers to help customers who are on prepayment meters and in debt to switch supplier for a better tariff. The hon. Gentleman raised a very important point.

We are also starting to see some improvement in customer service. The latest Ofgem data showed that the six major suppliers received 1.5 million fewer customer complaints in 2015 compared with 2014, but with a total of just under 5 million complaints, they still have a long way to go. We are therefore working with Ofgem and the energy ombudsman to identify and then fix systemic issues to stamp out poor customer service. Ofgem carried out a review of the role of the ombudsman last year and recommended that it should carefully analyse the specific complaints and use that information to reduce the underlying causes of complaints. That work is ongoing and will be very important.

As well as working to improve competition, the Government have a range of programmes to help vulnerable and low-income consumers with their energy bills. We are supporting 2 million customers a year with the warm home discount. We have increased the level of the discount, and in 2014-15 more than 1.4 million of the poorest pensioners received £140 off their electricity bill, with more than 1.3 million of them receiving the discount automatically. We have confirmed that the

warm home discount will be extended until 2020-21 at the current level of £320 million a year, and we will be consulting on proposals for 2016-17 shortly. It is the case that 600,000 low-income and vulnerable households, including families, also benefit from £140 off their bill. Altogether, a total of £1.1 billion of direct assistance has been provided to low-income and fuel-poor households since the scheme began.

The winter fuel payment, which went to about 12.5 million older people in 9 million households last winter, is a significant amount of help towards higher fuel bills in the winter, with households getting between £200 and £300.

Also, and vitally, the cold weather payment, which is paid to vulnerable people during periods of very cold weather, has been permanently increased to £25. Last winter, more than 400,000 payments were made, during the very coldest weeks of the year, at an estimated cost of £10.6 million.

A reformed domestic supplier obligation from April 2017 will improve the energy efficiency of well over 200,000 homes a year to deliver on our commitment to help 1 million more homes in this Parliament.

In response to the hon. Member for Coatbridge, Chryston and Bellshill (Philip Boswell) on fuel-poor households in Scotland, he will know that fuel poverty is a devolved issue. However, some of our schemes to help tackle fuel poverty are GB-wide. That includes the energy company obligation. The hon. Gentleman will be aware that with 35.3 households per 1,000 homes treated, Scotland receives the greatest share of ECO, followed by England, with 25.4 households per 1,000 homes and Wales with 21.9.

As well as supporting low-income and vulnerable consumers directly with their energy bills, we fund the big energy saving network. Again, I think that this addresses the point made by the hon. Member for Glasgow South West about the need particularly to help the extra vulnerable and the fuel-poor. Face-to-face help and advice through trusted organisations is one of the most effective ways to help vulnerable consumers to engage with the energy market. The big energy saving network reached more than 90,000 people in 2013-14 and about 130,000 in 2014-15, and we are well on track to reach a further 100,000 this winter. The programme has helped some of the hardest consumers to reach, with above average percentages of those with a disability, off the gas grid or without internet access—issues that a number of hon. Members pointed out—and about half of participants, 51%, have reported that they now spend less on heating their home as a direct result of being helped through the network.

My hon. Friend the Member for Central Suffolk and North Ipswich has made very good points, as have other hon. Members. This has been a lively and thoughtful debate, and we have covered a lot of ground. We already have work in train: rolling out smart meters, moving to next-day switching and continuing to help vulnerable and low-income households with their energy bills. We are committed to acting on the CMA's recommendations. I therefore hope that my hon. Friend and others will leave the debate reassured that the Government are determined to make the energy market work in the interests of all consumers.

5.28 pm

Dr Poulter: I thank the Minister, both other Front Benchers and all other hon. Members for their contributions. This has been a very productive debate, and we look forward to hearing tomorrow about the CMA's findings, which I hope will benefit consumers.

Question put and agreed to.

Resolved,

That this House has considered competition in the UK energy market.

5.29 pm

Sitting adjourned.

Written Statement

Wednesday 9 March 2016

HEALTH

NHS Learning Culture

The Secretary of State for Health (Mr Jeremy Hunt):

I would like to inform the House of the steps the Government are taking to make the NHS the safest healthcare system in the world. Perhaps the single most important thing we can do is to create a learning rather than a blame culture, so that clinicians feel supported to speak out when things go wrong.

NHS Improvement is today publishing a “Learning from mistakes league”. This draws on data from the staff survey and safety reporting data to set out a league table for NHS provider organisations. This will provide information to the providers themselves as well as to the wider public about how well different organisations are learning, and how open and honest they are. The information in the league will be published on an annual basis as part of the CQC’s report on hospital care quality.

Later this month, NHS Improvement will also publish estimates by trust of avoidable mortality, and information relating to this will then be published as part of an annual CQC report on care quality in hospitals.

In addition to greater and more intelligent transparency, a culture of learning means we need to create an environment in which clinicians feel able to speak up about mistakes. We will therefore bring forward measures

for those who speak honestly to investigators from the healthcare safety investigation branch to have the kind of “safe space” that applies to those speaking to the air accident investigation branch.

The General Medical Council and the Nursing and Midwifery Council have made it clear through their guidance that where doctors, nurses or midwives admit what has gone wrong and apologise, the professional tribunal should give them credit for that, just as failing to do so is likely to incur a serious sanction. The Government remain committed to legal reform that would allow professional regulators more flexibility to resolve cases without stressful tribunals.

NHS Improvement will ask for the commitment to learning to be reflected in all trust disciplinary procedures and ask all trusts to publish a charter for openness and transparency so staff can have clear expectations of how they will be treated if they witness clinical errors.

From April 2018, the Government will introduce the system of medical examiners recommended in the Francis report. This will bring a profound change in our ability to learn from unexpected or avoidable deaths, with every death either investigated by a coroner or scrutinised by a second independent doctor. Grieving relatives will be at the heart of the process and will have the chance to flag any concerns about the quality of care and cause of death with the independent clinician.

NHS England is working with the Royal College of Physicians to develop and roll out across the NHS a standardised method for reviewing the records of patients who have died in hospital.

These measures, along with the professionalism and dedication of NHS staff will help the NHS to achieve its aim of becoming the world’s largest learning organisation.

[HCWS597]

Petition

Wednesday 9 March 2016

PRESENTED PETITION

Petition presented to the House but not read on the Floor

Sunday Trading Hours

The petition of residents of the UK,

Declares that devolving the power to set Sunday trading hours to local councils will lead to longer Sunday opening hours; further that large stores should

not be open longer on Sundays; further that longer opening hours would change the nature of Sundays forever; further that millions more people would be required to work on Sundays; and further that a local petition on this matter has been signed by over 300 individuals.

The petitioners therefore request that the House of Commons opposes Government proposals to devolve the power to set Sunday trading hours to local councils and introduce longer Sunday opening hours.

And the petitioners remain, etc.—*[Presented by Frank Field.]*

[P001679]

Ministerial Corrections

Wednesday 9 March 2016

FOREIGN AND COMMONWEALTH OFFICE

Syria

The following is an extract from the statement on Syria on 1 March 2016

Mr Ellwood: The hon. Lady asked a series of questions. First, the latest UN Security Council resolution—resolution 2268—which confirmed the cessation of hostilities, underlines the importance of a previous one, resolution 2254, which is all about the ability to gain access to various areas where ownership is sometimes confusing. That is done on a very local basis to make sure that agreements take place and that UN and other convoys have the series of permissions they need, so that they are not halted at checkpoints, with the food being taken from them and used as a weapon of war. It is difficult for me to give a comprehensive reply for the whole of Syria, but these things are done on an area-by-area basis. The method for taking deliveries also reflects the threat level. Clearly, there are areas surrounded by Daesh, where it is impossible to have such agreements.

The hon. Lady spoke about the chemical weapons attack. A number of UN organisations are looking into a wider piece to do with the use of chemical weapons across Syria. They are in the process of completing a report to the UN, which is due shortly. If I may, I will write to her with more details on that.

On the work being done to provide international humanitarian aid, I go back to the conference we had, where we were able to garner an awful lot of support, including from Saudi Arabia, for making sure that money is filtered through the various UN organisations so that they can get through to the various locations.

The hon. Lady mentions a number of other extremist groups, including Ahrar al-Sham, and there is Jaysh al-Islam as well. They have not been considered as moderate; they have not been included in the discussions, and they were not represented in the talks where the Saudis brought the moderate groups together.

[Official Report, 1 March 2016, Vol. 606, c. 825.]

Letter of correction from Tobias Ellwood

An error has been identified in my response to the hon. Member for Kingston upon Hull North (Diana Johnson).

The correct response should have been:

Mr Ellwood: The hon. Lady asked a series of questions. First, the latest UN Security Council resolution—resolution 2268—which confirmed the cessation of hostilities, underlines the importance of a previous one, resolution 2254, which is all about the ability to gain access to various areas where ownership is sometimes confusing. That is done on a very local basis to make sure that agreements take place and that UN and other convoys have the series of permissions they need, so that they are not halted at checkpoints, with the food being taken from them and used as a weapon of war. It is difficult for me to give a comprehensive reply for the whole of Syria, but these things are done on an area-by-area

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On the work being done to provide international humanitarian aid, I go back to the conference we had, where we were able to garner an awful lot of support, including from Saudi Arabia, for making sure that money is filtered through the various UN organisations so that they can get through to the various locations.

The hon. Lady mentions a number of other **hard-line** groups, including Ahrar al-Sham, and there is Jaysh al-Islam as well. **They have been considered as moderate;** they have not been included in the discussions, and they were represented in the talks where the Saudis brought the moderate groups together.

The following is an extract from the statement on Syria on 1 March 2016

Mr Ellwood: The coalition does a lot of planning in order to establish the best mechanism to provide aid relief in any particular area. The RAF itself has not been involved in airdrops per se; the United States has been leading on that. As I have said, they have had a marginal effect. They are subject to weather conditions and to who is on the ground to receive the actual aid. It is then a matter of luck as to how that aid is distributed. Often it is unfairly distributed, because the strongest end up grabbing the kit and taking it away with them. That is why the preferred mechanism is to get permission to go through the various checkpoints and deliver the aid by truck.

[Official Report, 1 March 2016, Vol. 606, c. 829.]

Letter of correction from Tobias Ellwood

An error has been identified in my response to the right hon. Member for Carshalton and Wallington (Tom Brake).

The correct response should have been:

Mr Ellwood: The coalition does a lot of planning in order to establish the best mechanism to provide aid relief in any particular area. The RAF itself has not been involved in airdrops per se; the **World Food Programme** has been leading on that. As I have said, they have had a marginal effect. They are subject to weather conditions and to who is on the ground to receive the actual aid. It is then a matter of luck as to how that aid is distributed. Often it is unfairly distributed, because the strongest end up grabbing the kit and taking it away with them. That is why the preferred mechanism is to get permission to go through the various checkpoints and deliver the aid by truck.

Egypt: British Support

The following is an extract from the debate on Egypt: British Support on 2 March 2016.

The hon. Member for Cambridge raised the very sad case of Giulio Regeni. I can only echo what I said in my reply to the question. We are very saddened by this tragic death and very concerned about the reports that

he had been tortured. He is an Italian citizen and there is protocol on who can lead and participate in the investigation. Having said that, we have raised our concerns with the Italian authorities. We very much support Italian and Egyptian efforts to investigate and have requested that that be done in full to recognise what happened. The Italian police now have a team on the ground in Egypt. We will continue to raise the matter. I will be visiting the country very soon and will certainly ask further questions, but although the individual studied in the UK, there is a protocol on which country can lead and be involved.

Egypt has elected a President, has a new constitution and now has a Parliament, which is to be celebrated. We are working to help to make parliamentarians stronger and to encourage visits. I hope that the work with the Westminster Foundation for Democracy will continue. As the new Parliament beds in, we want to do more to strengthen this vital institution and I hope that Members with a keen interest in Egypt, many of whom are here today, will be able to play an active role in that.

[Official Report, 2 March 2016, Vol. 606, c. 332WH.]

Letter of correction from Tobias Ellwood

An error has been identified in my response.

The correct response should have been:

The hon. Member for Cambridge raised the very sad case of Giulio Regeni. I can only echo what I said in my reply to the question. We are very saddened by this tragic death and very concerned about the reports that he had been tortured. He is an Italian citizen and there is protocol on who can lead and participate in the investigation. Having said that, we have raised our concerns with the **Egyptian** authorities. We very much support Italian and Egyptian efforts to investigate and have requested that that be done in full to recognise what happened. The Italian police now have a team on the ground in Egypt. We will continue to raise the matter. I will be visiting the country very soon and will certainly ask further questions, but although the individual studied in the UK, there is a protocol on which country can lead and be involved.

Egypt has elected a President, has a new constitution and now has a Parliament, which is to be celebrated. We are working to help to make parliamentarians stronger and to encourage visits. As the new Parliament beds in, we want to do more to strengthen this vital institution and I hope that Members with a keen interest in Egypt, many of whom are here today, will be able to play an active role in that.

DEFENCE

Royal Naval Deployment: Mediterranean

The following is an extract from the Urgent Question to the Secretary of State for Defence on 7 March 2016

Michael Fallon: On the first point, I welcome the contribution Scotland is making. I am sure that the hon. Gentleman will want to know that some of the Royal Marines on board Mounts Bay are from Arbroath on the east coast of Scotland. I am glad that he welcomes the mission.

On refugees, the hon. Gentleman will know that we have committed to take refugees from the camps in Syria and to take unaccompanied children that the United Nations High Commissioner for Refugees identifies further west in Europe. We have played a leading part in that, as we did in the reconstruction conference on the future of Syria.

So far as military operations in Syria are concerned, we regularly update the information on the Ministry of Defence website. I am very happy to answer any additional questions the hon. Gentleman has.

[Official Report, 7 March 2016, Vol. 607, c. 27.]

Letter of correction from Michael Fallon

An error has occurred in my response to the hon. Member for Argyll and Bute (Brendan O'Hara).

The correct response should have been:

Michael Fallon: On the first point, I welcome the contribution Scotland is making. I am sure that the hon. Gentleman will want to know that some of the Royal Marines on board Mounts Bay are from Arbroath on the east coast of Scotland. I am glad that he welcomes the mission.

On refugees, the hon. Gentleman will know that we have committed to take refugees from the **Syrian region** and to take unaccompanied children that the United Nations High Commissioner for Refugees identifies. We have played a leading part in that, as we did in the reconstruction conference on the future of Syria.

So far as military operations in Syria are concerned, we regularly update the information on the Ministry of Defence website. I am very happy to answer any additional questions the hon. Gentleman has.

The following is an extract from the Urgent Question to the Secretary of State for Defence on 7 March 2016

Michael Fallon: The British Government are taking refugees from Syria, as we have made clear, and some of them have arrived here in the United Kingdom. My right hon. Friend the Prime Minister is urging his European counterparts to get to grips with the problem of those who have arrived inside the Schengen area and to take steps to ensure that they are not shuttled from one fence to the next. Europe has to adopt a more sensible policy.

[Official Report, 7 March 2016, Vol. 607, c. 27.]

Letter of correction from Michael Fallon

An error has been identified in my response to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper).

The correct response should have been:

Michael Fallon: The British Government are taking refugees from **the Syrian region**, as we have made clear, and some of them have arrived here in the United Kingdom. My right hon. Friend the Prime Minister is urging his European counterparts to get to grips with the problem of those who have arrived inside the Schengen area and to take steps to ensure that they are not shuttled from one fence to the next. Europe has to adopt a more sensible policy.

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