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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Thursday 14 April 2016**

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# House of Commons

*Thursday 14 April 2016*

*The House met at half-past Nine o'clock*

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### ATTORNEY GENERAL

*The Attorney General was asked—*

#### Rape and Serious Sexual Offences

1. **Tom Blenkinsop** (Middlesbrough South and East Cleveland) (Lab): What steps the Government have taken to improve the conviction rate for rape and other serious sexual offences. [904461]

**The Solicitor General (Robert Buckland)**: The Crown Prosecution Service continues to improve its response to cases involving rape allegations and other forms of serious sexual offending. It has taken a number of steps to improve the conviction rate, which includes increasing the number of specialist staff within its dedicated rape and serious sexual offences unit and improved specialist training for prosecutors.

**Tom Blenkinsop**: Despite claims that we have the highest ever number of convictions, conviction rates for rape, domestic abuse and other sexual abuses have fallen in the past two years. How does the Minister intend to rectify that situation?

**The Solicitor General**: The hon. Gentleman rightly points to the fact that the actual number of convictions continues to increase, which means justice for more and more victims. It is right that the Crown Prosecution Service brings cases to juries, and, of course, it is a matter for juries to determine whether a suspect is guilty. Increased funding for the rape and serious sexual offences units means an improved early engagement with the police so that the experience of victims becomes a better one, and we have tried and tested evidence that the experience of victims is vital if we are to make improvements.

**Robert Neill** (Bromley and Chislehurst) (Con): Part of improving the evidence of victims is surely through the increased use of live links, which we are already seeing, where victims do not physically have to come to the court building to give their evidence. The report published this week by the CPS inspectorate and Her Majesty's inspectorate of constabulary recognises that. It says that, in some areas, the scheme is doing very well, but, in others

“the courts and the CPS were not comfortable with live links even though the video technology was available.”

What more can be done to spread consistency in its uptake?

**The Solicitor General**: My hon. Friend is quite right to highlight that important report. In places such as Kent, best practice is clearly being demonstrated. With regard to national training, which is happening now, we will see more and more use of live links from victims' homes and other safe places to avoid the terrible ordeal in many cases of victims having to come to court to give evidence in the courtroom.

**Colleen Fletcher** (Coventry North East) (Lab): Providing effective and compassionate support for victims and survivors of sexual violence is pivotal to ensuring that more of these heinous crimes are reported in the first place, and, ultimately, that more offenders are brought to justice. Will the Minister tell me how the Government intend to improve victim and witness care within the criminal justice system?

**The Solicitor General**: The hon. Lady may already know that revised guidance to prosecutors and Crown Prosecution Service staff about victim and witness care in the courts is already being rolled out. There are also more staff in the court system to help and support witnesses and victims through the process. More work is being done and will be done to ensure that the objectives that she and I share are met.

**Andrew Stephenson** (Pendle) (Con): Will the Solicitor General join me in welcoming the recent violence against women and girls statistics, which show that more cases than ever before are being charged, prosecuted and convicted?

**The Solicitor General**: I certainly welcome those statistics. Importantly, they make the point that, when it comes to people's lives, more and more individuals are finding that their cases are being heard and that justice is being done on the perpetrators of these appalling offences.

**Jim Shannon** (Strangford) (DUP): What discussions has the Minister had with his counterparts in the Northern Ireland Assembly about the possibility of extending Clare's law to the Province, particularly in the light of the revelation from Women's Aid that six murders in Northern Ireland had links with domestic abuse?

**The Solicitor General**: The hon. Gentleman rightly raises the important innovation of Clare's law, which was introduced in the last Government. I was a key supporter of that legislation. I would be happy to have discussions with colleagues in Northern Ireland. However, it is a matter that, quite properly, has been devolved, but if it would help, I will of course hold those discussions.

### European Arrest Warrant

2. **Jonathan Reynolds** (Stalybridge and Hyde) (Lab/Co-op): What assessment the Government have made of the potential effect on the use of the European arrest warrant as a prosecutorial tool of the UK leaving the EU. [904462]

5. **Diana Johnson** (Kingston upon Hull North) (Lab): What assessment the Government have made of the potential effect on the use of the European arrest warrant as a prosecutorial tool of the UK leaving the EU. [904465]

**The Attorney General (Jeremy Wright):** The European arrest warrant makes it easier to extradite foreign suspects to where they are wanted for crimes and to bring suspects back to the UK to face justice for crimes committed here. It is the quickest and most economical way to do these things, and other member states would not be bound to co-operate with us in the same way if we left the EU.

**Jonathan Reynolds:** The first piece of European legislation that I sat on in a delegated legislation Committee was a regulation that enabled us to track paedophiles more easily across different European countries. Why anybody would wish to end that kind of co-operation between European countries is beyond me. Does the Attorney General agree that the Brexit campaign is soft on crime and soft on the causes of crime?

**The Attorney General:** I have great respect for those who argue for a British exit from the European Union, but I am afraid that I believe they are wrong on this. For the reasons the hon. Gentleman has given, there is considerable advantage to Britain and to British citizens in being part of the European arrest warrant.

**Diana Johnson:** Just to be clear, does the Attorney General think that if we were no longer part of the European arrest warrant, criminals from the continent would see Britain as a safe haven because of the extradition arrangements and the concern that they would not be taken back quickly?

**The Attorney General:** There is no doubt that the quickest and easiest way of deporting criminals who face prosecutions in other European nations is, as I said, to use the European arrest warrant. Of course, those who argue for exit from the European Union would have to explain what alternative measures they would put in place to achieve the same objective. I am in no doubt that, as I say, the quickest and easiest way to do that is through the European arrest warrant, and any delay in that process will have very serious consequences.

**Mr Christopher Chope** (Christchurch) (Con): Does my right hon. and learned Friend's position take account of the European Court of Justice ruling on 5 April, which effectively drives a coach and horses through the whole of the arrest warrant procedure because it makes it clear that the European Court of Justice is in charge of whether or not a European arrest warrant can be applied for?

**The Attorney General:** I do not think that it is quite as bad as my hon. Friend suggests. In fact, what the European Court of Justice said in that case is broadly consistent with what our own Extradition Act 2003 says. He will know, of course, that in respect of the countries mentioned in that judgment, we already succeed in extraditing people to them. One of them is Romania, and my hon. Friend might like to know that 268 people have been extradited to Romania since 2010.

**Philip Davies** (Shipley) (Con): In the *Witney Gazette*, the Prime Minister was quoted as saying about the European arrest warrant:

“Some other countries in Europe do not have our rights and safeguards. People can languish in jail for weeks without even being charged. I am not sure that the British people realise what is being done in their name. Are we really happy that with one telephone call from the Greek, Spanish or German authorities alleging that we did something wrong on holiday, we can be swept off to a continental prison? Rights and safeguards that we have enjoyed for centuries are being stripped away.”

Does the Attorney General agree with the Prime Minister?

**The Attorney General:** I do not know when my right hon. Friend the Prime Minister wrote that. As my hon. Friend may recall, the Prime Minister and other members of the Government successfully negotiated changes to the European arrest warrant precisely to deal with the problems that my hon. Friend has just outlined. Now, UK citizens cannot be extradited unless the case is trial ready, and not unless the conduct in question would be a crime here and not unless it is proportionate to do so.

### CPS: International Co-operation

3. **Oliver Colville** (Plymouth, Sutton and Devonport) (Con): What steps the CPS is taking to work more efficiently with international partners to reduce the threat of serious crime in the UK and abroad. [904463]

**The Solicitor General (Robert Buckland):** CPS prosecutors work closely with law enforcement agencies to give investigative advice and to prosecute serious crime. They draw upon international co-operation agreements wherever necessary to secure evidence and to agree how and where cases that cover various jurisdictions should be pursued.

**Oliver Colville:** I thank my hon. and learned Friend for that answer, but what are the Government doing to ensure that IRA terrorists are being brought back to the UK to face justice here?

**The Solicitor General:** I assure my hon. Friend that cases involving IRA suspects will be considered in just the same way as any other case. The special crime and counter-terrorism division of the CPS deals with cases of alleged terrorism. If a suspect is out of the jurisdiction, extradition will be considered if the prosecution evidential co-test is met.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I hope that the Solicitor General has seen that yet another accused criminal has fled to Pakistan this week. Is it not a fact that we need greater European co-operation because we have no extradition treaty with Pakistan? Where a serious crime has been committed, the perpetrator too often flees to Pakistan—and however heinous the crime, we cannot bring them back.

**The Solicitor General:** I entirely agree with the hon. Gentleman. I mentioned multi-jurisdictional cases. Sometimes these perpetrators will cover more than one EU country and it is vital to have the mechanisms not just of co-operation, but of enforcement, which our

membership of the EU guarantees. That is why I am a very strong supporter of remaining within the European Union.

#### EU Withdrawal: Changes to UK Legal Framework

4. **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): What changes would be required to the UK's legal framework in the event of the UK leaving the EU. [904464]

**The Attorney General (Jeremy Wright):** Under article 50 of the treaty on the European Union, if the United Kingdom were to decide to leave the EU, it would need to negotiate and conclude an agreement with the remaining member states, setting out the arrangements for withdrawal. The EU treaties would continue to apply to the UK until the article 50 agreement entered into force or for two years if no agreement were reached and no extension to that period were granted. Any further changes to the UK's legal obligations would of course depend on the nature of any further international agreements entered into.

**Chi Onwurah:** Newcastle has a thriving legal services sector with many internationally renowned firms as well as two excellent degree courses at our universities. Does the Attorney General agree that leaving the European Union would mean that we would face years of uncertainty and confusion over our legal framework, which would necessarily undermine the success of our legal and financial services sectors?

**The Attorney General:** First, I should say that I have boundless faith in the ingenuity and entrepreneurial spirit of our legal professions, and I am sure that they would find a way through. However, the hon. Lady is right to say that there would be considerable uncertainty after any departure from the European Union, at least in part because there is a regulatory structure in this country that substantially depends on European regulation. We would have to decide how much of that to keep and how much we wished to change. She might also know that Professor Derek Wyatt, one of the leading experts on European law, recently gave evidence to the House of Lords European Union Committee. He said that "it will take years for Government and Parliament to examine the corpus of EU law and decide what to jettison and what to keep". That is one of the reasons the Government believe that we are better off remaining within the EU.

**Mr Philip Hollobone** (Kettering) (Con): Given my right hon. and learned Friend's immense legal brain and huge legal capabilities, will he confirm to the House that he would want to remain as Attorney General should this country vote to leave the European Union so that he personally would be best placed to negotiate a super-duper British exit agreement in double-quick time?

**The Attorney General:** I have nowhere near my hon. Friend's faith in my abilities, but I do think that it remains in Britain's best interests to stay within the European Union. However, if the British people decide that we should leave, the British Government will continue to do their best for the British public.

**Mr Speaker:** I hope that the Attorney General of all people will not underestimate the scope of his scholarly cranium, because the hon. Member for Kettering (Mr Hollobone) clearly does not do so.

**Nick Thomas-Symonds** (Torfaen) (Lab): A condition of our membership of the European Union is that we are also a signatory to the European convention on human rights. Can the Attorney General confirm that this Government are committed to remaining a signatory to the convention and not to join Belarus, the only European country that is not a signatory?

**The Attorney General:** I am not sure that the hon. Gentleman's first statement is entirely correct, but the Government's intention is nevertheless clear: we are not seeking to leave the convention but we are seeking to construct a better and more sensible arrangement on human rights law in this country. We do not think that the interpretation of the convention by the European Court of Human Rights is always sensible, and we wish to see a good deal more common sense being brought into human rights law. I regret that that opinion is not shared by Her Majesty's Opposition.

**Andrew Gwynne** (Denton and Reddish) (Lab): I appreciate that the Attorney General's hands are tied somewhat, in that nobody in the Vote Leave campaign has been clear about what we would be leaving to, but surely his officials will have made some assessment of the amount of legislative time that would be taken up by this Parliament trying to unpick 43 years of our involvement in European laws, rules and regulations.

**The Attorney General:** I have just quoted the remarks of Professor Wyatt when he gave evidence in the other place. There is no doubt that considerable time and effort would be required in those circumstances. Of course it is difficult to be specific, because it would rather depend on what alternative arrangements were sought, post-departure from the European Union. The hon. Gentleman is right to say the onus is on those who wish to leave to explain what the world would be like if we did so.

**Mr David Nuttall** (Bury North) (Con): This is very simple to explain. What it would mean is that this Parliament and our courts would take back control of our human rights legislation. It is a simple matter. Does the Attorney General agree?

**The Attorney General:** The human rights laws within European law are extremely limited. The charter of fundamental rights within the European Union law canon does not create new rights and, as my hon. Friend knows, the European convention on human rights is a separate institution. He is wrong to suggest that this would be simple in any way; it would be extraordinarily complicated and take a very long time.

#### Internet Trolling and Online Abuse

6. **David Rutley** (Macclesfield) (Con): What steps the Crown Prosecution Service is taking to increase prosecution rates for internet trolling and other forms of online abuse. [904467]

7. **Michael Fabricant** (Lichfield) (Con): What steps the Crown Prosecution Service has taken to increase prosecution rates for internet trolling and other forms of online abuse on social media; and if he will make a statement. [904468]

**The Solicitor General (Robert Buckland)**: The Crown Prosecution Service recently revised its publicly available social media guidelines. They are subject to a current consultation, which will result in the publication of finalised guidelines on serious offences later in the year.

**David Rutley**: Does my hon. and learned Friend agree that the effect of online abuse on mental health can be damaging, particularly among young people? Will he urge the social media sector to engage with the CPS and other agencies to root out poor behaviour and signpost the support that is available to victims in law?

**The Solicitor General**: Online abuse can sometimes be worse than face-to-face abuse, because it is all-pervading and does not end at the school gates or allow for privacy at home. The Director of Public Prosecutions has met several social media providers, and the CPS will continue to work with them on measures to improve the reporting and prosecution of such abuse.

**Michael Fabricant**: Even I have been trolled on Twitter. I do not know whether it was Momentum or someone else, but people have doubted the provenance of my hair. Can you believe that?

However, a friend of mine has a young son of 16 who has also been trolled on Twitter. He did not take it as lightly as I do and the poor boy has harmed himself, which is a serious matter. I was interested to hear the Solicitor General's reply to my hon. Friend the Member for Macclesfield (David Rutley), but what steps can we take to deter young people from bullying other young people on Twitter, Facebook and other social media?

**The Solicitor General**: I am naturally reticent to trespass upon the bailiwick of my hon. Friend's hair, so I will confine my remarks to the serious issue he raised about the mental health impacts on young people. Work is being done on training so that CPS prosecutors can enable victims and users to report abuse and, in particular, to ensure that offending content can be removed by providers.

**Tom Elliott** (Fermanagh and South Tyrone) (UUP): What action is being taken in schools in conjunction with the Department for Education to try to curtail the amount of online abuse aimed at young people?

**The Solicitor General**: The hon. Gentleman will be aware that a massive amount of work is being done by not only the Department for Education, but the third sector on cyber-bullying and its effects on young people. The combined approach that is being taken in schools the length and breadth of the country is not only alerting young people to the dangers, but empowering them to make complaints, so that they do not have to suffer in silence.

## EU Withdrawal: Effects on Human Rights

8. **Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): What assessment he has made of the potential effect on the protection of human rights of the UK leaving the EU. [904469]

**The Attorney General (Jeremy Wright)**: Through the European Union, the UK amplifies its work to promote and protect democracy around the world, increasing the UK's influence on a range of issues. When 28 member states speak out against the most serious violations of human rights, that can help to set the agenda at the UN and other international organisations. That is a valuable way in which the UK can promote its values.

**Dr Cameron**: The EU charter reflects wider international standards and obligations that the UK has a history of championing. By moving away from it, we risk undermining human rights and respect for international law. What advice does the Attorney General have about the weakening of legal human rights safeguards that could follow?

**The Attorney General**: If the hon. Lady is referring to the European Union charter of fundamental rights, it does not create new rights for British citizens, as made clear in protocol 30 of the Lisbon treaty, so there would be no significant consequence of departure in that way. However, there is a considerable advantage to the UK in communicating its views and aspirations on human rights protection not just in this country, but abroad, if we were no longer able to act through the medium of the European Union, as we do through other international organisations.

**Richard Arkless** (Dumfries and Galloway) (SNP): The Secretary of State for Justice recently told the Select Committee on Justice that, as far he was concerned, the framework of human rights across the UK was a reserved matter. Given that the Attorney General advises the Government on legal issues, will he explain why the Government's view is that the human rights framework is reserved when it is not included in the exhaustive list of reservations in schedule 5 to the Scotland Act 1998?

**The Attorney General**: As the hon. Gentleman knows, it is the Government's view and mine that any change to the Human Rights Act 1998 as a piece of legislation is not a devolved matter—it is a reserved matter. That is the issue on which my right hon. Friend will shortly be bringing forward proposals.

**Christina Rees** (Neath) (Lab): The shadow Attorney General, my hon. Friend the Member for Kingston upon Hull East (Karl Turner), cannot be with us today because he is busy changing nappies. May we congratulate him on the birth of his first baby, a beautiful daughter, Stella-Mae? We wish him and his partner, Leanne, all the best.

Does the Attorney General agree that if the UK left the EU, it would not only be human rights in Scotland that would be affected? Surely there would be a question over the whole devolution process in Wales and Northern Ireland. We should not forget that the agreement that

gave us the institutions in Northern Ireland took membership of the EU as a given, and if the UK left the EU, it would lead to unwelcome uncertainties.

**The Attorney General:** May I begin by adding to the hon. Lady's congratulations to the shadow Attorney General on the new arrival in his household? We wish them all well. May I also congratulate her on taking on her new, temporary, but none the less important, responsibilities at the Dispatch Box? On her question, she knows, because she has heard me say it many times before, that I take the view that the protection of human rights in this country can perfectly adequately be undertaken by the British Government and by British courts. However, there is no doubt that were we to leave the European Union, a range of complexities would follow, not all of which we have discussed. There is no doubt in my mind that because of those additional complexities and because, on balance, I think there is huge advantage to Britain in remaining in the EU, that is the right decision for us to take.

#### Prosecutions for Offshore Tax Evasion

9. **Mr David Hanson** (Delyn) (Lab): How many prosecutions there have been for offshore tax evasion since 2010. [904470]

**The Attorney General (Jeremy Wright):** All tax evasion prosecutions are conducted under domestic tax law and no distinction is made in central records between offshore tax evasion cases and other tax prosecutions, but I can tell the right hon. Gentleman that the total number of convictions since 2010 for tax offences is 2,647.

**Mr Hanson:** I am grateful for that answer, but the Attorney General will now know, through the revelations in the Panama papers, that industrial-scale money is going offshore. What role will his Department be playing in advising the Prime Minister's taskforce on that tax evasion? Does the Attorney General expect any illegality to come out in that review? If so, what resources does he have to ensure that prosecutions take place?

**The Attorney General:** As the right hon. Gentleman may know, the Serious Fraud Office, an agency that I superintend, is contributing to that taskforce, and £10 million of new money is available to support the work of the taskforce. As he would expect me to say, the question of who, if anyone, gets prosecuted as a result of that work is not for politicians, but for independent prosecutors, to determine. I am confident that the Crown Prosecution Service and the SFO have the resources they need to pursue this. As he will also know, the Government are providing additional tools by which that can be done, including the creation of new offences, both for individuals and for corporate entities that fail to take the necessary action to prevent the facilitation of tax evasion.

**Jo Stevens** (Cardiff Central) (Lab): Tax evasion is not a victimless crime, and tax avoidance also has consequences. Both take money out of our hard-pressed public services and away from the people who work in them. This money could be used to fund more police, hospitals, schools and other local services, all of which have had severe cuts under this Government. There is a growing

tax gap, and there have been a very limited number of prosecutions. How can the public therefore be confident that the Government are doing everything they can to crack down on overseas tax evaders, given the performance to date?

**The Attorney General:** I do not accept that the performance to date has been ineffective. As I have explained, there have been successful prosecutions of those who evade tax. As the hon. Lady will know, it is not simply criminal prosecution that exists in order to take action against those who avoid or evade tax; civil penalties are also available to Her Majesty's Revenue and Customs, and they bring in a substantial amount of money as a result of the actions that that agency takes. She is right about there always being more to do, which is why I highlighted two particular measures in the field of enforcement and criminal prosecutions that this Government are taking, and I look forward to the Labour party's support for them.

#### WOMEN AND EQUALITIES

*The Minister for Women and Equalities was asked—*  
**New Junior Doctor Contract**

1. **Paula Sherriff** (Dewsbury) (Lab): What discussions she has had with the Secretary of State for Health on the effect on gender equality of the proposed new junior doctor contract. [904441]

16. **Tom Brake** (Carshalton and Wallington) (LD): What discussions she has had with the Secretary of State for Health on the effect of the proposed new junior doctor contract on women in that profession. [904458]

**The Parliamentary Under-Secretary of State for Health (Ben Gummer):** The Secretary of State fully understands his obligations under the Equality Act 2010 and his public sector equality duty. He is aware that he must pay due regard to each of the statutory equality objectives, which cover all of the protected characteristics, not just those that affect women. The new contract is a huge step forward for achieving fairness for all trainee doctors. For the first time, junior doctors will be paid and rewarded solely on the basis of their hard work and achievement, whether they work full or part time. Pay progression will be linked to the level of training rather than arbitrarily to time served. On 31 March, we published the equality analysis and family test alongside the new national contract.

**Paula Sherriff:** By next year the majority of doctors working in our NHS will be women, yet the Government have freely admitted in their own equality impact assessment of the new junior doctor contract that aspects of it will disproportionately hit female doctors, so how can the women and equalities department possibly condone this shocking treatment by the Government?

**Ben Gummer:** I thank the hon. Lady for bringing this important matter to the attention of the House. I know that she will want to read the full equality impact

assessment over the weekend, and she will find if she does so that it makes it clear that this contract is good for women, that it is a fairer contract and that it does not directly or indirectly discriminate against women. That is why I am very keen to see it implemented as fast as possible.

**Tom Brake:** What estimate has been made of the expected drop in the number of women doctors five years after the contract has been imposed, and how will the skills gap be filled?

**Ben Gummer:** We anticipate that this contract is better for women in a series of different ways and we expect women to be able to engage more easily with the workforce than they have under the previous contract. We believe that it is better for working mothers and better for women who are taking time out for maternity leave. For those reasons, we hope that it will reinforce the continued progression of women in the medical workforce, of which we are very proud in the Department of Health.

**Andrew Stephenson (Pendle) (Con):** Can the Minister confirm that the new contract will mean that those who work the most intense and unsocial hours will be better rewarded?

**Ben Gummer:** I can confirm that. It will also ensure that women will not be subjected to the enormously onerous hours enforced under the current contract, which make the balance between work and family life completely impossible.

**Mr Philip Hollobone (Kettering) (Con):** Can my hon. Friend confirm that under the existing contract two doctors doing the same job with the same level of responsibility and the same hours can be paid differently, but that under the new contract the total number of hours that can be worked will be reduced from 91 to 72, and that that will be especially welcomed by female doctors?

**Ben Gummer:** I can confirm that and it shows once again my hon. Friend's attention to the detail of the contract. It should be made clear to the House that the British Medical Association agreed almost all of the contract that we are now putting in place, including many of the aspects that the Opposition are now seeking to attack.

**Kate Green (Stretford and Urmston) (Lab):** It surprised me to hear both the Minister today and the Prime Minister, during Prime Minister's questions yesterday, claiming that the contract is good for women, when the equality impact assessment provided by the Minister's own officials specifically says that it will have a disproportionate impact on women—an equality impact assessment that the Minister will not be at all surprised to hear that I have read in detail. How can it be right to introduce a contract, announce its imposition in Parliament in February and then only sneak out the equality impact assessment six weeks later during recess? Will he and his colleagues get back to the negotiating table and negotiate a contract that is good for patients and good for all junior doctors?

**Ben Gummer:** The hon. Lady is an expert in the history of equality impact assessments and the Equality Act 2010, and she understands it well. I must reassure her that through the entirety of the process the Secretary of State has been mindful of his duties under the Act, but not just for form. He is very keen to ensure that this contract is good for women, which is why at every single stage, both in negotiations with the BMA and in internal discussions, he has been mindful of his duties while trying to ensure that the contract is an improvement on the existing one. To be frank, we cannot return to negotiations with a party that does not wish to talk, and I urge the hon. Lady to get her colleagues to condemn the completely unnecessary action taken by the BMA, which put patients in danger.

### State Pension Age

2. **Diana Johnson (Kingston upon Hull North) (Lab):** What steps the Government are taking to address the effect of the increase in the state pension age on women. [904442]

6. **Christian Matheson (City of Chester) (Lab):** What steps the Government are taking to address the effect of the increase in the state pension age on women. [904447]

**The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara):** All women affected by faster equalisation reach state pension age under the new state pension system, which is more generous to many women than the previous system. In the first 10 years, around 650,000 will receive £8 per week more on average, due to the new state pension valuation.

**Diana Johnson:** Is the Minister aware of the recent Dutch case of a woman who was affected by changes to her retirement age, with more notice than many women in the UK have received? In that case it was found that the woman's human rights had been breached. Does the Minister think women in this country have had their human rights breached by the action that his Government have taken?

**Mr Vara:** The hon. Lady will be aware that the Dutch authorities are appealing that decision.

**Christian Matheson:** Nobody denies that the state pension age needed to be reformed, but it is the transitional arrangements that the Government have or have not put in place that have caused so much consternation. I cannot help wondering whether a cynical calculation has been made that those women will have reached retirement age anyway by the next general election. May I ask a straightforward question? Do the Government genuinely believe that the transitional arrangements are fair—yes or no?

**Mr Vara:** The transitional arrangements that were put in place in 2011 were debated in both Houses. The hon. Gentleman will be aware that initially it was proposed that the equalisation should be fast-tracked by two years. Following various debates and intensive negotiations, that was reduced to 18 months, at a cost to the Treasury of £1.1 billion. Transitional arrangements were made in 2011 and the Government have no plans to review them.



13. [904454] **Ian Blackford** (Ross, Skye and Lochaber) (SNP): This is about women and equalities. We know that a woman born in early 1953 will already have retired; a woman born in early 1954 will not retire until the second half of 2019—two and a half years later. That cannot be right. In a spirit of fairness, will the Minister look at this again and give some solace to the women who have to wait an unbelievably long time to collect what is rightly and fairly theirs?

**Mr Vara:** We need to accept that equalisation was necessary, first, because it was required by European Union directive and, secondly, because people are living longer. Women on the whole recognise that we need to equalise the state pension ages. We are not doing so as fast as some other countries, such as Germany and Denmark, which have already achieved what we are seeking to do.

**Ms Tasmina Ahmed-Sheikh** (Ochil and South Perthshire) (SNP): Following the resignation of the previous Secretary of State for Work and Pensions, Pensions Minister Baroness Altmann stated that he had

“often been obstructive to my efforts to resolve important pensions policy issues such as on women’s pensions.”

Now that the main impediment to change has been removed from Government, when can we expect an update on progress for the women of WASPI—Women Against State Pension Inequality—who have been so unfairly treated for so long?

**Mr Vara:** I do not agree with the hon. Lady’s assessment. As I said in my previous answer, the Government do not intend to review this matter because it was heavily debated and dealt with in 2011.

**Ms Ahmed-Sheikh:** I thank the Minister for his response, but what is the purpose of the Department and, indeed, of the women and equalities ministerial role if they do not address the inequalities that exist? We have had four parliamentary debates on the issue, MPs have asked dozens of questions, 186,000 people have signed a petition and we voted in this House to agree that the policy is unfair, so after all that, why is the Minister still prepared to defend an indefensible position?

**Mr Vara:** The hon. Lady was not in the House in 2011, but the issue, as I said, was heavily debated. A vote was taken after a Backbench Business Committee debate. As she knows only too well, a point of order was raised after that debate and the person sitting in the Chair at the time happened to be the first and former Chairman of the Backbench Business Committee. She made it abundantly clear that votes taken after debates tabled by the Backbench Business Committee are not binding on the Government.

### Effects of 2016 Budget

3. **Jim McMahon** (Oldham West and Royton) (Lab): What assessment she has made of the effect of measures in the 2016 Budget on different genders. [904444]

10. **Dawn Butler** (Brent Central) (Lab): What assessment she has made of the effect of measures in the 2016 Budget on different genders. [904451]

**The Economic Secretary to the Treasury (Harriett Baldwin):** The 2016 Budget helped 790,000 women and 540,000 men by cutting their income tax to zero. It helped 7.4 million women and 5.6 million men with an increase in their state pension, thanks to the triple lock. It helped millions of men and women drivers by freezing their fuel duty. Finally, the national living wage gave an immediate pay rise to 900,000 women and 500,000 men this month.

**Jim McMahon:** I thank the Minister for that answer, but she might be aware that the Labour party has commissioned research which shows that, since 2010, 86% of the total amount of cash saved from benefit changes and tax savings has come from women, disproportionately. Since the autumn statement, that figure has increased by 5%. How much more do women have to take the brunt of this Government before action is taken?

**Harriett Baldwin:** We completely do not accept that analysis, which, by the way, has not been published. It appears to take into account the fact that the child benefit for higher rate women, such as myself, has been removed. Is the hon. Gentleman making the case that that child benefit should be returned to higher rate taxpayers? Also, that analysis has not even been published, but similar analysis assumes that extra Government borrowing can make everybody better off—that does sound like the Labour party.

**Dawn Butler:** The Government’s own figures show that since 2010 there has been a dramatic drop—more than 10,000—in the number of women taking equal pay cases to the tribunal, yet over the same period there has been a significant increase in the number of men doing so. Can the Minister explain those figures?

**Harriett Baldwin:** I would have thought that the hon. Lady would welcome the fact that the gender pay gap is narrowing so much. In fact, the steps that we have taken in the 2016 Budget, which will increase the pay of 900,000 women, mean that the gender pay gap for the lowest paid will have been eliminated by 2020.

**Rehman Chishti** (Gillingham and Rainham) (Con): Does the Minister agree that the Chancellor’s measures on small business rates will be hugely beneficial to business women across the country?

**Harriett Baldwin:** I agree with my hon. Friend. I also point out that we are making substantial progress on the number of businesses in this country owned and managed by women, which I believe will also lead to greater gender equality.

**Cat Smith** (Lancaster and Fleetwood) (Lab): The Opposition welcome the Budget announcement about the removal of VAT on tampons, following the campaign led by my hon. Friend the Member for Dewsbury (Paula Sherriff). However, given that the Chancellor has previously reassured me that the £15 million raised from this tax would be providing funds to domestic violence charities and women’s refuges, can the Minister clarify something for me? Did the Budget include a £15 million cut to women’s charities, and where is this Government’s long-term economic plan for women’s safety?

**Harriett Baldwin:** I can confirm that the £15 million announced in the Budget will be allocated to the charities that the Chancellor announced. We have also announced a further £80 million of support for those kinds of initiatives to tackle violence against women in our society.

### Maternity Discrimination

5. **Mr Gareth Thomas** (Harrow West) (Lab/Co-op): What steps she is taking to tackle maternity discrimination. [904446]

**The Minister for Skills (Nick Boles):** I want to start by thanking the Equality and Human Rights Commission for the research it has led and for its report. The Government have accepted the great majority of its recommendations and will work with it, ACAS and employers to root out discrimination against pregnant women in the workplace.

**Mr Thomas:** I welcome the Minister's answer. I am aware of a number of cases of new mothers in my constituency who have lost their jobs after giving birth or experienced some other form of discrimination at work. Will he set out a timescale for implementation of the Equality and Human Rights Commission's recommendations, and will he create an opportunity, through the usual channels, for a debate in the House on that work?

**Nick Boles:** I am very happy to take up with the Leader of the House the possibility of having such a debate, because I would welcome it. The report made for depressing reading in some respects. Although it is welcome that 84% of employers think that it is important to support pregnant women and new mothers, it is frankly depressing that three in four mothers interviewed said that they had had a negative or possibly discriminatory experience during their pregnancy. We need to achieve a wholesale change in culture. I will resist putting a timeframe on implementation of that change in culture, because ultimately that is something that Governments on their own cannot do. However, a debate on how we can all work together to achieve that would be very welcome.

**Jim Shannon** (Strangford) (DUP): Many women still face difficult decisions when it comes to having a baby, particularly women in high-powered careers in places such as London, where house prices are extremely high and working part time simply is not an option. What are the Government doing to encourage businesses to adopt a modern approach, allowing women the prospect of a balanced work and family life and flexible working hours, where possible?

**Nick Boles:** The hon. Gentleman is absolutely right, but I know that he will welcome the introduction of the right to request flexible working and all the Government's interventions to provide further childcare support for working women of all ages and all income levels. I believe that that will help women who want to be able to balance engagement in the workplace with bringing up young children.

### LGBT Young People

7. **Clive Lewis** (Norwich South) (Lab): What steps she is taking to ensure that support and advice is provided to LGBT young people. [904448]

8. **Clive Efford** (Eltham) (Lab): What steps she is taking to ensure that support and advice is provided to LGBT young people. [904449]

**The Minister for Women and Equalities (Nicky Morgan):** We want every young person, regardless of their sexual orientation, to reach their full potential. That is why in March I announced a further £1 million fund to support schools to address homophobic, biphobic and transphobic bullying, in addition to the £2 million fund I announced in October 2014.

**Clive Lewis:** With Stonewall research showing that 55% of young lesbian, gay, bisexual and transgender people experience bullying, I am pleased to hear that the Government are spending extra money, but what else will they be doing to ensure that those issues are covered in the curriculum as well?

**Nicky Morgan:** The hon. Gentleman is right to mention the 55% figure. That is, of course, a drop from 65% in 2007, but we cannot in any way be complacent. In 2012, 96% of LGBT pupils reported hearing homophobic language in school. The PSHE Association published some excellent new guidance in October 2014 on diversity and relationships in its programme of study, as well as providing support to help teachers to tackle issues around bullying. Of course, having good personal, social, health and economics education and relationships advice, including material targeted at LGBT pupils and all their colleagues, is very important.

**Clive Efford:** Albert Kennedy Trust research has identified that 24% of the homeless youth population are LGBT. That is a disturbing figure, and the Government are planning to cut housing benefit for people under the age of 21. Does the Secretary of State think that the situation is going to get worse or better for those young people?

**Nicky Morgan:** As the hon. Gentleman will know, we gave just over £48,000 to the Albert Kennedy Trust in 2014-15 to develop national online mentoring services. We have also protected homelessness prevention funding for local authorities, totalling £315 million by the end of this Parliament.

**Mrs Maria Miller** (Basingstoke) (Con): Trans young people experience unacceptable and unlawful discrimination. Three months ago, the Women and Equalities Committee published a groundbreaking report outlining more than 30 recommendations to improve the lives of trans people. When can we expect a response from the Government?

**Nicky Morgan:** I had the pleasure last week of visiting the Young Transgender Centre of Excellence, which has just been opened by the LGBT Centre in Leicester, funded by BBC Children in Need. My right hon. Friend is absolutely right to mention the groundbreaking report published by the Committee that she chairs. She also mentioned the 30 recommendations, which we are working through. I am sure that, like me, she wants us to make

sure that when we respond, we do so in a full and open way. The report calls for significant changes to the law, complex changes to the NHS and changes to the policies and practices of more than a dozen public bodies, and I want to make sure that we get the response right.

**Michael Fabricant** (Lichfield) (Con): This Government, and the Prime Minister in particular, have done great things for equality for LGBT people, particularly with regard to gay marriage, but there is one area of terrible inequality—at least one. A promiscuous straight man can have sex with different women every night, and yet that man can give blood. A gay guy can be in a monogamous relationship, and yet he is completely forbidden to donate blood unless he is prepared to certify that he has been celibate for 12 months. That is medical and scientific nonsense. It is also unfair. When will it change?

**Nicky Morgan:** My hon. Friend and I have discussed this matter, and he knows that I have also discussed it several times with the Under-Secretary of State for Health, my hon. Friend the hon. Member for Battersea (Jane Ellison). The Under-Secretary of State for Health, my hon. Friend the Member for Ipswich (Ben Gummer), has also been listening to what my hon. Friend had to say.

We have lifted the lifetime ban on blood donation for men who have had sex with men. As my hon. Friend will know, the Advisory Committee on the Safety of Blood, Tissues and Organs, which sets blood donation guidelines, has announced that it is reviewing the evidence and the policy. We expect to hear from it sooner rather than later.

**Kate Osamor** (Edmonton) (Lab/Co-op): Earlier this year, LGBT mental health charity PACE was forced to close, citing cuts to its local authority budget as a major factor. Given that PACE had previously identified that more than a third of LGBT young people had made at least one suicide attempt, does the Minister share my concerns about the level of mental health support currently available for LGBT people?

**Nicky Morgan:** Members on both sides of the House will know of my long-standing interest in mental health issues for all young people, and of the priority that we give it in the Department for Education, which flows through to the priority we give it in the Government Equalities Office. In the financial year that has just ended, we provided £4.9 million to 17 voluntary and civil society projects delivering support to children and young people with mental health issues, including almost a quarter of a million pounds £250,000 to Metro Centre to establish a mental health service for LGBT young people and to those working with them across London and Kent. We are obviously looking at what we can do in this financial year to make sure that services will continue to be funded. Again, I will work with my colleagues in the Department of Health to make sure that people of all ages with mental health issues get the support they need.

**Mr Speaker:** I call Mr Martyn Day—get in there, man.

**Martyn Day** (Linlithgow and East Falkirk) (SNP): Thank you, Mr Speaker. You caught me by surprise.

Last July, the Prime Minister—

**Mr Speaker:** Order. You should start by just saying, “Question 11”. You can build up to your peroration ere long.

### Gender Pay Gap

11. **Martyn Day** (Linlithgow and East Falkirk) (SNP): What steps her Department plans to take to encourage businesses with fewer than 250 employees to close the gender pay gap. [904452]

**The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage):** We are absolutely committed to eliminating the gender pay gap in a generation, which is why we are requiring larger employers to publish their gender pay gap, as well as their bonus gap. We will support all businesses to do that, regardless of their size, with a £500,000 package, which includes UK-wide conference events, online software and, of course, targeted support to some of the male-dominated sectors. We also have the Think, Act, Report initiative, which is available to businesses of any size.

**Martyn Day:** Last July, the Prime Minister promised that companies with more than 250 employees would have to disclose their gender pay gap. This has already been pushed back by two months. A survey by the Chartered Institute of Personnel and Development has found that only one in four firms has done any analysis of this. Does the Minister think that progress in this area is good enough, and what will be done about it?

**Caroline Dinenage:** Of course, this is more progress than we had under any previous Government, but this Government are not complacent. The gender pay gap is the lowest on record and has virtually been eliminated for women under the age of 40 working full time. However, we have brought forward the quite demanding regulation that larger employers will now have to publish both their gender pay gap and their bonus pay gap, and also why we have released a big package of support to enable to us to support them through that process.

**Andrew Gwynne** (Denton and Reddish) (Lab): Since the Government introduced tribunal fees, the number of equal pay claims has fallen dramatically. The Government talk the talk on equal pay, but why are they making it more difficult for women to challenge unfair pay claims?

**Caroline Dinenage:** We are reviewing this at the moment, but the hon. Gentleman must be aware that many more cases are going through ACAS—over 80,000 more cases went through ACAS last year. Surely he agrees it is actually much better to sort something out through mediation—in a friendly and consolidated way—so that people can go back to their workplace without stigma or any form of hostility.

### Welfare Reform and Disabled People

12. **Margaret Ferrier** (Rutherglen and Hamilton West) (SNP): What discussions she has had with the Secretary of State for Work and Pensions on the effect on equality for disabled people of the Welfare Reform and Work Act 2016. [904453]

**The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara):** The Government set out our assessment of the impact of the welfare policies in the Welfare Reform and Work Act on 20 July 2015. Spending on disabled people will be higher in real terms in every year to 2020 than in 2010.

**Margaret Ferrier:** A Lords Select Committee report published last month said that the Government had hurt disabled people disproportionately through inaction on the provisions of the Equality Act 2010, through spending cuts and cuts to legal aid, and through removing protections with their red tape challenge. Will the Government apologise for their lack of respect for disabled people and for the complete contempt in which they hold them?

**Mr Vara:** If we look at the facts, we find that the Government are spending £50 billion every year on benefits alone to support people with disabilities or health conditions—that is more than 6% of Government spending. I think that answers the hon. Lady's question very clearly.

**Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): Research by Unison indicates that no group will be more adversely affected by welfare reform than people with disabilities. We are at risk of regressing on issues of equality. When will the Government actively heed the voice of people with disabilities and reverse these damaging policies?

**Mr Vara:** I remind the hon. Lady that this Government have done more for disabled people than any Government before us. [HON. MEMBERS: "Rubbish!"] I have just outlined the amount of money that this Government are spending. Under this Government, there are more than 3.2 million disabled people in employment. Employment helps people to have more fulfilled lives. We do not give up on people, unlike the Opposition parties.

### Employment Tribunal Fees

14. **Justin Madders** (Ellesmere Port and Neston) (Lab): What discussions she has had with the Secretary of State for Justice on the effect of the introduction of employment tribunal fees on access to justice for women who have experienced discrimination at work. [904456]

**The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara):** The hon. Gentleman will be aware that there is a post-implementation review of the introduction of fees in employment tribunals. That will consider, so far as is possible, the impact the fees have had on those with protected characteristics who use employment tribunals, as well as the types of case they bring.

**Justin Madders:** The review has apparently been on the Minister's desk since February, so I hope we get to hear the outcome soon. According to the Equality and Human Rights Commission, less than 1% of maternity discrimination claims now proceed to an employment tribunal. That means that 99 out of every 100 women who are discriminated against because of their pregnancy have no legal redress. Is he proud of that record or ashamed?

**Mr Vara:** Pregnancy and maternity discrimination are unlawful and totally unacceptable. That is why the Government and the Equality and Human Rights Commission jointly funded independent research into the matter. I assure the hon. Gentleman that the review will take into account some of the findings of that research.

### Public Appointments

15. **Fiona Bruce** (Congleton) (Con): What steps the Government are taking to increase the proportion of public appointments made to women. [904457]

**The Minister for Civil Society (Mr Rob Wilson):** Increasing diversity is essential to appointing the best people to our public boards. We are making real progress in increasing the number of women who are appointed. In 2014-15, 44% of new appointments were made to women, which is up from 39% in 2013-14. The steps that we have taken to increase diversity include streamlining the application process and increasing the awareness of opportunities through outreach and other events, a central website and the use of social media. We have introduced unconscious bias training for senior personnel in the Cabinet Office, including permanent secretaries and, indeed, senior Ministers.

**Fiona Bruce:** I thank the Minister for that comprehensive reply, which has pre-empted my supplementary. I wonder whether, in some cases, it is a lack of confidence that inhibits women in making an application for a public appointment. Could more be done to communicate to women that their applications are encouraged and will be successful?

**Mr Wilson:** It is really important that we get the very best people into public appointments. Women will play a crucial role in that. We recently received a report from Sir Gerry Grimstone that was commissioned to make appointment processes much more efficient, effective and streamlined. We have hit the highest figures ever recorded for women in public appointments, but we have not done enough. We want to go much further and to hit the 50% target we have set ourselves.

### Gender Pay Gap

17. **David Mowat** (Warrington South) (Con): What steps she is taking to tackle the causes of the gender pay gap (a) in general and (b) in STEM careers. [904460]

**The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage):** Closing the gender pay gap is good for women and, of course, for employers and our economy. That is why we are requiring large employers to publish their pay gap data. Occupational segregation is one of the main causes of the pay gap, which is why we have announced the ambition of a 20% increase in girls taking A-level maths and science by 2020.

**David Mowat:** I thank the Minister for that answer. A continuing cause of the pay gap is the lower incidence of women studying science and engineering at university. Does she agree that closing the STEM gap is a prerequisite for closing the pay gap?

**Caroline Dinéage:** My hon. Friend is absolutely right that jobs in science, technology, engineering and mathematics carry a significant wage premium. Although women make up 50% of STEM undergraduates, that simply does not translate into the workplace. That is why we have set up a new careers and enterprise company to bring schools and businesses together to inspire and inform young people. We have also published guidance called “Your Daughter’s Future” to help parents to guide their daughters in subject and career choices.

**Ruth Cadbury** (Brentford and Isleworth) (Lab): The Women and Equalities Committee’s report on the gender pay gap showed strong and compelling evidence that increasing the availability of well-paid flexible work would make a significant difference in reducing the pay gap. What will the Government do to make flexible working easy and to encourage employers to offer it from the date of employment rather than having to wait for six months?

**Caroline Dinéage:** The hon. Lady is absolutely right. That is why this Government have done more than any before to extend the right to flexible working to all employees. We will continue to work with businesses to encourage them to get the very best out of every single one of their staff.

**Peter Kyle** (Hove) (Lab): The private sector has made great progress in gender equality in recent years, but there is still a big problem. Research by Simon Fanshawe has proved that there are more men called Andrew, David and John in senior positions in FTSE 100 companies than there are women. What more can the Government do to incentivise good practice and better gender equality in the FTSE 100? *[Interruption.]*

**Caroline Dinéage:** The answer is not to change the names of the men, as someone has suggested.

**The Minister for Women and Equalities (Nicky Morgan):** More Carolines!

**Caroline Dinéage:** Yes, more Carolines. The hon. Member for Hove (Peter Kyle) is absolutely right, which is why the Government have done more than ever before to encourage FTSE 100 companies to address that issue. There are now no all-male boards in the FTSE 100. The next stage is to look at the executive pipeline and to make sure that we are encouraging women at every stage, so that we have more women on boards than ever before.

## Business of the House

10.32 am

**Chris Bryant** (Rhondda) (Lab): Will the Leader of the House give us the forthcoming business, please?

**The Leader of the House of Commons (Chris Grayling):** If you will allow me, Mr Speaker, I will first say that the shadow Leader of the House, myself and the Scottish National party spokesman all have something in common this morning. We should feel slightly anxious after the march of the deputies at business questions just before the recess. I congratulate all three of them on doing a star turn. *[Interruption.]* There will be another opportunity shortly, as well.

The business for next week is as follows:

**MONDAY 18 APRIL**—Debate on a motion on the introduction of the national living wage and related changes to employee contracts, followed by debate on a motion on educational attainment in Yorkshire and the Humber. The subjects for these debates were determined by the Backbench Business Committee.

**TUESDAY 19 APRIL**—Remaining stages of the Bank of England and Financial Services Bill *[Lords]*.

**WEDNESDAY 20 APRIL**—Consideration of Lords amendments to the Energy Bill *[Lords]*, followed by debate on a motion on recognition of genocide by Daesh against Yazidis, Christians and other ethnic and religious minorities. Debate on a motion on record copies of Acts. The subject for this debate was determined by the Backbench Business Committee.

**THURSDAY 21 APRIL**—My right hon. Friend the Prime Minister will propose an humble address, to mark the occasion of Her Majesty the Queen's 90th birthday; I am sure the whole House will participate.

**FRIDAY 22 APRIL**—The House will not be sitting.

The provisional business for the week commencing 25 April will include:

**MONDAY 25 APRIL**—Consideration of Lords amendments, followed by debate on a motion on education funding in London. The subject for this debate was determined by the Backbench Business Committee.

**TUESDAY 26 APRIL**—Remaining stages of the Policing and Crime Bill (day 1).

**WEDNESDAY 27 APRIL**—Consideration of Lords amendments.

**THURSDAY 28 APRIL**—Debate on a motion on World Autism Awareness Week, followed by a debate on a motion on Her Majesty's Revenue and Customs' "Building our Future" plan. The subjects for these debates were determined by the Backbench Business Committee.

**FRIDAY 29 APRIL**—The House will not be sitting.

I should also like to inform the House that the business in Westminster Hall for 25 April will be:

**MONDAY 25 APRIL**—Debate on an e-petition relating to the meningitis B vaccine.

**Chris Bryant:** I, too, congratulate my deputy, my absolutely wonderful and magnificent hon. Friend the Member for Great Grimsby (Melanie Onn), and all her opposite numbers, on their impressive appearance at the last business question. I think that was the first time that all three Front Benchers at business questions were

women, so in the words of Annie Lennox, "Sisters are doin' it for themselves". *[Interruption.]* I will come to the hon. Member for Lichfield (Michael Fabricant) in a moment.

I also wish my hon. Friend the Member for Wolverhampton North East (Emma Reynolds) and her fiancé Richard well for their wedding on Saturday. I note that not many Tories are in the Chamber today. I gather that is because there is an away day for the Conservative party, or perhaps two away days in different parts of the country. Apparently it is a dress-down event, and I have a horrible image in my mind of the hon. Member for Lichfield preparing his outfit; I will leave that there. *[Interruption.]* I have seen it before, yes, and it is not very pretty.

Mr Speaker, on 10 March I asked whether you could hear the slow ebbing down the beach of the authority of the Prime Minister, and boy wasn't I right?

"When there is so much still to be done to improve the life chances of the most vulnerable, it is difficult to justify putting middle class tax cuts before the needs of the working poor, and the socially disadvantaged".

That is not me; it is the Conservative hon. Member for Central Suffolk and North Ipswich (Dr Poulter). Even Tories admit that the Prime Minister is now a busted flush, and we had a classic example of that yesterday during Prime Minister's questions. I bet the Prime Minister thought that he was giving a helpful plug for the production of "The Curious Incident of the Dog in the Night-Time". However, the author of the book, Mark Haddon, was absolutely horrified when he heard that, and he immediately tweeted his agreement with Johnny Marr of The Smiths, who wrote:

"David Cameron, stop saying that you like The Smiths, no you don't. I forbid you to like it."

There are 63 private Members' Bills on today's Order Paper, and two new ones were added this week. When their proposers, the hon. Member for Selby and Ainsty (Nigel Adams) and my right hon. Friend the Member for Don Valley (Caroline Flint), were asked, "Second Reading, what day?" by you, Mr Speaker, they replied "28 April", even though they, you, I, and everyone else knows that we will not be sitting on that day or any other Friday this Session. Incidentally, why on earth do you say, "Second Reading, what day?" as if you are Yoda in "Star Wars"? Why can't you just say it in proper English? Mind you, you do quite a good impersonation, especially when you call "Andrew Selooos".

Yesterday there was an excellent debate on all these matters in Westminster Hall. Many hon. Members think that the current system of private Members' Bill is a complete waste of time that frankly brings the House into disrepute. When the Procedure Committee produces its forthcoming report, will the Leader of the House make proper time for us to debate changes if that is what the House wants?

Will the Leader of the House do something about the small business Minister—I mean the Minister for Small Business, Industry and Enterprise—who has become terribly patronising of late? She called me "darling" on "Question Time" last week, and all I can say is that I have been patronised by much better women than her. I also have a terrible fear that she thinks she is becoming Maggie—Maggie Smith, that is, the dowager countess

in “Downton Abbey”. She cackles away through debates so much that she almost makes me seem calm and reasonable.

On Tuesday, the Minister praised the role that the Community union has played in the steel crisis, which is absolutely right. However, she and her colleagues in the Department for Business, Innovation and Skills are the very Ministers who are forcing the Trade Union Bill through Parliament, which is an utterly partisan piece of legislation that tries to cut the legs off trade unions and is being cut to ribbons in the House of Lords. Would she be far better off listening to Community, which says that the Bill is a bad piece of legislation that will severely damage the finely balanced relationships between trade unions and business?

May we have a debate—this cannot be an Opposition day debate, because the Leader of the House has not given us one—on boardroom pay? The chair of the remuneration committee at BP, Professor Dame Ann Dowling, is giving its chairman a 20% pay hike, taking his remuneration to £14 million in a year when the company has made its biggest ever losses and cut 25% of its workforce. What message does it send from the Government that Professor Dame Ann Dowling has been a non-executive board member of the Department for Business, Innovation and Skills since 2014? Why do the Government not just have a great big sign printed and put up over the Department saying, “There is one rule for the rich and quite another for the rest of you”? In fact, why do they not just get 20 of them printed and put them over the Treasury, Her Majesty’s Revenue and Customs, and Downing Street? Fundamentally, that is the Government’s motto today, is it not?

Finally, may we have a debate on underachievement? Some people on the Conservative Benches seem to think that if you are not a millionaire you are a failure, but let me tell them who really achieve something in life. It is the woman who gets up at 4 am to walk two miles to catch the bus to clean a hotel for 13 hours for the minimum wage. It is the widower who does two jobs to make sure he can put food on the table for his children. It is the middle-aged woman who gives up her job to care for her elderly dad. It is the teacher, the squaddie, the nurse or the dinner lady who goes way beyond the call of duty. Frankly, I would be proud to sit in a House full of people like that, rather than have to face that bunch of real deadbeats over there: a Health Secretary who has completely alienated the whole of the NHS; a Business Secretary who does not know where Mumbai is; and a Chancellor who produces a Budget so unfair that it even made the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) cry.

**Chris Grayling:** May I first thank all those who were involved in organising the security stand in Portcullis House yesterday? I hope Members on all sides of the House will take advantage of the package and the equipment on display. I am very pleased to have learned that they ran out of equipment, such was the degree of interest. I am grateful to all those involved.

The shadow Leader of the House started by talking about poverty. Let me just remind him that under this Government child poverty and inequality are falling, and that the proportion of tax paid by the wealthiest in our society is rising. I will take no lessons from the Labour party after its shambolic decade in government

left 2.5 million people unemployed and communities struggling with a failing economy. We have turned it around in a way that they could have never done.

The hon. Gentleman raised the Procedure Committee’s report on private Members’ Bills. It is, of course, open to any Select Committee to bring a matter to this House. I am very responsive to the thought that we should have a detailed discussion about the Committee’s recommendations. We should always look at ways to improve the system.

I was a little surprised to hear a “Star Wars” joke from the Jar Jar Binks of the Labour party, and I have to say it was a little unfair. I have always regarded you as a man of greater stature than Yoda, Mr Speaker, and I am surprised that the shadow Leader of the House would even make that comparison.

I remind the hon. Gentleman that the purpose of the Trade Union Bill is to stop trade unions holding the public to ransom. We see time and again relatively small groups of workers bringing our transport system to a halt and doing damage to far more workers. That is why we are the party of the workers: we represent the millions travelling to work, not a tiny minority of trade unionists who want to cause trouble for our country.

On boardroom pay, it is of course a matter for private companies and their shareholders what they pay their directors, but I would never condone inappropriately large pay rises. I hope all those involved in scrutinising businesses and attending annual general meetings of shareholders will always look very carefully to ensure the message that boardroom pay sends out is consistent with a well-managed company and a motivated workforce.

I am very happy to have a debate on underachievement. Actually, we have one every Wednesday at Prime Minister’s questions, because the biggest underachiever in this House is the Leader of the Opposition.

I, too, will be joining the Conservative party away day this afternoon. The truth is that Labour would really struggle to hold an away day, such are the divisions in that party and the desire to remove its leader. It is extraordinary to see a once-proud party scrabbling to try to find an identity for itself, and to see Labour Members sitting stony faced behind their leader, who underachieves week after week after week—[*Interruption.*]

**Mr Speaker:** There is too much noise in the Chamber. We must hear the Leader of the House.

**Chris Grayling:** Finally, something that I think will unite all in the House except Tottenham Hotspur supporters: I would like to wish Leicester City good luck for their final games of the premier league season. It would be an extraordinary achievement for 2,500:1 outsiders to end up winning. Talking of rank outsiders, I have been trying to put a few quid on another one: I asked the bookies if they would let me place a bet on the shadow Leader of the House winning the battle, in due course, to succeed you, Mr Speaker, but they thought the idea so bizarre that they would not even take my money.

**Sir David Amess (Southend West) (Con):** The European referendum campaign has kicked off with a controversy about Government leaflets, and now the local election campaign in Southend is also mired in controversy. Will

[Sir David Amess]

my right hon. Friend find time for a debate on local authorities' conduct during local election campaigns, because it is claimed that mine, which consists of seven individual groupings, is sending out blatant party political electioneering letters about an energy company, and is printing articles in magazines without the appropriate election imprint?

**Chris Grayling:** There are clear rules on how local authorities and others should conduct themselves in referendum and election campaigns. In a local authority, it is for the chief executive to ensure that those rules are followed, and there are appropriate authorities to complain to if that does not happen. I hope my hon. Friend will do that. As regards the national leaflet from the Government, suffice it to say it contains a fine picture of Felixstowe.

**Pete Wishart** (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the business for next week, and I pay tribute to our efficient, effective and excellent deputies for the business questions we were unable to make a couple of Thursdays ago, particularly my hon. Friend the Member for Ochil and South Perthshire (Ms Ahmed-Sheikh), who was the undoubted star of the show.

On the question of odds, I am interested in the challenge put to the shadow Leader of the House. I tried to place a bet in Scotland on who would succeed in the race to be the next First Minister, and the odds are better for him than the actual Conservative candidate, Ruth Davidson.

Yesterday, my right hon. Friend the Member for Moray (Angus Robertson) mentioned the number of benefits investigators working in the Department for Work and Pensions as against the number working in the affluent unit in Her Majesty's Revenue and Customs. After appearing just a tad bemused and embarrassed, the Prime Minister seemed to doubt the robustness of the figures, and said he would have them checked out. My right hon. Friend might have got the figures a bit wrong, because it is reported in *The Guardian* this morning that the 3,200 figure he quoted—the number of benefits investigators in the DWP—has swollen to 3,700. That compares with 320 working in the affluent unit. May we have a debate about these numbers? If the Prime Minister is still minded to challenge them, he could come to that debate himself and tell us what the figures actually are.

The Prime Minister has consistently and repeatedly refused to come before the Liaison Committee to answer questions about the EU referendum. It is an absolute and utter disgrace. He has a responsibility and obligation to come before the Committee Chairs to answer these questions. I do not know what is causing this anxiety and nervousness, but I am pretty certain that with a gentle approach from the Leader of the House, the Prime Minister might just be encouraged to fulfil his responsibilities and have a quiet, friendly chat with the Liaison Committee.

We were promised several statements on the military action in Syria, but we have not had any at all. I perhaps know why: there is nothing to report. There have been no military operations since the beginning of March,

and the fabled Brimstone system was last used on 18 February. We are supposedly engaged in Syria in supporting opposition forces fighting Daesh on the ground, but there is little evidence that that has been happening, so can we secure these promised statements, even if they are just the Defence Secretary telling us that nothing much is happening?

Lastly, Nessie has been found, but I am sorry to disappoint the House: it is not the fabled monster of lore but a hollowed-out old wreck that has been stuck in the deep for decades.

**Stewart Malcolm McDonald** (Glasgow South) (SNP): Scottish Tories.

**Pete Wishart:** I could not possibly comment or add to that, but the fact that the chaotic Labour party is overtaking the Conservatives in an opinion poll is perhaps a testament to this Conservative Government.

**Chris Grayling:** I can reassure the hon. Gentleman that I have absolutely no expectation or desire to be the next First Minister of Scotland. Equally, however, I am convinced that the Conservative leader in Scotland would indeed be an excellent First Minister, and it is clear that, whatever the outcome of the Scottish elections, the Scottish people think that she would be a better First Minister than the current Labour leader in Scotland. I suspect that is something on which we could agree.

There are thousands and thousands of people in HMRC whose job, day in, day out, and week in, week out, is to ensure that the right amount of tax is paid by people in this country and elsewhere, and to secure that amount. This Government's record is far better than those of their predecessors when it comes to securing the repayment of tax from overseas centres, and tightening the rules and closing loopholes—things that were never done when the Labour party was in power during the last decade.

I know that discussions are taking place between the Chair of the Liaison Committee and No. 10. Dates have already been provided, and dates are promised for the future. I have no doubt that the Prime Minister will continue to give evidence to the Committee in a proper way.

The last statement from the International Development Secretary on Syria was made in February, and I expect there to be a statement from the Ministry of Defence in the near future to update the House on defence matters there, as is right and proper. Back in March, the House was able to question the Foreign Secretary on what remain very important issues. I think all of us in this country hope that the ceasefire in Syria—which has not been completely kept, but which has at least taken things forward a step—will continue.

The hon. Gentleman mentioned Nessie and the Labour party, but what he said also highlights the fact that exciting developments in Scotland are sometimes fakes.

**Mr James Gray** (North Wiltshire) (Con): I am grateful to the Backbench Business Committee for finding time for a debate on the important issue of whether we should continue to use vellum to record Acts of Parliament, thereby asserting the right of the House of Commons to decide such matters. Will my right hon. Friend confirm that although a Cabinet Office Minister will respond to



the debate, this none the less remains House business, subject to a free vote—at least for the Conservative party—and offers us an opportunity to say to the House of Lords that we in this House feel strongly about these matters and want our view known?

**Paul Flynn** (Newport West) (Lab): It is a sinful waste of money when the Government are cutting the incomes of disabled people.

**Chris Grayling:** It is, of course, custom and practice for Ministers to be in the House, week in, week out, to respond to Back-Bench business debates, and a debate of this kind is no different. The debate in question is on the Order Paper, as I announced earlier, and the House will have an opportunity to discuss the issues shortly. The hon. Member for Newport West (Paul Flynn) will clearly wish to speak against the proposal, and I think that the shadow Leader of the House will wish to speak in favour of it.

**Mr Speaker:** Ian Mearns.

**Ian Mearns** (Gateshead) (Lab): If I may continue the “Star Wars” theme, it is grateful that I am, Mr Speaker.

Members will have noted from the business statement that Back-Bench debates will take place on four days in the next two weeks. I believe that there could well be two more weeks of business after that before the Queen’s Speech. We are still some way short of our 27 days, but we anticipate an amicable accommodation over the number of days allotted to Back-Bench business before Prorogation.

I know that we have just had questions to the Minister for Women and Equalities, but one thing occurred to me when it was too late to submit a question. The White Paper on education proposes the removal of the requirement for parents to be school governors. Parents will still be able to be governors, but as members of other categories. The removal of that requirement will have a disproportionate impact on women, particularly in primary schools, given the number of primary schools that are yet to convert to academy status. May we have a statement from the Minister for Women and Equalities about the implications of the White Paper for women and other minorities?

**Chris Grayling:** This subject was discussed in the House yesterday, and, as the hon. Gentleman says, we have just had Women and Equalities questions. Before any measures are formally introduced, the House will have further opportunities to debate them.

The hon. Gentleman made an important point about the subjects of future debates. As a Minister, I would not normally make a representation to the Backbench Business Committee, but if I may, I shall break that rule today. I think it would be a very good idea—there have been a number of requests for this over the weeks during business questions—for Members on both sides of the House to discuss the work being done by voluntary sector groups in their constituencies. I would venture to suggest to the Committee that providing such an opportunity in the next three or four weeks would constitute a very valuable response to those requests. Most of us have groups in our constituency that we

value and to which we wish to pay tribute, and a day’s debate on the subject would, in my view, be enormously valuable.

**Andrew Bridgen** (North West Leicestershire) (Con): According to polling by YouGov, 85% of the public believe that the Government’s recent EU leaflet was biased, and 58% disapprove of it completely. May we therefore have a statement from the Government, stating that no further such materials will be produced during the referendum campaign? Will they confirm that, following yesterday’s designation, the leave and remain campaigns will have parity on funding, spending power and media coverage?

**Chris Grayling:** The Government’s position is to support remaining in the European Union, and that was the context in which the leaflet was distributed. The leaflet has clearly provoked strong views around the country, in households where it has been discovered—in my household it was buried beneath the pizza leaflets. It will be fundamental over the coming weeks that both sides of the argument receive the appropriate support under the rules in the Acts that we debated and passed last year. I am sure that will happen and that the Government will ensure that it does. The broadcasters will also want to ensure proper balance between the two sides in the debate.

**Angela Smith** (Penistone and Stocksbridge) (Lab): In the middle of all the work I have been doing on the steel industry and local transport, I received a phone call from a distraught couple who run a hedgehog rescue centre in my constituency. They are currently nursing back to health a hedgehog found in Sheffield the other week whose spines had been cut off with a pair of scissors. They expressed their frustration that the perpetrators of this wicked act are very unlikely to be brought to justice. May we have a debate on the need not only to extend and increase the population of hedgehogs, for which the hon. Member for Plymouth, Sutton and Devonport (Oliver Colvile) has very often called, but to increase protection for these wonderful creatures?

**Chris Grayling:** I absolutely agree with the hon. Lady. I saw the shocking picture of that hedgehog. It beggars belief how low and unpleasant some people in our society can be—the act was utterly, utterly unacceptable. From time to time, we do find extraordinary examples of maltreatment of animals, and the law does allow for the prosecution of people who have committed such offences. I certainly hope that, if the perpetrators in this case are found, they will be prosecuted. That is a matter for the independent prosecution authorities, but I certainly urge them to take the issue very seriously. The Government will continue to look at ways of ensuring that we properly protect animals. I am sure that the hon. Lady will now join the campaign being led by my hon. Friend the Member for Plymouth, Sutton and Devonport (Oliver Colvile) to provide the protection that many tens of thousands of people clearly support.

**Mr Christopher Chope** (Christchurch) (Con): May we have an early debate on the potential role of the House of Commons in providing information to the public in the EU referendum campaign? The public have given

[Mr Christopher Chope]

up any hope of getting objective information from the Government. Does my right hon. Friend therefore agree that to maintain trust in our institutions the House of Commons Library could have a role in producing information so that our constituents can see the facts on how much we pay to the European Union each week, the negative balance of trade with the European Union, the impossibility of delivering our manifesto commitments to reduce net migration, and so on? Could we not put that on a dedicated House of Commons site, which would be respected as being objective?

**Chris Grayling:** We all pay tribute to the work done by the House of Commons Library—an immensely valuable service that provides dispassionate analysis. It also publishes the work it produces, although it is for Members to ask for that work in the first place. I have no doubt that my hon. Friend will seek that analysis so that it can be published and the public can judge for themselves the rights and wrongs of the case.

**Vicky Foxcroft** (Lewisham, Deptford) (Lab): It has happened again: another young boy has been tragically stabbed to death in my constituency. Myron, a talented young rapper, was well loved by his family and friends. We had a Backbench Business Committee debate on the subject, and we were looking to set up a commission. The Deputy Leader of the House told me at the last business questions to go ahead and set up that commission. I will do that, but how do I access Government funds to ensure that it is successful, and how do we ensure that the Government respond to its recommendations?

**Chris Grayling:** I am shocked to hear what the hon. Lady has just told us. It is a tragedy every time we lose a young person in such circumstances, and for it to occur more than once in the hon. Lady's constituency must be immensely difficult for her. I send all our condolences to the family and friends of the young victim. If it is helpful, I will ask Home Office Ministers to meet her to discuss the issue. We introduced further measures when I was Justice Secretary to tighten the law. A jail sentence is now the clear presumption where someone is caught carrying a knife a second time, and there are tougher penalties for aggravated knife crime. As much as anything else, it is about education and convincing young people of the dangers of carrying a knife—a task that should be shared across the House.

**Jeremy Lefroy** (Stafford) (Con): As a result of his disabilities, my constituent Daniel Baldawi needs a ceiling hoist in his bedroom. Like everyone else, he likes to travel and would like to stay in hotels from time to time, but he finds that very few—including in even the largest chains—make provision in their bedrooms for his disability. May we have a debate on how large hotel chains can provide in all their properties at least one or two rooms with a ceiling hoist so that people such as my constituent can exercise their right to travel and stay in different parts of the country?

**Chris Grayling:** My hon. Friend makes a really valuable point, which has not been brought to my attention before. I encourage him to apply for an Adjournment debate and put these points to the Minister responsible.

I hope that his simply bringing the issue up in the House will start to encourage hotel chains to think about doing something they might not have thought about doing in the past.

**Alex Salmond** (Gordon) (SNP): May we have an early debate entitled “Liberal democracy in the 21st century” to celebrate next Tuesday's by-election for the hereditary section of the Liberals in the other place? Seven declared candidates will face an electorate of three—the noble Earls of Glasgow and of Oxford, and Baron Addington. Electoral Reform Services will conduct the count, and the full results, including the number of first preference votes for each candidate and the position after the transfer of votes, will be available in the Printed Paper Office. How long will a party that has been rejected by the people be kept alive through political life support by patronage? Does the Leader of the House really propose to reduce the size of this elected Chamber when more than 800 Members in the House of Lords participate in these farces?

**Chris Grayling:** I have the highest regard for the right hon. Gentleman. I always thought he would champion endangered minorities—but clearly not in this case. He asks about Liberal democracy in the 21st century. The answer is that there is very little of it left, but at least there is one election left that they will win!

**Bob Blackman** (Harrow East) (Con): Last week, I had the privilege of visiting Mumbai with Sewa International, and together we opened a new school for disabled children. This remarkable school started with 55 young disabled people living and being taught in a single room by incredible teachers. Thanks to donations from the India diaspora in this country, a brand new facility has been built to enable 100 children to live and be taught in the area. May we have a debate in Government time to celebrate the contributions of various diaspora in this country to making life better for people in their countries of origin?

**Chris Grayling:** What I proposed earlier would very much provide my hon. Friend, the vice-chair of the Backbench Business Committee, with that opportunity. I pay tribute to all members of the Indian diaspora who have been responsible for such valuable support. I saw during my visit to the Tamil market that the British Tamil chamber of commerce organised in my hon. Friend's constituency last weekend further examples of first-rate voluntary sector work alongside exciting new businesses. I pay tribute to everyone involved in organising what seemed to me to be an enormously successful event.

**Paul Flynn** (Newport West) (Lab): Sir David Normington, having been liberated by retirement to tell the whole truth, said this week that he was approached in his office at least once a month by the Prime Minister and other Ministers and asked to favour Tory party donors, ex-MPs or other Conservative officeholders when making public appointments. When may we have a debate on patronage to discover why, for the past six years, the merit of applicants for key top jobs has been decided on the basis of their Tory party card or on the amount of money in their wallet?

**Chris Grayling:** There are times when I have to take a step back in amazement at the sheer cheek of Labour Members. Labour spent 13 years in government packing the public sector with its cronies and, six years later, we are still trying to achieve a sensible balance in our public services—so I will take no lessons from them. We are trying to provide a proper balance of expertise, background, gender and skills to ensure a properly representative public sector, not one simply packed with the Labour cronies we inherited in 2010.

**Mark Pawsey (Rugby) (Con):** A constituent tells me that a year ago he discovered that his energy supplier had been changed without his knowledge or consent, and that it took him a lot of time and effort to resolve the matter. It is still unclear whether this was a genuine mistake or an underhand marketing technique. This is a serious problem; it is estimated that there are 55,000 such cases every year. May we have a debate to consider the obligations on energy suppliers to prevent erroneous transfers and to ensure that they have a valid contract before they take over supply?

**Chris Grayling:** This is an important point. There are also vulnerable consumers who are convinced on the doorstep to make inappropriate changes, alongside the potential examples of fraud such as the one my hon. Friend describes. It is the role of the ombudsman to look at these issues and to deal with complaints against these organisations, but this is an example of the kind of consumer issue that should be brought regularly before the House, and I would encourage my hon. Friend to use one of the channels available to him to do that.

**Liz McInnes (Heywood and Middleton) (Lab):** The hon. Member for Pendle (Andrew Stephenson) claimed in Prime Minister's questions yesterday that Lancashire County Council was proposing to cut all funding to nine women's refuges, but a representative of the council tells me that the opposite is the case: the Government have pulled the Supporting People money and the council is filling the gap. May we have an urgent debate on the funding of women's refuges? This situation is far too serious for politicians to distort it for their own political purposes.

**Chris Grayling:** I make two points. First, we learned in Prime Minister's questions yesterday that the Government have provided many millions of pounds to support refuges. Secondly, the hon. Lady has many opportunities to bring debates before this House, and if she wants to have a debate with my hon. Friends, she is very able to do so.

**Philip Davies (Shipley) (Con):** May we have a debate on the 2% levy that the Chancellor has allowed councils to charge for social care? It seems that Bradford Council is spending only a very small proportion of that money on the independent care home sector, despite levying the full 2%. May we have a debate so that we can find out exactly what the Government intended the money to be spent on, to ensure that councils up and down the country, especially Bradford Council, spend it on helping care homes to pay for things like the national living wage, which I thought was the intention, rather than on other things?

**Chris Grayling:** Treasury questions on Tuesday will provide an opportunity for my hon. Friend to raise that question directly with Treasury Ministers. He identifies something that we often encounter ourselves—that Labour councils spend money not on the services that matter but on bloated bureaucracies and on their own interests.

**Kirsty Blackman (Aberdeen North) (SNP):** Huge portions of the Standing Orders of this place are frankly mince. They go out of their way to prevent scrutiny and representation, and instead ensure stacking in favour of the Government. The Procedure Committee has reviewed Standing Orders on a number of occasions, and it produced a comprehensive series of suggestions last year. Will the Government commit either to taking on the Committee's suggestions or to ripping up the Standing Orders and starting again with something a lot more workable?

**Chris Grayling:** We have been open to change since we first entered government in 2010 and have made extensive changes to the way in which the House works. We have been open to new ideas. I am open to new ideas, and I listen carefully to and regularly discuss the thoughts and issues raised by the Procedure Committee. In the time allocated to the Backbench Business Committee, the House has an opportunity to express its own thoughts on what needs to change, so I dispute what the hon. Lady says about there being no opportunity for Back Benchers to get their views heard. As Leader of the House, I am open to considering how we do things better.

**Mr Nigel Evans (Ribble Valley) (Con):** May the force be with you, Mr Speaker. I look forward to the Conservative love-in later today. May I recommend a similar no-knives-allowed event for the Labour party? Your biggest regret as Speaker is probably that you cannot attend.

One name that will not be on anyone's lips at the love-in is that of Fraser Cameron, a Eurocrat who, since the Dutch referendum, has said that the EU should ban any further referendums on anything to do with the EU. Will the Leader of the House make a statement from the Dispatch Box now to inform Fraser—to avoid any doubt, we will not call him Mr Cameron—that we live in a democracy and believe in what the people say, that this Conservative Government have given the British people a referendum and that the British Government will decide when we have referendums on such matters?

**Chris Grayling:** My hon. Friend has found an item on Europe on which the shadow Leader of the House and I would agree. The idea that we would deny people across the European Union the opportunity to hold referendums on issues that are important to them is absurd. There is a time and a place in a democracy for referendums and for consulting the people. The idea that we would not do so in future is ludicrous and the author should be profoundly embarrassed by his comments.

**Mr Barry Sheerman (Huddersfield) (Lab/Co-op):** May I offer an apology to the Leader of the House? During Foreign Office questions earlier this week, certain members of the anti-Europe brigade on the Government Benches shouted at those who were pro-Europe and I called them a bunch of grumpy old men. I realise now that that was a deeply ageist comment, for which I apologise.

[Mr Barry Sheerman]

May we have an early debate on consumer power? Through social media, we can now take on the likes of BP that pay disgraceful wages to their chief executives and the companies that are cutting ordinary workers' perks to compensate for the national living wage. May we have a debate on empowering consumers to punish these greedy people?

**Chris Grayling:** The hon. Gentleman makes an important point. When people ask for a change in the law on this or that, it is always worth remembering that one of the most powerful weapons available today, through the emergence of social media and mass communication, is direct consumer pressure on companies. If consumers disapprove of corporate behaviour, they can take their business elsewhere, which has an impact on performance, requiring such companies to learn lessons quickly. The power of the consumer is perhaps greater today than it has ever been.

**Martin Vickers** (Cleethorpes) (Con): Earlier this week the National Crime Agency stated that northern ports, particularly those on the Humber such as Hull, Grimsby and Immingham, were being targeted by people smugglers. When I last raised the matter with Ministers, they assured me that adequate resources were in place. In view of what the NCA has said, will the Leader of the House arrange for a Home Office Minister to make a statement?

**Chris Grayling:** I know that this is a matter of concern to my hon. Friend and, I suspect, to the hon. Member for Great Grimsby (Melanie Onn). We do not want smaller ports to be used in such a way. If they are, the extra measures that must be put in place may disrupt legitimate trade. The Transport Secretary is here next week, so I suggest that my hon. Friend take up the issue with him first of all, but I will ensure that Home Office Ministers are aware of his concerns.

**Paula Sherriff** (Dewsbury) (Lab): The Leader of the House and you, Mr Speaker, may recall my recent Adjournment debate on the staffing crisis at Mid Yorkshire Hospitals NHS Trust, where staff had confirmed they were unable to deliver basic care owing to a lack of trained personnel. I was therefore highly alarmed to learn this week that the A&E department at Dewsbury and District Hospital was operating with less than half the minimum safe staffing requirement. Does the Leader of the House agree that we should have an urgent debate on that alarming issue?

**Chris Grayling:** Clearly, the hon. Lady raises a significant problem for her and her constituents. I will make sure the Secretary of State for Health is aware of her concerns. She may wish to initiate a debate, but in my experience it is probably best to go to the Department straightaway and say, "There is an issue here. It has been raised in the Commons. Can you take a look?" I will do that for her, and I hope she has a happy birthday on Saturday.

**Roger Mullin** (Kirkcaldy and Cowdenbeath) (SNP): Thanks to Mr Speaker's own magnificent decision making, there will be a demonstration next Thursday on Speaker's Green of land mines and their removal by some of the

most important bodies in the land, including the HALO Trust, from Scotland. Given the importance of this humanitarian effort, may we have a debate in this Parliament about the impact of the conflicts going on throughout the world in terms of the subsequent clearing-up of the detritus of war?

**Chris Grayling:** As we know, land mines have created horrendous injuries and many thousands of people around the world are living with the consequences of them. The work that has been done by people across our society, from members of the royal family downwards, to help clear land mines and support their clearance around the world is immensely valuable. I pay tribute to those in the hon. Gentleman's constituency and in the rest of Scotland who have been part of that. The Secretary of State for Defence will be here on Monday, so the hon. Gentleman may also want to highlight the value of that work to him and talk about ways in which the UK Government can continue to help it.

**Justin Madders** (Ellesmere Port and Neston) (Lab): I was recently contacted by my constituent Rita Cuthell, whose father Ronald Volante sadly died while waiting nearly two hours for an ambulance to arrive after he suffered a heart attack. Mr Volante lived in a housing scheme that had a lifeline service, which he first contacted after experiencing pain. The inquest identified that despite the lifeline service provider having Mr Volante's full medical history, it failed to convey any information to the ambulance services. Had the provider done so, his previous heart problems would have been identified and that would surely have led to a greater priority being given by the emergency services staff who took the call. May we have a debate on the need to introduce a new standard for lifeline services so that any relevant information they hold is conveyed when a 999 call is made?

**Chris Grayling:** That is a shocking and very disturbing story, and we send our sincere condolences and good wishes to Mr Volante's family and convey our distress about the fact that this could happen. Clearly, one would wish the housing association involved to be acting quickly to make sure on the ground that that cannot happen again, but I will also make sure that my colleagues in the Department of Health are aware that this happened and ask them to look at whether there are lessons to be learned for the future.

**Andrew Gwynne** (Denton and Reddish) (Lab): May we have a statement from a Minister on the crisis in funding for local services? How can it be fair that every household in Audenshaw, Denton and Dukinfield has lost £414.74 in Government grant since 2011 and every household in Reddish and the Heatons has lost £297.35 in that same period, yet every household in Epsom and Ewell has lost only £13.12? We are not all in it together, are we?

**Chris Grayling:** The hon. Gentleman quotes the change figures, but he may wish to look at the absolute figures. We attempt to provide a fair balance of funding around the country. We take difficult decisions that ensure that local authorities have funding they can use to deliver necessary services while also enabling us to meet our

national targets. I assure him that councils in many parts of the country still receive far less than councils in his area.

**Stewart Malcolm McDonald** (Glasgow South) (SNP): When the House rose for the recess, a local shopkeeper in my constituency, Asad Shah, was tragically killed. He was a much loved, gentle and friendly man, and he will be sorely missed by many in the Southside of Glasgow. He was also a member of the Ahmadiyya Muslim community, and the police have identified that there was religious aggravation behind the killing. May we have a debate on the persecution that the Ahmadiyya community faces in this country and around the world, and what the Government are doing to tackle this cancerous form of sectarianism?

**Chris Grayling:** First, let me say how deeply shocked we all were by that terrible murder and we were even more shocked by the motivation behind it. I know the Ahmadiyya Muslim community well. I have met His Holiness and members of the community, and I know the good work they do in our country, the positive role that they play in our communities and how they want to bridge gaps between different communities in this country. The fact that shortly before his death Mr Shah had published a message of goodwill to Christians is a sign of what a valuable part of our community the Ahmadiyya are. The hon. Gentleman is right. As you will know, Mr Speaker, they are persecuted around the world. We should always be willing to be their defenders.

**Cat Smith** (Lancaster and Fleetwood) (Lab): The Leader of the House will be aware that we have just had Women and Equalities questions. I hope he is also aware that the Minister for Women and Equalities informed my hon. Friend the Member for Stretford and Urmston (Kate Green) that she is happy to have topical questions as part of that Question Time to allow Members to raise issues that have come up after the shuffle. Can he give the House any indication of when topical questions might be implemented for Women and Equalities questions?

**Chris Grayling:** I have said previously that I am open to change, and that change of this kind may be possible as we move into a new Session. We will have discussions about a number of issues, and I have talked about whether we should consider merging business questions and Leader of the House questions. There are a number of other areas in which we could make changes to the time allocated. We are considering these things and will have cross-party discussions about them. We are certainly open to making that kind of change.

**Margaret Ferrier** (Rutherglen and Hamilton West) (SNP): The case for reform of the private Members' Bill system was made by myself and other Members during a Westminster Hall debate yesterday. There is clear demand in this place and a public appetite for a fairer system. Frankly, the general public think that it is a farce. Will the Leader of the House introduce plans to reform timetabling of private Members' Bills?

**Chris Grayling:** I do not think that most of the general public have any idea what we do and how we do it as regards private Members' Bills. Sometimes there are examples of the system working immensely well, as

we saw with the debate on assisted dying, which I thought was this House at its best. Equally, there have been cases of people saying, "I don't understand why that is happening." The Procedure Committee is considering all this now and I have talked extensively to the Chair of the Committee about some of the ideas coming forward. I am receptive to looking at ways of improving the system and am waiting for the Committee to report so that we can have the discussion.

**Diana Johnson** (Kingston upon Hull North) (Lab): My question is one that I would have liked to ask as a topical question to the Women and Equalities team. This year, the Northern Ireland Assembly voted to maintain the ban on abortion even in cases of rape, incest and fatal foetal abnormality. Women accessing an abortion in those circumstances face a sentence of life imprisonment. In the light of the criminalisation in the last month of a vulnerable young woman who elsewhere in the UK and Europe would have received help from healthcare professionals and not faced imprisonment, and as it is the responsibility of this House to uphold the human rights of women in Northern Ireland, may we have a debate on this issue, as I think that many hon. Members would like to contribute?

**Chris Grayling:** I absolutely understand the hon. Lady's concern. I am not personally in favour of women who seek an abortion being punished for doing so, but, of course, this is a devolved matter. We have taken a conscious decision to pass that matter into the hands of the Northern Ireland Assembly, and I am afraid that we cannot easily have it both ways. We cannot say that it is the Assembly's decision, but that if we do not like that decision we will start to debate the issue ourselves. I agree with the hon. Lady, and I think we should make the sort of statements that she and I have just made, but ultimately this is a matter for the Northern Ireland Assembly.

**Grahame M. Morris** (Easington) (Lab): Will the Leader of the House consider having a statement or debate in Government time on the future of supported and specialist housing provision? It was raised by my hon. Friend the Member for Heywood and Middleton (Liz McInnes) a few moments ago and in PMQs yesterday. We had a debate in Westminster Hall on Tuesday at which a number of Opposition Members were in attendance. It is an important issue. It is important for the victims of domestic violence, for veterans, for elderly people, for people with learning disabilities and for people with mental health issues. There is a huge question mark hanging over the viability of specialist and supported housing, so if the Minister could make a statement or we could have a debate it would be very helpful.

**Chris Grayling:** I understand the importance of such housing. I visited a refuge in Gloucestershire a couple of weeks ago and I understand the nature of the challenge. We listened carefully to the representations made when the issue was debated in the House a few weeks ago, but I will make sure that the relevant Ministers are aware of the concerns that the hon. Gentleman raises. As we have extensive opportunities over the next month to debate such issues, perhaps he might like to have a discussion with the Chair of the Backbench Business Committee and ask that Committee to table a debate on the subject.

**Dr Philippa Whitford** (Central Ayrshire) (SNP): It is now two years since the abduction of more than 200 young schoolgirls by Boko Haram in Nigeria, and I am sure everyone in this House sends our sympathies to their parents. We can only imagine what that must be like. I would welcome a statement about what kind of support, if any, we are giving from this country to try to recover those girls.

**Chris Grayling:** I endorse what the hon. Lady says. It was a shocking incident and it remains a matter of deep concern to the international community. I can reassure her that we have been seeking to provide as much assistance as we sensibly can to the Nigerian Government to identify what may have happened and to help them identify ways of freeing the girls, and we will continue to do that. I can assure the hon. Lady that it is a matter of great concern for the Foreign Office. Of course, first and foremost it is a matter for the Nigerian Government, but we stand four square with them as a fellow Commonwealth country to try to address a challenge that remains an international blight that must be resolved.

**Nick Thomas-Symonds** (Torfaen) (Lab): During the recess I spoke at the Gwent St John Ambulance conference in Cwmbran in my constituency and saw the wonderful work that volunteers of that organisation do. May I add my support to the calls for a debate on the role of volunteering, including the incredible 191 million hours that volunteers contribute annually to the Welsh economy?

**Chris Grayling:** I pay tribute to that work around the country, not just in the hon. Gentleman's constituency. Those volunteers turn up at events all over the country, week in, week out, year in, year out, and we are immensely grateful to them for what they do. Fortunately, the Chair of the Backbench Business Committee is still in his place and will have heard that representation.

**Kate Osamor** (Edmonton) (Lab/Co-op): In Women and Equalities questions the Minister for Skills indicated that he would welcome a debate in this Chamber on maternity discrimination. Will the Leader of the House arrange a debate on that subject in Government time?

**Chris Grayling:** There are a number of ways in which the hon. Lady can bring an important issue to the Chamber. I have just described one way; another is the Adjournment debate system. If she feels strongly, I encourage her to request such a debate and you, Mr Speaker, or the Backbench Business Committee might select the topic for debate.

**Mr Gareth Thomas** (Harrow West) (Lab/Co-op): The one exam board that offers GCSE and A-level exams in Gujarati and other so-called minority languages has confirmed its intention to stop doing so in the summer of 2018, despite Ministers' promises last year that those exams would continue. May we have a debate on what action we as the House of Commons can take to stop the language of Mahatma Gandhi, of Prime Minister Modi and, crucially, of many of my constituents being downgraded?

**Chris Grayling:** I understand the concern that the hon. Gentleman raises. The Secretary of State for Education will be here on Monday week and he will have the opportunity to raise that issue then. We want to make sure that we have a good range of international languages—given the ties that we are building, have built and will continue to build with India, that is important—but we also want to make sure that the quality of education across the piece is right for those in migrant communities as they meet the employment challenges of adult life in this country.

**Callum McCaig** (Aberdeen South) (SNP): The Brexiteers suggest that because the UK has a negative balance of payments with the European Union, we should be seeking to leave. With that in mind, may we have a debate about the UK's place in the world? Given that we have a global trade deficit, perhaps we should be seeking to leave it, too.

**Chris Grayling:** We currently have a trade deficit with the European Union and a trade surplus with the rest of the world. It is the Government's strategy to try to improve our trade ties around the world, both inside Europe and elsewhere.

## Points of Order

11.29 am

**Vicky Foxcroft** (Lewisham, Deptford) (Lab): On a point of order, Mr Speaker. I feel really frustrated that I stand here and ask questions of the Leader of the House about what I am supposed to do to get Government support for a commission to look into the root causes of serious youth violence, and about how they will respond to it. I know that many Members ask questions and do not get answers, but this is a really important issue. I have taken all the advice I have received, such as seeking a Back-Bench business debate on setting up the commission. How do I ensure that I get answers to these important questions?

**The Leader of the House of Commons (Chris Grayling):** Further to that point of order, Mr Speaker. I did say to the hon. Lady that I would arrange a meeting between her and the relevant Home Office Minister in order to help her.

**Mr Speaker:** The Leader of the House anticipates me, because he will be pleased to know that my short-term memory suffices for me to recall that that was the advice that he proffered to the hon. Lady, or rather the offer that he made to her. My suggestion is that in the first instance the hon. Lady could usefully take up that offer, because I think that it would be worth while meeting Ministers and seeing where she gets. If, after that, she remains dissatisfied, she is welcome to consult me and I will try to advise her on how, through parliamentary routes, she can most time-efficiently—I emphasise time-efficiently—expedite the matter. Let us leave it there for today, but I absolutely understand the sincerity with which she speaks and the sense of urgency that impels her to raise the matter.

**Chris Bryant** (Rhondda) (Lab): On a point of order, Mr Speaker. Is there a means by which I can correct the Leader of the House, because he suggested earlier that I was in favour of keeping vellum? A Business Minister tells me that we need to keep vellum because we have been printing statute law on it for 1,000 years. Well, we certainly have not been printing anything for 1,000 years, we have not had statute law for 1,000 years, and we certainly have not been putting it on vellum for 1,000 years. I do not support keeping vellum.

**Mr Speaker:** The hon. Gentleman has found his own salvation. In my experience—I have known him for well-nigh 15 years—he almost invariably holds an opinion on every matter that comes before the House, and he usually feels a very intense desire to share that opinion, both with the House and with the wider world. In that objective, he has today undoubtedly succeeded.

## Backbench Business

### Iraq Inquiry Report

11.32 am

**Mr David Davis** (Haltemprice and Howden) (Con): I beg to move,

That this House calls on the Government to conclude the National Security checking of the Iraq Inquiry report as soon as possible in order to allow publication of that report as soon as possible after 18 April 2016, and no later than two weeks after that date, in line with the undertaking on time taken for such checking by the Prime Minister in his letter to Sir John Chilcot of 29 October 2015.

As an aside, Mr Speaker, I never cease to be impressed by your short-term memory.

The second Iraq war was started to liberate the Iraqi people. Instead, it shattered their country. It was intended to stabilise the middle east. Instead, it destabilised the middle east. It was intended to remove a threat of weapons of mass destruction that did not exist. Instead, it exacerbated and massively increased a threat of terrorism that does exist. It was supposedly fought in defence of our values, but it has led to the erosion of civil liberties at home and the use of torture abroad. Because we were misled on the matter, Parliament voted for the war by 412 to 149. So there were very good reasons for setting up the inquiry in the first place.

The war led to the deaths of 4,800 allied soldiers, 179 of them British. The lowest estimate of Iraqi civilian casualties was 134,000, but plausible estimates put the number up to four times higher. The war immediately created 3.4 million refugees, and half of them fled the country. It cost the British taxpayer £9.6 billion, and it cost the American taxpayer \$1,100 billion. It has done untold damage to the reputation of the west throughout the middle east and, indeed, among Muslim populations at home and abroad. Initiated to protect the west from terrorism, it has, in fact, destroyed the integrity of the Iraqi state and triggered a persistent civil war that has created the conditions for perhaps the worst terrorist threat yet to the west: ISIL or ISIS. The war has done huge harm to the self-confidence and unity of the west, in effect neutering our foreign policy. The war was, with hindsight, the greatest foreign policy failure of this generation, and I say that as someone who was misled into voting for it.

It has been more than six and a half years since Gordon Brown launched the Iraq inquiry and more than five years since it heard its last evidence. It has been more than a year since this House, in a similar debate, called for the Government to publish the Iraq inquiry report as soon as possible, and yet that report has still not been published. It is no surprise that one of the most pre-eminent politicians of our era, the highly respected and very civilised ex-Foreign Secretary, Douglas Hurd, branded the delays a scandal. He is right. They are a disgrace.

In 2009, the then Leader of the Opposition, who is now Prime Minister, was scornful about the suggestion that the report would not be published before the 2010 election. In 2009, Sir John Chilcot told families that he would complete the inquiry in a year if he could, but that it would definitely not take more than two years. In

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fact, the evidence taking did not conclude until 2 February 2011. Nevertheless, at that time—more than five years ago—Sir John Chilcot said:

“It is going to take some months to deliver the report itself.”

It has been 62 months and counting.

Then the inquiry started the classification process. Under the inquiry protocols, there are nine different categories of reason for turning down the classification—for preventing Sir John not from seeing the information, but from publishing it. What the inquiry can publish is determined by a series of protocols that have criteria so broad that a veto on application can be applied virtually at Whitehall’s discretion.

Compare that with the Scott inquiry into the Iraqi super-gun affair. It also covered issues of incredible sensitivity in terms of national security, international relations, intelligence agency involvement, judicial propriety and ministerial decision making—the whole gamut. Sir Richard Scott was allowed to decide himself what he would release into the public domain, unfettered by Whitehall, so that whole tranche of time—that couple of years—would have been unnecessary. By contrast, Sir John Chilcot, a former permanent secretary at the Northern Ireland Office who chaired an incredibly sensitive inquiry into intercept—some Members of the House may remember that—and who is considered a responsible keeper of the Government’s secrets, is tied up in protocols subject to the whim of Whitehall.

There have been long negotiations between the inquiry and Sir Jeremy Heywood, the Cabinet Secretary, and his predecessors over the disclosure of some material, most notably correspondence between ex-Prime Minister Tony Blair and George W. Bush. There is no point whatsoever in the inquiry if it cannot publish the documents that show how the decision to go to war was arrived at. That is, after all, the point of half the inquiry. Chilcot wrote in a letter to the Cabinet Secretary:

“The question when and how the prime minister made commitments to the US about the UK’s involvement in military action in Iraq and subsequent decisions on the UK’s continuing involvement, is central to its considerations”.

The negotiations between Chilcot and Jeremy Heywood concluded only in May 2014, when it was announced that an agreement had been reached. The process was clearly frustrating for Sir John. He queried why it was that

“individuals may disclose privileged information (without sanction) whilst a committee of privy counsellors established by a former prime minister to review the issues, cannot”.

He was of course referring to Alastair Campbell and Jonathan Powell’s respective diaries, which quoted such information, again without Whitehall veto.

Then came the excruciatingly long process of Maxwellisation. This is meant to be a process of notifying any people criticised in the report so they can correct factual errors and be ready to respond to those criticisms when they become public. It is not intended to allow protected negotiation between the commission and teams of expensive lawyers—incidentally, those expensive lawyers are paid for by the taxpayer—who negotiate ad nauseam, at any cost, to protect their client’s reputation, even over and above the national interest. That is what is happening.

We know that finally, after all that, the Iraq inquiry is now due to submit its report to the Government next week. The next stage will be security clearance before publication. The Prime Minister stated last October that he fully expected security clearance to take less than two weeks, the time taken by the equally enormous Saville inquiry. Let us remember that the Saville inquiry took decades to come to its conclusion, but it was cleared in two weeks. I cannot believe that clearance will take any longer than that, given, as we already know, that every single piece of this report has already been negotiated with Whitehall, presumably on the basis of security considerations.

Given that, and the Prime Minister’s declaration that he is as exasperated as anyone by the delays to publication, the public ought to expect the report to be published in the first week of May. That should be the reasonable conclusion, but that is not the case. There are now reports that the publication of the report will be postponed until after the EU referendum at the end of June. This is frankly outrageous. It is for this reason that I, together with right hon. and hon. Members from all parties in this House, have called for this debate. We demand that the Government publish the report as soon as security clearance is complete, and certainly no more than two weeks after its receipt.

While this inquiry has lumbered on, there have been at least three significant foreign policy decisions that could have been dramatically different had we had the benefit of the Iraq inquiry’s findings. The decision to intervene in Libya was intended to prevent a massacre, but since then, partly because we changed the aim to regime change, the country has descended into civil war and miserable, fractured chaos. On the question of regime change, when the Prime Minister first asked this House to support military action against the Assad regime in Syria in 2013, the House turned him down. Had the House not blocked military intervention, we could have ended up as military supporters of our now sworn enemies, IS. In Iraq, the UK is of course involved in the ongoing civil war that has raged since the invasion in 2003.

There are lessons to learn from the Iraq war about our foreign policy, our political decisions to go to war and our military operations. The longer we leave it, the less useful these lessons will be, and the more likely it is that we will make the same mistakes. When decisions such as those that were made in Libya, Syria and Iraq are made without knowledge of the facts, mistakes are made and sometimes people die as a result. Therefore, it is not hyperbole to say that the delay to the Iraq inquiry could cost lives because bad decisions may be made. I would go further and say that it probably has cost lives because bad decisions were made. Indeed, many of the revelations in the report will come too late to be useful in relation to decisions that have already been taken. This is the irrecoverable harm that has been caused by the delays—the unconscionable delays—in this inquiry.

**Mr Graham Allen** (Nottingham North) (Lab): The right hon. Gentleman is absolutely right that the Iraq war was the most appalling miscalculation and the most idiotic way of conducting foreign policy in living memory. As he is looking to the future, does he accept that the fracture within Islam that the war exacerbated and the Pandora’s box that was then opened of violence and



extremism within Islam, both in the middle east and internationally, are sadly the gift of the Iraq war that will keep on giving, and that there may be decades' worth of interventions from extreme Islamic elements across the globe?

**Mr Davis:** I do not think it is a question of “may be”; I think there will be the continued disruption of international affairs and the continued threat of terrorism. Europol's assessment that there are 5,000 jihadists in Europe implies an arrival rate of 1,000 a year, and the rate is going up, not down. It is clear that the hon. Gentleman is absolutely right.

That brings us to a significant point. When the individual Prime Ministers involved in each of the decisions I mentioned made their decision, I am sure that in their own mind they were doing the right thing—they were trying to save lives, to save a civilisation or to intervene to prevent further terrorism. The trouble is that every single one of them made simplistic decisions, without detailed understanding. The complexity of the issues they were reaching into was beyond their knowledge. It is correcting, enhancing and improving that knowledge that the inquiry report is all about.

I am no pacifist, but I find myself horrified at the thoughtless, aggressive and unnecessary interventions by the west in areas that it does not understand. I did not like the Gaddafi regime; I did not like the Saddam Hussein regime; I do not particularly like the Bashar Assad regime, but ripping them out has led to something even worse. The hon. Member for Nottingham North (Mr Allen) is therefore absolutely right in his analysis, which demonstrates why this report and its speed of preparation are so important.

**Mr Andrew Mitchell** (Sutton Coldfield) (Con): My right hon. Friend is making an immensely compelling point. Does he agree that when the report is published, which, I like him, hope will be as soon as possible, although the tendency in the British media will be to use it as a trial of the former Prime Minister—Blair guilty or innocent—the great gain of the report will be in showing how the whole mechanism of government worked in the run-up to the decision to go to war? A Prime Minister is not Dr Strangelove; this is about how the whole machine in Whitehall works.

**Mr Davis:** My right hon. Friend will forgive me if I do not follow him down his comparison between Dr Strangelove and past Prime Ministers, but he is right in one respect: the most important element of this is what we learn from our mistakes. However, there are also issues of accountability and closure, which I will return to in a moment.

**Pete Wishart** (Perth and North Perthshire) (SNP): I am reluctant to interrupt, because I am very much enjoying the powerful case that the right hon. Gentleman is making, but I invite him to ignore the representations of his colleague, the right hon. Member for Sutton Coldfield (Mr Mitchell), because this war is bound up with one key individual: Tony Blair. For ever and a day, he will be associated with this particular war. It was personalised around the personality of that Prime Minister. As far as I am concerned, he could have a tattoo across his forehead reading “Iraq”, such is his legacy. This will be a comment and a statement about his day. I was in this House when we voted to go to war, as was the right

hon. Member for Haltemprice and Howden (Mr Davis), and I had to listen to the nonsense and drivel that was that former Prime Minister's case for war. Please let us make sure that where blame is to be apportioned, it is apportioned rightly.

**Mr Davis:** I will come back to this issue in the latter part of my speech. My right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) and I have a very dear common friend who thinks that Mr Blair should be at The Hague, so there is a range of opinion on this, but to come to that conclusion today would be to pre-empt the report. I do not intend to do that, but I do intend to turn to the issue of accountability in a minute.

**Mr Graham Allen:** Just to get the balance correct, if we go back to the time of the vote, a majority of the non-payroll vote in the Labour party—122 Members, and I was proud to be one of the organisers—actually rebelled against their own Government. Had the Conservative party supported us we would not have gone to war. Those are historical matters, but it is important to place on the record that the biggest ever parliamentary rebellion within a governing party was by the Labour party on the issue of taking us to war. Many of us at the time realised that it would be a disaster, but none of us realised what an appalling disaster it would be—one that would carry on for decades and influence us domestically as well as in the middle east.

**Mr Davis:** The hon. Gentleman has made his point well, but one of the issues that the report will face up to, one hopes, is the veracity of what was told to the House that day. That will be one of the key issues, which is why the argument between Sir John Chilcot and Whitehall is very important. Reading between the lines of his letters, that argument was very much about what decisions were taken before the House made its decision and after—what was told to the House, whether it was accurate, whether it was based on impartial briefings and whether, indeed, the politics of the issue coloured the views of important components of the state. I am not going to attempt to answer those questions today, but I would be incredibly disappointed if the commission's report did not actually answer them in plain English. That is why I would not be drawn by my right hon. Friend the Member for Sutton Coldfield, who is a very great friend of mine. The report has to answer those questions; what the tabloid and other press do with the report the day after publication is not for me.

I will press on, briefly, with the lessons to learn not just about the war but about how we should conduct these inquiries. The Government now intend to review the Maxwellisation process, in which those who have been criticised in a report are given the chance to respond. That is to be welcomed, as Maxwellisation has been responsible for half the delays here. It is clear that strict time controls are needed for future inquiries. It cannot be right that those who are to be criticised can delay publication for their own interests, so I hope that strict time controls will arise as a result.

There is no reason for further delay. It has been suggested that the delay between the report being security cleared and its publication is because it needs to be proof-read and typeset. That would be unacceptable if

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true. The report is already in electronic format. It has already been repeatedly checked for accuracy, and will be checked again by the security services. It will have been read by more people than some newspapers. The fact is that the report has been pored over by many people for five years. We are in the 21st century, not the era of hot lead typesetting. Someone said to me this morning that I might have summarised the rather long motion rather more crisply by saying, “This House instructs Sir John Chilcot simply to press ‘send’.”

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): I am sure that the right hon. Gentleman agrees that the public at large, and bereaved families in particular, deserve answers, so redactions must be kept to an absolute minimum. Those families should not have to endure any further suggestions of a cover-up.

**Mr Davis:** The hon. Lady is absolutely right, but, to be honest with her, I will be astonished if there are any redactions in the report. I remember that once, when I was Chair of the Public Accounts Committee, a report was given to me about the overrun of MI5 and MI6 on their buildings. It had four chapters: the introduction, the chapter on MI6, the chapter on MI5 and the conclusion. The chapters on MI5 and MI6 were virtually identical, except that all the redactions were different. We rang up MI5 and said, “MI6 has agreed to all these,” then we rang up MI6 and said, “MI5 has agreed to all these,” and then we removed nearly all the redactions. They were political—they were redactions to preserve the interests of the bureaucracy involved, not the national interest. The simple truth is that the facts in the report have already been cleared. That is what two years of the argument was about. If there is a single redaction, I and others will be looking at it very closely and asking why it was not redacted years ago instead of now. The hon. Lady is absolutely right about the rights of the families in this affair.

There is no doubt that the whole country is fed up with waiting for the final report, but none more so than the families of those 179 British soldiers who died fighting for their country in Iraq. The families have suffered for years as this inquiry has dragged on and on, and it would be disgraceful to make them wait for months longer, just because the Government are worried about what effect—if any—the report will have on the referendum. I cannot imagine what impact that might be, given that there is no party political advantage in this to either side.

The Conservatives and Labour both supported the war. As the hon. Member for Nottingham North said, half the Labour party stood back or voted against it, and there is no advantage either way. The inquiry was started by Labour and supported by the Prime Minister. It is therefore inconceivable that the Government should seek to wait until after the June referendum to publish the report, and I hope that when the Minister replies to the debate, he will make it clear that that will not happen—I am sure he will address that point directly.

Let us put this issue in context. If the report waits until June, it will be seven years since the inquiry started, and some parents of the dead soldiers will have been waiting 10 or 12 years for an answer. To give the

House a simple comparison, the Israeli Government appointed the Winograd commission in 2006 to investigate the war with Lebanon. It produced its interim report not in seven years but in seven months, and it was highly critical of the existing Government that had set it up. The final report was produced after 17 months. Any argument for delay on grounds of political sensitivity or national security would be far more pressing in Israel, where that is a matter of daily life and death to all its citizens. Because of that, it is also a matter of very high and extremely important politics. If Israel can produce a report in seven and 17 months, we should be able to do it in a lot less than seven years.

Some people will, of course, be held to account in this report; otherwise it will properly be dismissed as a whitewash. That is to be expected and must be right. However, this is principally about learning from mistakes that we made as a nation, and ensuring that we do not make the same mistakes again. It is also about remembering those who have suffered great loss, and giving them some measure of solace in the truth and some degree of closure. This is about doing the honourable thing by those who have made the ultimate sacrifice on behalf of their nation, and to delay any further for no good reason would be an insult to those brave soldiers who died in the Iraq war, and a cruel insult to their families who have waited more than six years for a proper answer.

11.58 am

**Paul Flynn** (Newport West) (Lab): I agree with every word from the right hon. Member for Haltemprice and Howden (Mr Davis), and I warmly congratulate him on obtaining this debate. This issue disturbs all of us who were in the House at that time more than any other decision taken this generation. Members who were in that debate and who, in their view now and with hindsight, voted the wrong way, deeply regret that, and regard their parliamentary careers as failures because they allowed themselves to be bribed, bullied and bamboozled into believing a fiction that came from the Front Bench. That was not just the Prime Minister; this was the whole establishment, and three parliamentary Select Committees—the Foreign Affairs, Defence, and Intelligence and Security Committees—and the military supported the idea. The Conservative party was more gung-ho than the Labour party, and we must look at this issue because the repercussions of that decision continue today.

The suffering continues, and the mother of the 200th soldier to die in Afghanistan, Hazel Hunt, has set up a foundation and runs a successful charity. It deals with the suffering of the thousands of soldiers who have been maimed in mind or body as a result of that terrible mistake.

We also need to get the Iraq inquiry over with so we can have another inquiry. Another terrible mistake was made in 2006. The decision to go into Helmand province was made in the belief that not a shot would be fired. At that time, we had been in Afghanistan for five years and only six of our soldiers had died in that conflict. As a result of the terrible error of invading Helmand in 2006, 450 of our soldiers died.

The important point is this—and this is not being wise after the event. In March 2003, I sent a letter to Tony Blair saying that going into Iraq in support of

Bush's war would mean that we would drive a wedge between the Christian western world and the Muslim world. There would be a sense of antagonism and injustice from the Muslims in my local mosque to the Muslims in the far corners of the world. The right hon. Member for Haltemprice and Howden is right. ISIS is the daughter of our decision to go to Iraq. We must look at that with great seriousness.

At the time, the Public Administration Committee made a number of strong recommendations. Some were followed, but the main one was that the inquiry should not be held in secret. The Committee made another recommendation that the inquiry should have a large parliamentary element to it. In fact, it recommended that there should be two inquiries: one into the reason for going to war and one into the repercussions. Never in our wildest nightmares did anyone believe that the loved ones of those who had fallen would have to suffer a period of seven years of not knowing whether their loved ones were sent to a battle that was based on the vanity of politicians and not on the real interests of our country. The agony goes on.

The right hon. Gentleman is absolutely right that with modern printing and publishing techniques it is possible to write a book, email it to the printers and get it back two or three days later. The process is virtually instantaneous. The old system of setting up things in type was immensely laborious and time-consuming. There is no excuse for delaying this any further—not for a single day. The loved ones deserve closure. They have waited far too long. It is only in the political interests of those responsible—the guilty ones—that it continues.

**Mr Graham Allen:** Does my hon. Friend accept that publication is necessary to purge our own party of the fault line that occurred around the time of the Iraq war and which continues to this day? It also besmirches the reputation of an otherwise very fine Prime Minister, who, until we admit the mistake of going to Iraq and opening this Pandora's box, will forever be known as the person who took us to war on the coat-tails of George W. Bush against so many of his colleagues in the House at the time. The mistake needs to be corrected. That would be good for all of us on the Labour Benches, if nowhere else.

**Paul Flynn:** As someone brought up with a religious background, I realise fully the advantage and beneficial nature of confession.

It is absolutely crucial that we understand the mindset that drove us into war. That mindset is one we have heard recently in other debates in relation to going into Libya or Syria. The myth that infects English MPs—rather than Scottish, Welsh or Irish MPs—is the idea that the UK, our country, must punch above its weight militarily. That always means spending beyond our interests and dying beyond our responsibilities.

12.3 pm

**Sir Gerald Howarth (Aldershot) (Con):** I am delighted to take part in this debate. I congratulate my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) and others on securing this extremely important debate. I agree with my right hon. Friend. When the former Foreign Secretary and Home Secretary, Lord Hurd, described the delay in the publication of the

report as a scandal, he was absolutely right. Many of us in this House were absolutely horrified by the way in which Sir John Chilcot buried his head in the sand amidst the criticism that was, I think last year or in 2014, all around. My right hon. Friend set out the timetable according to which we were assured action would be taken and the report published, but we have been strung along, and as has been said, it is the bereaved who are paying the price for delay.

The Conservative party, as the official Opposition in 2007, called for a public inquiry into the reasons for the Iraq war and the conduct thereof. We initiated that debate on 11 June 2007, and I happened to wind up for the Opposition as a shadow Defence Minister. The Labour party opposed it. The then Foreign Secretary described an inquiry as “self-indulgent” retrospection and our debate as “opportunistic”. Of course, that changed, because Gordon Brown, in 2009, eventually ordered the Chilcot inquiry, but by then six years had passed.

We were not alone in supporting an inquiry; some in the Labour party also supported it. I cannot remember but I am sure the hon. Member for Nottingham North (Mr Allen) did. The late Michael Meacher certainly did. We gave three reasons why we felt an inquiry was needed. First, there was a lack of any discussion, in the run-up to the conflict, about post-conflict reconstruction. I remember going to Washington at the time. The debate there, in the run-up to the conflict, was all about post-conflict reconstruction. The fact that it was not delivered is another matter, but we were not even having that debate here. We had a debate on 30 January 2003, initiated by my right hon. Friend the Member for Meriden (Mrs Spelman), then shadow Secretary of State for International Development, during which the Government were simply not willing to discuss the aftermath of any conflict.

**Mr Jim Cunningham (Coventry South) (Lab):** I do not think we learn anything. Look at the situation in the middle east: Libya—a mess; Egypt—to some extent a dictatorship. We have learned nothing from these interventions, and all because we never planned any post-war reconstruction.

**Sir Gerald Howarth:** Indeed. I could not possibly disagree. That is entirely right.

Secondly, we felt the inquiry was necessary

“to consider how we should adjust our whole military posture to the new type of military operations we face, including at the tactical level: whether our soldiers, sailors and airmen are getting the right training package for that type of warfare; whether...we have the right equipment for the task; whether we have the correct balance of forces, and what needs to be done so that we do not become disproportionately reliant on urgent operational requirements—a kind of panic-buying formula—to make up the shortfall in equipment.”—[*Official Report*, 11 June 2007; Vol. 461, c. 583.]

Thirdly and finally, there had already been several Select Committee inquiries, and there was a real need for a comprehensive inquiry by an independent committee established by the Government. We suggested there was real urgency. In introducing today's debate, my right hon. Friend mentioned the effect of the time lag. At the time, I said:

“The reason for the relative urgency is that, as my right hon. Friend the Member for Richmond, Yorks”—

[Sir Gerald Howarth]

now Lord Hague—

“said, while the events are fresh in people’s minds and the e-mails have not been destroyed, we need to learn whatever lessons we can from the background to operations in Iraq so far, and to apply them to Afghanistan before it is too late.”—[*Official Report*, 11 June 2007; Vol. 461, c. 585.]

So there was an imperative, and a great disservice has been done to everybody, in that the inquiry was not established in the immediate aftermath of the Iraq war but indeed was six years late. As I said, the bereaved are owed an explanation.

**Mr David Davis:** My hon. Friend has been a Defence Minister and shadow Defence Minister. What is his opinion of the argument put at the time that, whenever our forces are in the field, we cannot have an inquiry, which seems madness to me? We had a successful inquiry into Norway, for example.

**Sir Gerald Howarth:** I agree with my right hon. Friend. He mentioned Norway, and indeed there is plenty of precedent. I think that that was an excuse for not holding an inquiry, and I think that it was a mistake.

It is not just the bereaved who are owed an explanation, however. Those of us who were in the House at the time are owed one as well. All of us bore a responsibility for the decisions that we made on whether to vote for the war or not, and those of us who were on the Front Bench bore a special responsibility. However, we had no more information than what we read in the newspapers.

When I voted for the war, I did so for three reasons. First, I had had a meeting in New York with Hans Blix, the United Nations chief weapons inspector, who had said that he had no doubt that Saddam Hussein intended to develop weapons of mass destruction, and that if he could develop them he would use them, but he—Hans Blix—could not, at that point, find them. He said that just a month before the war started, and I thought that it was pretty compelling.

My second reason was, of course, the “45 minutes” claim. I remember this vividly, because it was all over the front page of the *Evening Standard*. We were told that Saddam Hussein could launch what I think were described as “battlefield biological and chemical weapons” at 45 minutes’ notice, and reach the sovereign British base of Cyprus. I thought, “I have a responsibility. I am a shadow defence Minister.” I could hear Mr John Humphreys, on the “Today” programme, saying, “Well, you knew all about this, Mr Howarth, so why did you not take action at the time?” I felt that that claim had to be taken seriously.

Thirdly, I thought that, as a key ally of the United States, we had a very close relationship with that country, and we had to have a good reason for not supporting our US friends. I realise that that view will not be shared universally in the House.

**Paul Flynn:** Can the hon. Gentleman, from his very knowledgeable position on this matter, clarify something that has been a great puzzle? While a case might have been made for saying that Hussein possessed weapons of mass destruction, was there any plausible case for saying in what scenario he would ever use them against the west without guaranteeing his own suicide?

**Sir Gerald Howarth:** That is a good question, but it is a question in retrospect. At the time, not only did the chief weapons inspector tell me, to my face—and tell the other members of the Defence Committee who met him in New York—that he thought that Saddam Hussein was intent on developing weapons of mass destruction, but I was then told by the Government—the British Government, my Government—that there was a possibility that he would be able to launch those lethal weapons at 45 minutes’ notice.

That brings me to my next point, which is, of course, that all this involved Dr David Kelly, and all the tragedy surrounding that poor chap, and the dodgy dossier. I believe that one of the things for which Mr Blair and the rest of the Government will have to account to the nation is what I consider to be the usurpation of the Joint Intelligence Committee by the Prime Minister’s spin doctor, Alastair Campbell. He was the man who was putting pressure on the Committee, led by Sir John Scarlett, to release enough information to produce—to coin a phrase—a “sexed-up” dossier to make the case as convincingly as possible, to us in the House and to the British people, that there was a real threat which we could not ignore and on which we had to take action.

I think that one of the lessons we have to learn now is that the Joint Intelligence Committee must be led by a man or woman with experience in security matters, and must not be subject to political pressure. Its professional view must be respected, and its authority must not be usurped.

**Bob Stewart (Beckenham) (Con):** I thank my very good friend for allowing me to intervene. I agree with every word that he has said so far, but one question has confused and really worried me, and I do not think we have had an answer to it yet. If there were no weapons of mass destruction—I am referring particularly to chemical weapons—what was it that killed the Kurds and the marsh Arabs? We have never found those. Where the heck did they go?

**Sir Gerald Howarth:** My hon. and gallant Friend has raised a very good question. I do not think that it will be the subject of my contribution to the debate, but I hope that he will be able to develop it if he is able to catch your eye, Madam Deputy Speaker.

I have set out the position of the Conservative Opposition at the time. We believed that it was imperative and urgent for an inquiry to be held. I have explained why I supported the war, and have described some of the shenanigans that went on in an attempt to persuade the British people that there was a justification for it. I think that the delay in the report’s publication has been wholly unacceptable, and I entirely agree with my right hon. Friend the Member for Haltemprice and Howden. Five years ago, Sir John said that it would take him a few months to prepare the final report; for five years those families have been having to wait, and have been held in limbo.

I agree that the Maxwellisation arrangement must be revisited. We cannot allow an open-ended opportunity for people who have been criticised in a draft report to respond to that criticism. There must be a time limit. As one who was deeply critical of the Saville report, which took 12 years and cost £200 million, I think that the country needs to start looking very carefully at how it conducts inquiries such as this.

**Roger Mullin** (Kirkcaldy and Cowdenbeath) (SNP): Will the hon. Gentleman give way?

**Sir Gerald Howarth:** I am afraid not. A great many other Members wish to speak.

Let us compare what has gone on in the last seven years with what went on after the Falklands campaign. Three weeks after the end of that war, the Prime Minister announced an inquiry, and the inquiry team took six months to deliberate and report. There were international ramifications, because the United States was initially tempted to take the side of its South American neighbour. I know that certain sensitivities will apply in this case in connection with the relationship between Prime Minister Tony Blair and President George W. Bush, but there were similar sensitivities in the case of the Falklands campaign. That inquiry cost £81,000, which at today's prices is about £280,000.

This morning I was advised by a friend that the Chilcot report is likely to run to 2.5 million words and 12 volumes. Whether the interests of better understanding will be served by a report of that length I know not, but what I do know is that we in this House are right to demand that the report be published as quickly as possible.

12.17 pm

**Mr Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): It is an honour to speak in the debate, but I take no pleasure in doing so. I do not think that we should be having this debate, because the Chilcot report should have been published by now.

Time has been a huge issue since the genesis of the report. We should particularly bear in mind that Sir John Chilcot promised that the report would be delivered by 18 April, or the week commencing 18 April, and I understand that he will honour his word. Also, the Prime Minister promised to have it security-cleared within a fortnight, which would be by the week beginning 2 May. The promise that I seek from the Minister is that the Government will keep their word, and that a fortnight after Sir John Chilcot has delivered his report, we shall see it published.

As many have said, and as was said at the press conference, publishing a report is not a difficult matter these days. It is no longer a matter of "cold lead". It is, as we heard from the right hon. Member for Haltemprice and Howden (Mr Davis), a matter of pressing "send" and the thing is published. People have waited far too long for this report, and further delays are only adding to the pain of the families who are looking for closure. Delays also add to the ever-increasing time during which we have failed to learn the lessons of Iraq, which we should have learned several years ago.

There are further timelines relating to the Chilcot report. On 29 January last year, there was a debate—also hosted by the right hon. Member for Haltemprice and Howden—on a motion calling for the report to be published by 12 February 2015. There was uproar in the House during Prime Minister's questions and at other times when it was suggested that the report could be delayed beyond the general election of May 2015. We are now in April 2016, and again there is uncertainty about the report.

This report was kicked off in 2009, but there was another timeline before that of impatience for the report. I remind the House of a cross-party debate held here on 31 October 2006, when I was quite a new MP, having been here for about a year and a half. It was led by Adam Price, the then hon. Member for Carmarthen, East and Dinefwr. It is instructive to go back and look at the words that Adam used at the beginning of his speech. He said:

"It is about accountability. It is about the monumental catastrophe of the Iraq war, which is the worst foreign policy disaster certainly since Suez, and possibly since Munich. It is about the morass in which, regrettably, we still find ourselves. It is also about a breakdown in our system of government—a fault line in our constitution that only we, as Parliament, can fix. Fix it we must, if there are not to be further mistakes and other Iraqs under other Prime Ministers, in which case we shall only have ourselves to blame."—[*Official Report*, 31 October 2006; Vol. 451, c.163.]

Those words still ring true today.

There was another debate, to which Tony Blair refused to come, despite saying a few weeks earlier to a Conservative Member that he would come at "any time" to a debate on Iraq. Part of the defence for that was that soldiers were in the theatre of operation, but that was admirably dealt with by Douglas Hogg, then a Conservative MP and now Lord Hogg. He said during world war two, the debate on the Norway debacle was led by his father, and that took place when troops were in action. The key moment of the Norway debate—I am not certain about the name of the inquiry—led to the removal of Chamberlain and the installation of Churchill, which may have been instrumental in changing the course of world war two, because this Chamber had shown that it was not afraid.

**Mr David Davis:** The House needs to address this idea that we cannot debate or investigate anything when troops are in the field. When I have spoken to our troops in the field, they have said that they want our democracy to work properly. They want to feel that they are fighting for an honourable cause. In future, we should dismiss this idea that we are undermining our troops; we are standing up for something that will ensure that their lives are not wasted in the future.

**Mr MacNeil:** The right hon. Gentleman is quite right. People, and especially troops, want to feel that this place is not on auto-pilot. They want to know that it is living, functioning, thinking and reacting to lessons. As was said, to commit troops to a morass and refuse to learn lessons is an absolute abdication of the House's responsibility.

**Mr Graham Allen:** To pick up on the point made by my right hon. Friend, if I may call him that, the Member for Haltemprice and Howden (Mr Davis), once we have committed troops to action, should not the default position of the House be that there will be an inquiry, either in the midst of the action or once it is concluded? These are very serious matters; people die and there are very serious foreign policy issues involved. Should that not be the case, rather than the Government saying, "Oh, we might take a decision to have an inquiry if we think it is really necessary"? This House—the legislature—should have a default position that there is automatically an inquiry when we have committed people to war.

**Mr MacNeil:** The hon. Gentleman is very right. We expect the military to do its job when we commit it to war. I use the word “we”, but I was not an MP at the time and, like most of the rest of the citizens of the UK and Scotland, I did not support the action in Iraq. When we ask the military as a collective to do a job, we should be prepared to do our job and deliver change if necessary. We should not run away or be scared of such decisions. We must remember that there was a Butler inquiry in 2004, which the *Evening Standard* branded a whitewash on its front page. When the Government thought that they could get inquiries of a certain type, they were quite willing to have them.

**Mark Durkan (Foyle) (SDLP):** The hon. Gentleman and other Members have made very important points. Is it not hugely important that we remove this false parliamentary rubric of having no inquiry while troops are in the field? Otherwise, Governments will have a perverse incentive to keep troops in the field in a possibly disintegrating and changing conflict situation, and will be suspected of doing so, in order to avoid an inquiry?

**Mr MacNeil:** I am very grateful to the hon. Gentleman for making that point. He probably knows that I am a great admirer of his thoughts and ideas. He makes a very good point about this perverse incentive that a Government can have to keep a war going to avoid an inquiry. Hopefully, that is not a reality, but given the machinations of politics, we can never know. There may be a desire to get over another couple of weeks or another month, or to kick the can down the road that little bit further. The can was certainly kicked down the road a decade ago. A pivotal thing changed between 2006 and 2009—the Prime Minister of the day changed, from Tony Blair to Gordon Brown. People can draw their own conclusions from that, but I do think that was significant. I will wait for the inquiry to see just how significant it was.

As hon. Members have said, we cannot have this Parliament running away from the reality of what it committed other people to doing. Ultimately, the Iraq war cost 179 UK lives. As the hon. Member for Newport West (Paul Flynn) said, that does not take into account those who were wounded in body or mind, or the knock-on effects on families, loved ones, and those dealing with people wounded in body or mind. The war has taken quite a toll on people in the UK, and it has cost the lives of 4,800 allied soldiers. Sadly, those figures, terrible as they are, are dwarfed by those for civilian casualties in Iraq. The lowest estimate is 134,000, but the number is possibly four times higher than that. The war also created 3.5 million refugees. For goodness’ sake, there are lessons that we must learn about what we got ourselves involved in, and what we might do again if we do not have the courage to face up to what was done.

**Mr Graham Allen:** The hon. Gentleman is very generous to give way again. He talks about the figures when peace was declared; what a disastrous and unprepared peace that was. Will he take into account that there have probably been at least as many casualties again since then, because of the opening up of the rift between Shi’a and Sunni Muslims, which allowed opportunities for an internecine warfare that is spreading into international guerrilla warfare? If he includes those numbers, will he

not find an absolutely enormous death toll, running into the millions, and to who knows how many in the future?

**Mr MacNeil:** The hon. Gentleman is absolutely right; I agree with all he said. To that, I add the other fallout from the Iraq war, which, we must remember, was demonstrated against by more than a million people on the streets of the UK. If a million people were demonstrating, we can be sure that many, many more—several factors more—were in support of them. I add to that the creation of Daesh or ISIL in the camps of Iraq. There was a myth at the time that America went into Iraq because al-Qaeda was there; that was part of the myth-making in America around regime change. The reality was that al-Qaeda was not there until the Americans went in, and then the Americans created something far worse in those camps. The responsibility for what was done there—the loss of lives, the costs and the terror created—hangs very darkly over the Iraq war. That is something from which we must learn. We must ensure that we get this report published fairly soon, because time is of the essence. Time is the big factor here. Kicking the can down the road even further is not acceptable.

On 29 October 2015, the Prime Minister seemed to be very unequivocal on clearance taking two weeks, which is the point of this debate today. He said:

“In relation to National Security checking, the Government will aim to complete the process as quickly as possible. As you know, National Security checking for the Savile Inquiry took two weeks to complete. It would certainly be our plan and expectation to take no longer than this, and we will look to complete the process more quickly.”

We need to do that for the families who are expecting closure. This inquiry should have started many years earlier.

In the debate of 31 October 2006, to which I referred, there was already frustration that it had taken so long to get the matter in front of this House of Commons. We used an Opposition day debate, but in those times, Scottish National party and Plaid Cymru Opposition day debates were few and far between. Thankfully, it is not like that today. This was before the creation of the Backbench Business Committee, which we should thank today.

**Brendan O’Hara (Argyll and Bute) (SNP):** Has my hon. Friend considered the reputational damage done to the United Kingdom by the series of earlier delays? If it is the EU referendum that is causing the current delay, does he agree that the reputational damage to the UK is in danger of becoming ridiculous?

**Mr MacNeil:** I am grateful for that intervention. As was said earlier, the UK risks becoming an international laughing-stock because of this infinite, eternal delay with this report. My hon. Friend is absolutely right, and the delay is annoying many people. It is certainly not to the satisfaction of the families, many of whom would concur with what he said about the EU referendum. Roger Bacon, whose son Matthew Bacon was killed in Basra in 2005, said:

“To allow the referendum to get in the way of it seems to me to be completely wrong and smacks of political manoeuvrings that should not be taking place really.”

Interestingly, the former member of the Foreign Affairs Committee and former Labour Member representing Thurrock, Andrew Mackinlay, called for the publication of Chilcot not to get lost in the case of the European referendum. He said:

“It would suit the security and intelligence services and some people in high places for it to be ‘lost’ in the flurry...of final days of the referendum campaign”,

so let us have it soon at the beginning of May. That is when this report should be out, on the Government’s word. We are looking for the Government to keep their promise and for John Chilcot to keep his. The families certainly deserve that.

**Mark Durkan:** Some of us know John Chilcot and have worked with him, because of our backgrounds and roles. When he was appointed to carry out this inquiry, I was accused of being uncharitable in saying that although he had many attributes, I did not think he would be found in the “Yellow Pages” under I for independent or C for challenging. Perhaps he will prove otherwise. He conducted the review after the Castlereagh raid, and what he did then was what my party and I predicted he would do—come up with an outcome that would entirely suit the security services and be more about their interests. That shows that this man is well attuned and sensitive to the interests, demands and requirements of the security services. The idea that he has written a report that will need serious national security checking is somewhat preposterous.

**Mr MacNeil:** Those are interesting words from the hon. Gentleman. That brings us back to the Prime Minister’s statement that the national security checking for the Saville inquiry took two weeks, and that the expectation was for the Chilcot inquiry to take no longer than that. I expect—and it is the expectation of this Chamber—that the report will be published in the week commencing 2 May. We cannot have anything other than that.

The failure to publish this report has, I think, left us uninformed about other engagements that took place subsequently to Iraq. The UK’s military action since Iraq has, it can be argued, been a chaotic mess. That certainly seems to have been the case in Libya, where we led a bombing campaign costing 13 times more than the amount spent on the rebuilding of Iraq. Had Chilcot been published, we might have had some hard lessons set out in black and white to guide any Government planning any military adventures or interventions in the future to plan for the peace afterwards, not to leave a vacuum and not to leave an opportunity for terrorists to move in and destabilise a state. We were selling ourselves short and other countries particularly short when the launch of the report was delayed, and we are doing so now through the interminable delay to its publication.

Let me conclude with the words of a woman I greatly admire—Rose Gentle from Glasgow, the mother of the Royal Highland Fusilier Gordon Gentle, who was killed 12 years ago in Basra at the age of 19. She said that she was “disappointed” by the latest news from the inquiry, and added:

“We thought it should be out a lot sooner than this. I thought it would be out by the end of the year, because they have everything there. It’s another let-down. It’s another few months to wait and suffer again.”

That was said on 29 October 2015, nine years after the initial debate on Iraq in this place. Bereaved parents such as Rose Gentle should not wait a day beyond the first week of May 2016 for the publication of the Chilcot report.

12.35 pm

**Mr Adam Holloway (Gravesham) (Con):** I completely agree with my right hon.—and gallant—Friend the Member for Haltemprice and Howden (Mr Davis) that it is unconscionable to continue to delay the publication of this report. National security checking of the Iraq inquiry is holding up publication of a report that is critical to our national security. Only by understanding how we got involved in this gigantic geo-strategic error of an invasion can we learn the profound lessons for our political class, the military and the diplomatic establishment. Indeed, the question is ultimately about the whole mechanism of government. The sub-text for too many of us in politics and the media is who might be damaged by the contents of the report. We play to the gallery, and love to play the man and not the wrecking ball that shattered security assumptions and the balance of power in the middle east.

Is not the real question the substance of the report and the answers it might give to how we managed to get embroiled in Iraq, perhaps providing pointers to the sister conflict in Afghanistan, our well-intentioned but disastrous intervention in Libya and our clueless response to the rise of so-called Islamic State? Six hundred and thirty-four British troops and at least 150,000 civilian lives were lost in them, and as a consequence we face a far greater strategic threat from theo-fascism than we faced at 9/11.

When the report is published we might hope that, through Sir John’s access and witnesses, we can start the necessary self-examination of how we got ourselves into these wars. I believe that our ongoing failure is caused by a lack of effective political and military leadership.

From what I have seen on the ground since I became an MP in 2005—in Iraq, Afghanistan, Libya and last week in Syria with my right hon. Friend the Member for Haltemprice and Howden—I believe that the full panoply of the Government machine has become dysfunctional in four overlapping parts. First, we have suffered from having a narrowly focused class of professional politicians who understand politics, not leadership, and who have almost no understanding of the complexities or realities on the ground. Secondly, we have ambitious civil servants who know that careers advance by staying close to what the rest of the group think. Thirdly, we have military officers with a civil service mindset who have also learned that the right answer is “we can do it” rather than “we can’t do it without...”. Finally, we have experts who are ignored or marginalised.

No experts were present at President Bush’s Prairie Chapel ranch when Prime Minister Blair agreed to support a US-led invasion of Iraq. Of course, Prime Minister Blair was determined to uphold the US-UK alliance, but he does not seem to have made even the slightest attempt to stop his friend President Bush from driving us drunk into Iraq. Back home, we needed to find reasons to go into Iraq, and we created the infamous

[Mr Adam Holloway]

dossier in a sort of late-night essay crisis. So late into the night did they work in Downing Street that they managed to read the bit from the top-secret, single-source report about missiles but failed to read the “analyst’s comment” section of the CX. They failed to see the comment that there was no way in which the missiles referred to could still be in the hands of Saddam Hussein.

Most of the public, as well as many people in Parliament, were in good faith convinced by the Prime Minister. Later, we convinced ourselves that we were in Afghanistan to “fight them over there” so that we did not have to “fight them over here”. Several years ago, after I had given a presentation to an immensely senior person in a previous Government, he asked me, “Adam, are you really saying that the Taliban are not a threat to the UK?” That revealed a fundamental misunderstanding of the difference between the Taliban and al-Qaeda; it almost beggared belief. That difference between a local xenophobic tribal traditional movement and a death cult was not, and is still not, understood.

We cannot be too unfair on the politicians, however, because they are sometimes not very well served by their civil servants. Throughout these wars there has been a tendency to push what I call a “good news only” culture—what General Petraeus described as “putting lipstick on pigs”. We have all heard the mantras, have we not? “We are where we are. We’re making progress. Yes, there are some challenges, but overall we really are moving forward.”

A Secretary of State for Defence was in a briefing at Basra air station that a friend of mine attended. Apparently, the Minister banged the table and said words to the effect of “Why have you not been telling me the truth? I had no idea things were quite so bad.” The Minister denies this.

Another friend was astonished accidentally to find himself in a briefing in Basra at which all those assembled were told what they should and should not tell Prime Minister Gordon Brown. At a briefing in Helmand, the Defence Committee—on which I then sat—was told, as usual, how brilliantly things were going, but when I was on a private trip to Kabul a few weeks later the official in question bounded up to me in a bar and said, “Adam, I’m really sorry about that briefing I gave you the other day in Helmand. The trouble is, we just don’t get promoted for telling the truth.”

**Paul Flynn:** I am very much enjoying the hon. Gentleman’s authoritative speech. Will he confirm what he has just said, because it is a matter of some importance? I was expelled from the House for saying the same thing some years ago. Will he confirm that the story that those young people going to Afghanistan were actually stopping terrorism on the streets of Britain was an untruth; that those people were deluded into going there in the belief that they were defending their families here; and that the only reason the Taliban were killing our soldiers in Afghanistan was that we were there and that as soon as we came out they lost interest? Does he think that there was a continuing deception of our soldiers, many of whom lost their lives?

**Mr Holloway:** I entirely agree with the hon. Gentleman in the sense that the original invasion of Afghanistan

was highly effective and that the Afghan people essentially removed al-Qaeda and the Taliban, but unfortunately it was the disastrous NATO deployment to Afghanistan that whipped up the insurgency. I shall come on to that point in a minute if I may.

As I was saying, people do not get promoted for telling the truth. I sent my first draft of this speech to a friend who is a well-known and courageous BBC foreign correspondent. He emailed me, saying, “Reminds me of being attacked for negative coverage that I put out in Iraq and Afghanistan by officials who later admitted, either privately or in memoirs, that things were actually worse than I was saying in my news reports.”

With some hugely honourable exceptions, the same is true of senior military officers. After a recce of Helmand in 2004, a military officer reported back to his boss, a general at Permanent Joint Headquarters. The general asked him, “So, what’s the insurgency like in Helmand?” The officer replied, “Well, there isn’t one, but I can give you one if you want one.” At the time, the mission statement at PJHQ actually stated that the military were to give “politically aware” advice. The top brass volunteered the UK for Helmand and, as in Iraq, assured Ministers that it was doable with the original force numbers.

We experienced exactly the same with the lack of equipment. Military people in Afghanistan constantly reminded us that we had enough helicopters to do the job. A few weeks before Colonel Rupert Thorneloe and Trooper Joshua Hammond were killed by an improvised explosive device, Rupert wrote that he and his men were making “unnecessary...road moves” because of the lack of helicopters. He went on to say:

“This increases the IED threat and our exposure to it.”

A senior British general briefed the Defence Committee at ISAF headquarters in Kabul, and basically tore my head off for being a naysayer. When I was back in Kabul a few weeks later, again on a private trip, I went to see him at the end of the day. As I rather nervously walked into his office, I said, “Well, general, are we still winning?” He said, “If we damn well are, I’ll be dead by the time we do.” I was hearing one thing in public and another in private.

As a soldier, I was in Iraq before the war in 1991, and in 2003 I found myself back on the ground. As I have said before, I will never forget driving into Mosul after the regime dissolved and the city collapsing into anarchy before our eyes. It was the first time as a journalist that I had kept a sub-machine gun close to me. There were bodies on the streets. There was chaos, and a really nasty, threatening environment. American jets were coming down low, fast and noisily to intimidate people. I went to a police station to find out where the American troops were in the city. Saddam Hussein lookalikes were standing around, and the police brigadier general told us where the Americans were. Just before we left he said, “When you find the Americans, can you please get them to come up here and give us our instructions?” I hope you will agree that it was pretty astounding that, as their regime was falling, they were taking instructions from the Americans. I found the American colonel, and when I had done my business with him I said, “By the way, the Iraqi police brigadier general up the hill wants his instructions.” The American colonel said, “You can tell him to go \*\*\*\* himself.” It was quite extraordinary.

We ignored other experts who could have helped us. Of all the people who knew anything about Iraq, who



suggested it was a good idea to dismantle Ba'athists like those police officers from the various structures of government? Would any expert have thought that that was a good idea, if asked? I do not know of anyone, apart from General Tim Cross, who thought about our responsibility to the people of Basra after the invasion.

In Afghanistan, too, the experts were consistently ignored. I was there in 1984—for part of my gap year before I went to university—when the mujahedeen were fighting the Russians. No one listened to our officials who had run the training programme for the Afghan resistance. No one listened to the senior ex-mujahedeen commanders living in north London or in the suburbs of Kabul. No one heard the concerns being expressed by the expert contractors to our foreign intelligence services, who knew many of the Taliban leadership personally. No one spoke to the agronomists who had been working for decades in the Pashtun belt.

**Mr David Davis:** Does my hon. Friend agree that the criticisms he is rightly laying at the door of several different establishments should properly be laid at the top of those establishments? Just before the Iraq war, a regimental colleague of ours serving in the planning section of the Ministry of Defence said to me, “David, I have never known a war in which the British officer class has been less happy”—so somebody was asking questions and not getting any answers.

**Mr Holloway:** Absolutely. If my right hon. Friend will forgive me, I will give the House one more anecdote on this subject. I had a barbecue in my garden in Gravesend for the officers of a regiment that was about to go to Afghanistan. I asked the officer who would be responsible for engaging with the local community in Helmand province how he would do that. He came up with a pretty unconvincing answer. About 15 minutes later the colonel, the commanding officer who was about to lead his troops on a six-month tour, took me aside and said, “Adam, I’ll tell you the best way to influence the people living in Helmand positively towards us: it’s not to get on the plane in the first place.”

No one listened to the experts. The Pakistanis, for example, know a little bit about Afghanistan and the Taliban, and the Russians certainly do—but of course, as ever, we knew it all. I remember sitting in Kabul with the general who had looked after Helmand province for a couple of years after the Russians had left. I said to him, “ISAF must be consulting you the whole time.” He looked down at his four mobile phones and said, “No one has rung me yet. I am still waiting for them to ring.”

**Bob Stewart:** I thank my hon.—and gallant—Friend for allowing me to intervene. History teaches us lessons. To maintain the safety and security of civilians, the allies who liberated south-east Asia rather distastefully used the Japanese army. We should have understood that lesson when the war in Iraq was apparently over.

**Mr Holloway:** I thank my hon. Friend for that interesting intervention.

To continue my theme of the inexperienced political class ignoring the experts, Britain’s one ambassador who actually understood what was going on and expressed it to politicians now works for HSBC. On Syria, we have not taken advice from officials who have been

deployed forward with the Syrian opposition, as was. They argue that ISIS is fundamentally a political and counter-terrorist problem, much less a military problem, and a function of broken politics in the countries concerned and in the wider region. We have again thrown ourselves behind an American-led, largely military strategy that, until recently, threatened to turn the whole of Syria into hell.

Iraq went wrong, and the NATO deployment to Afghanistan cannot be counted as a success, and neither can Libya or Syria. The sanctions being imposed on ordinary people in Syria today cannot be considered a success.

**Sir Gerald Howarth:** I am grateful to my hon.—and gallant—Friend for giving way. I agree with much of what he says, and I particularly endorse his comments about military commanders. They do themselves, their country and this House no service by not telling us the truth. They need to speak truth unto power.

I gently suggest to my hon. Friend that we went into Libya because Benghazi was about to be subjected to genocide. Had we not done so, we would have been criticised for allowing thousands of innocent people to be destroyed. We were on the horns of a dilemma. The Prime Minister was in a difficult position, and I do not blame him for his decision. We would be in just as bad a position now had Benghazi fallen.

**Mr Holloway:** I drove down with my friend Leo to the frontline at Ajdabiya. The armoured vehicles that had been hit on the edge of Benghazi were still warm. I completely agree that if the vehicles had got into town it would have been enormously serious, but to proceed with regime change, when some of our officials did not accept that there were tribal issues in Libya, was a big mistake, for which the people of Libya are paying the price.

Our overall approach since 9/11 has left our country facing much greater dangers. Neither Saddam nor the Taliban threw so much as a petrol bomb at the west, yet the images of Iraq, Afghanistan, Libya and Syria on the websites of global jihad will have terrible consequences for our people.

After the chemical outrages in Damascus, Parliament was asked to vote to bomb the Assad regime. Three years later, we were again asked to vote to bomb, but this time it was to bomb the forces opposing Assad. I wonder how many of us here voted to bomb both the Syria Government and their opponents. It is little wonder, especially after Iraq and Afghanistan, that the public do not have much confidence when Ministers tell them that they deserve their backing in such endeavours.

When the Chilcot report eventually is published, we will need to scour its content in the hope that it might lead us to take more seriously the security of our people and move us away from the dreadful career politics that have infected us. Chilcot may point to dysfunction rather bigger than just Iraq and rather closer to this Chamber. We must learn from our mistakes, and we owe that to our people and to those in countries where we have contributed to unimaginable insecurity.

12.54 pm

**Douglas Chapman** (Dunfermline and West Fife) (SNP): I thank the Members who managed to secure this important debate. It is a pleasure to follow the hon. and

[Douglas Chapman]

gallant Member for Gravesham (Mr Holloway). If he had had the opportunity to give evidence to the Chilcot inquiry, I am sure that the final read might have been much more interesting than the one that we are anticipating.

There is a completely understandable sense of anger and frustration, some of which we have seen in the Chamber today and in the wider public over recent years, at the Chilcot report not yet being published. My constituents share that anger and frustration and find the situation totally unacceptable—six years on and still no report. I want to focus on the entirely predictable “keep calm and carry on” British attitude. I am sure that the Government see that as a virtue, but to heap unacceptable delay on unacceptable delay is not the way forward. Informing us that the final report may be heavily redacted only adds insult to injury, particularly for the families who lost loved ones in Iraq. It is a dreadful situation to endure.

The conclusion of the Chilcot inquiry should be a chance for the Government to draw a line under the Iraq adventure—perhaps I should say “misadventure”. It is an opportunity to understand where it went wrong, why we fell down this particular rabbit hole and why the UK’s strategy in the middle east was so feckless that the Blair-Brown Government felt that they had no choice but to follow the United States down that rabbit hole. Instead, we have this situation. Chilcot has become something of a “corpse in a cupboard” as the hon. Member for Penrith and The Border (Rory Stewart) so memorably put it in the House this time last year. We must face up to Chilcot and learn the lessons that it may offer. We need to get on with understanding what the UK wants and what our strategic aims are. Otherwise, we will be condemned to continue living with that corpse in the cupboard and, worse still, an ineffective foreign policy.

It is that reality that led the great journal *Foreign Affairs* to write that Britain

“is at risk of slipping into irrelevance...its foreign policy is widely derided for both its passivity and short-term outlook”

and has led American commentators to talk about the UK resigning as a global power. Last month, when we were discussing the Syrian ceasefire, the Foreign Secretary was asked whether he had contacted his counterpart in Russia to find out more about the ceasefire’s implications. He replied that no contact had been made. We criticise Russia for being isolationist, but we should not fall into that same trap ourselves and become equally afflicted.

The Defence Committee recently undertook an investigation into Russia, and it has become increasingly clear over the course of the inquiry that the symptoms of British strategic impotence exist there, too. It is almost as if the end of the cold war made us stop thinking about Russia, just as we stopped thinking about the middle east. Instead of thinking seriously about the role that we can play in the world, a series of Governments have decided to sub-contract that role to a host of allies, who do not always share our values or have our best interests at heart. Let us break the habit of a lifetime. British make do and mend will not do any longer. I ask the Prime Minister to release the Chilcot

report now and bury the corpse that is in the cupboard. Let us learn the lessons of Iraq and get serious about Britain’s role in the world.

I was in Baghdad several weeks ago and Iraq is in a complete mess—it is a shambles. I assure the House that it is far from being mission accomplished—if anything, it is quite the opposite.

After 134,000 Iraqi civilians deaths and 179 UK soldiers killed in action, with another 6,000 seriously wounded, who every day have to live with the consequences of their injuries, we see that we took part in a war that destabilised that country, that caused ongoing civil war in neighbouring states and that paved the way for brutal terrorist attacks across Europe. It was a war with no real endgame in sight and no endgame planned for. All those actions have huge repercussions for our foreign policy, national security and the way in which decisions to go to war are taken. This has eroded public trust in democracy itself. We all remember the demonstrations that took place against the war in Iraq—some of us took part in them. The people knew that our involvement in Iraq was wrong, but the Government of the day failed to listen to those protests and to how the people of this country wanted us to proceed. The current Prime Minister can take a different route—he can listen. I say to him again: this report does not have to be written on vellum and it does not have to wait for the EU referendum, so publish the Chilcot findings in full and publish them now.

1.1 pm

**Bob Stewart (Beckenham) (Con):** I did not intend to speak, but I rise to do so because my hon. and gallant Friend the Member for Gravesham (Mr Holloway) has asked me to speak anecdotally, as he knows very well some of my experiences. My theme for the next couple of minutes is why I believe our senior military officers have become too politicised.

In April 1993, I took soldiers into the village of Ahmici in central Bosnia. I identified a massacre where at least 100 people had been killed and I decided that I had to inform the world—it was my duty under Geneva conventions. I decided that I would have a press conference where I would identify the people I thought were responsible—special forces of the Bosnian Croat army. Then I informed the Ministry of Defence. Of course, by my action I was kissing goodbye to a glorious military career—

**Sir Gerald Howarth:** Opening up a new one.

**Bob Stewart:** Not for a while. When I returned to my base, I received a blistering telegram demanding to know how I had the authority to make such a statement. It said I was meant to be neutral and I was not to get involved in the war. I was later told that I had ordered my men to open fire in defence of themselves, that I was way out of line and that I very much risked being sacked immediately. That was rather depressing for me. However, as a result of that press conference, front pages in this country carried the story—it was in the news, on the television and on the radio—and the reaction from the public and from politicians, both Back-Bench Members of this House and Ministers, was unanimously supportive. The generals who had given me that severe wiggling then sent another signal, totally

ignoring the first one, saying that I had acted in the highest traditions of the British Army and I was to be congratulated. It was at this time that I thought perhaps our senior officers are too politically correct. Since then I have decided, as people who look at the *Daily Mail* and *The Sun* today will know, that political correctness is something I do not necessarily particularly agree with.

1.4 pm

**Tom Brake** (Carshalton and Wallington) (LD): I think we will all be going off to see what is in *The Sun* as soon as this debate is over. May I thank the hon. Members for Beckenham (Bob Stewart) and for Gravesham (Mr Holloway) for providing us with some personal experiences that relate to the debate, and the right hon. Member for Haltemprice and Howden (Mr Davis) for securing it?

Today is perhaps not the day to go back over what happened as long ago as 2003 in relation to the Iraq war, but I will take the opportunity to remind people that when Charles Kennedy was leader of the Liberal Democrats we unanimously voted against the Iraq war in the Lobby—there were no exceptions—doing so on the basis that we thought the weapons inspectors should be given more time and that there was no UN backing for the action. The Iraq war still took place and many Members have cited statistics about it: the 179 British service personnel killed in Operation Telic; and the 4,000 to 5,000 UK casualties. There is a huge range of Iraqi casualties, with figures varying from 150,000 up to as high as 1 million. Clearly, we will never know the true figure.

The Chilcot inquiry was eventually set up to look into the detail and discuss this issue. In an intervention, the hon. Member for Perth and North Perthshire (Pete Wishart), who is no longer in his place, said that he thought Tony Blair should have “Iraq” tattooed on his forehead. Tony Blair does not need to have that done, because his visage is sufficient to remind people of his involvement and the action he took that led us into that war.

The remit of the Chilcot inquiry talks about examining “the United Kingdom’s involvement in Iraq, including the way decisions were made and actions taken, to establish as accurately and reliably as possible what happened, and to identify lessons that can be learned.”

Clearly, there will, to some extent, be a focus on the individuals involved, but what worries me is that we are not yet in a position to identify the lessons that can be learned from the Iraq war because we have not yet had the inquiry report published. Since the Iraq war we have had the first involvement in Libya, and I am sure that had the Chilcot inquiry been published it would have helped with the decisions taken on that. It was not available when we were dealing with the Syria situation either.

Perhaps the report will be available for us on any proposal for the UK Government to be involved in further military action in Libya. I was worried that Parliament might be—I was going to say bounced but perhaps that is not the right word—advised at short notice about a debate where the Government would seek Parliament’s permission to get involved in further military operations in Libya. It seems that that possibility

has receded, given that the Libyan Government have recently stated that they are not currently seeking that, but it may be something they seek in the future.

The Chilcot inquiry might also be able to flag up the risks of mission creep, particularly in relation to Libya, because although it is clear that many UK drone strikes are taking place in Syria and Iraq, it is not clear whether that is also happening in Libya, and there is a risk of further mission creep associated with that. Clearly, it would have been helpful to Members of Parliament who do not necessarily have access to the detailed briefings to have had the Chilcot inquiry published and available for us to refer to.

Another thing that worries me about the Chilcot inquiry is that it has gone on for a very long time but it is not entirely clear why that has been the case. Some have suggested that it was perhaps a lack of staff, although I know that Sir John Chilcot has said that he thought that when he wanted the extra staff he would get them, so perhaps it was not that. I know that some people have said that it was down to the Maxwellisation process, although I know other people who have been very closely involved who say that that is not the case. It is completely unclear what has led to this report taking seven years, so far, to not be published. I am not calling for an inquiry into the inquiry, but I hope that at some point someone will make it clear precisely where the weaknesses with the model were so that in future—if there is another inquiry into our involvement in Libya, for instance—we will follow the right path and not simply repeat the mistakes of the Chilcot inquiry.

For instance, the Maxwellisation process is probably something that, in any future inquiry, we would want to allow in respect of people at least having access to documents and being able to comment on them. Perhaps that has been taken advantage of to extend the process, but we simply do not know.

**Roger Mullin:** On the point about Maxwellisation, people such as myself who, in other lives, have written reports in academia and the like are at times puzzled by this process. It is one thing to get people to comment on the accuracy of facts, but it is entirely another thing to give people the opportunity to comment on the interpretation of those facts. The big concern that many people, including me, have is how this report from Chilcot can be truly independent if he allows people to challenge his interpretations.

**Tom Brake:** I thank the hon. Gentleman for that sound intervention, and perhaps in future inquiries what he has suggested, which is an ability to respond to the facts, will be what is required, rather than a response to the interpretation put on them. If that process was followed, we might get a much snappier report. I think we would all welcome that. As a number of Members have highlighted, the difficulty is that the longer this goes on, the weaker people’s memories are. The information that is available tends to disappear and as each month goes by we get less and less of a clear picture of what happened, as opposed to a clearer and clearer picture.

Some have suggested that the Leveson model of inquiry might have been more appropriate. If we consider how long Leveson took to report—it started in July 2011, and the first report was published on 29 November 2012, so it took 18 months to produce a 2,000-page

[Tom Brake]

document—we can see that it was certainly a snappier inquiry. I know that today's debate is not on the subject of the Leveson inquiry, but I would like to take the opportunity to suggest that the Minister conveys to the Prime Minister in the strongest possible terms that we still expect the recommendations of the Leveson inquiry to be implemented, as we do Leveson part 2, and that that has not been forgotten and will not be allowed to go away.

Perhaps the Leveson model provides an answer in relation to Chilcot, but my final point is that, as others have indicated, we are now seven years on and are still waiting to know the full facts about Iraq. The families of service personnel, and particularly the 179 families affected by the deaths of our personnel there, need closure and will not get it until everything is in the public domain. As others have said, I hope that given the length of time and the Maxwellisation process, any redactions, if there are any, will be extremely limited, as it has already been through a significant sifting process that does not require any further deletions. Any further slippage in the deadline for publishing Chilcot will add insult to injury, which is why we need to know that the two-week period that has been mentioned is one that the Government will hold to, and nothing should be used as an excuse to hold it up further. I cannot fathom the suggestion that the EU referendum has some sort of bearing on this. I cannot see in what way it would affect this.

It is time that the Chilcot inquiry was published and it is time that people got the truth.

1.15 pm

**Steven Paterson** (Stirling) (SNP): I congratulate the right hon. Member for Haltemprice and Howden (Mr Davis) on securing the debate, as well as those who signed the motion.

I signal my wholehearted support for the aspirations of the motion; namely that security checking of the Iraq inquiry report should be completed as soon as possible and that no later than two weeks after the report is submitted to the Government next Monday, 18 April, it should be published. We want to see that. This week, I attempted to table a question for Defence questions next Monday on the timing of the Chilcot inquiry. I was told by the Table Office that it was not appropriate—as the inquiry was independent of Government, that was not an acceptable question to ask the Government. Yet here we are debating the issue today, because of the Government's apparent intention to delay publication of the report until 24 June, the day after the referendum.

I would respectfully submit that the Government cannot have it both ways: the publication of this report is clearly to be delayed beyond the time necessary for appropriate security checking, if it is going to be delayed, for entirely political reasons. That is wholly unacceptable, and the Government need fundamentally to rethink it, if that is their intention, for several reasons that I will cover in my contribution today.

When making a statement announcing the establishment of the Iraq inquiry on 15 June 2009, the then Prime Minister Gordon Brown said:

“The inquiry is essential because it will ensure that, by learning lessons, we strengthen the health of our democracy, our diplomacy and our military.

The inquiry will, I stress, be fully independent of Government.”—[*Official Report*, 15 June 2009; Vol. 494, c. 23.]

If the inquiry was essential in June 2009 for those reasons, then the logical conclusion we must draw is that the as the report has still not been published, these lessons have still not been learned and our democracy, diplomacy and military are still not strengthened in the way envisaged by Gordon Brown. The inquiry is plainly not “fully independent of Government” if the timing of its release is controlled by the Government, and is intended to be used—if it is the case that that release will be delayed until after the European referendum—in such a plainly and blatantly political way.

No one has mentioned *purdah* today, although I know that it was mentioned in last year's debate. The *purdah* period before an election might be an argument used to say that the report should not be published, but that is not an argument I would accept. Indeed, last year the right hon. Member for Haltemprice and Howden made the point extremely well, saying:

“*Purdah* periods exist for a...reason: to prevent Governments from using their power to publish information that would give them electoral advantage. They are not to prevent impartial information from being put in the public domain”.—[*Official Report*, 29 January 2015; Vol. 591, c. 1038-1039.]

I could not have put that better myself, and I entirely agree.

That brings me to security checks. I accept that there is a need to ensure the report does not disclose information that is detrimental to our national security, and that there are other Committees of this House that can scrutinise sensitive matters and provide political oversight without national security-sensitive information being released publicly. That is the way it should be. However, as the motion quite correctly states, none other than the Prime Minister wrote to the inquiry chairman Sir John Chilcot last October about national security checking, expressing his wish to see the process completed faster than the two weeks required to complete the process for the Saville inquiry into Bloody Sunday. I hope that nobody intends today to suggest that all of a sudden the national security checking will require precisely nine weeks and one day to complete rather than the two weeks imagined in October.

The second Iraq war caused the deaths of at least 134,000 Iraqi civilians and claimed the lives of 179 British soldiers. More broadly, according to Casualty Monitor, there were 5,970 UK military injuries throughout the period of the war in Iraq. This is a war which destabilised Iraq, precipitated an ongoing civil war and has left a fertile breeding ground for vicious terrorist fanatics. It is a war which has shattered the credibility of western countries in the region and invites seemingly endless military interventions.

The continuing delays in publishing this report are an insult to the families of those service personnel killed in the Iraq conflict, who have been made to wait almost seven years for a report anticipated to take one year. Those responsible for leading us into that illegal war have never been held accountable, and the essential lessons have not been learned. It is high time they were learned, because this episode is indeed an “international

embarrassment". I commend the motion, and call on the Government to publish the report at the earliest opportunity.

1.20 pm

**Chris Stephens** (Glasgow South West) (SNP): I thank all right hon. and hon. Members who have spoken so far, including the right hon. Member for Haltemprice and Howden (Mr Davis) who led the debate, teasing out the issues. He will be aware that on a number of occasions since I was elected to this place last May, I have raised the issue of delays to the publication of the Chilcot inquiry.

In my maiden speech I said that I was here to give a voice to the voiceless, because too often cynics view this place as somewhere where peoples' voices are not heard. Today I express not only my view, but the view of my constituent, Mrs Rose Gentle, who lost her son Gordon in the Iraq war in 2004. Gordon Gentle was 19 years of age—19. Mrs Gentle and her family, like many military families, want answers to basic questions. Were those serving in our forces in Iraq provided with the proper equipment? If not, why not, and who is responsible? Have documents been hidden, and why have they been hidden? Why were our forces there in the first place?

For those military families like Rose Gentle and her family, this delay is like reliving an inquest. In Gordon Gentle's case the inquest was cancelled on three occasions and concluded in 2009. Last year military families wrote to Sir John Chilcot to say that they wished to see the report published by the end of 2015, and if not, they would consider their legal options. In response, Sir John Chilcot threatened them with legal costs if they took him to court. What a disgraceful and insensitive thing to say to military families who have lost loved ones. What kind of behaviour is it that threatens those who have lost loved ones? What kind of behaviour is it that threatens those who have waited over a decade to find out what actually took place, and whether the military should have been there in the first place?

Rose Gentle's reaction to the unnecessary delays is simple—disgust. Delays have been caused by so-called Maxwellisation. Delays are now caused, we are told, because of national security. Military families' view is that all delays are now not trusted.

**Bob Stewart:** What the military families feel could be summed up by saying that the longer the process takes, the more jiggery-pokery they think is going on with the results of the inquiry. If we continue like this, there will be a total loss of faith in what it produces.

**Chris Stephens:** Indeed, and I am sure the military families watching these proceedings will agree with the hon. Gentleman.

The length of time that this inquiry has taken has put undue pressure on military families, who want the truth. Those families are proud of their loved ones who served, but are disgusted with the Government and the Government process. That is the view of military families like Rose Gentle and her family. They feel that the military covenant has been not just broken, but shattered. They feel that their loved ones have been buried twice—once after their death, and twice by bureaucracy and evasion.

The Prime Minister wrote to Chilcot asking for clear deadlines and publication. The Government cannot and should not allow themselves to be seen to be backtracking on the Prime Minister's strong words. Further delays are not acceptable. Rose Gentle is an inspiration to many. She has done a lot of work to assist charities such as Soldiers Off the Street, a charity with an office in my constituency which looks after soldiers who have returned from the frontline and struggle to adjust to civilian life. Rose Gentle and her family have a simple request: it is time for justice for the military families who lost their loved ones serving in Iraq. The Chilcot report must be published in the first week of May 2016.

1.24 pm

**Martin Docherty-Hughes** (West Dunbartonshire) (SNP): I am delighted to sum up on behalf of the Scottish National party. Before I do so, I commend those who secured the debate—crucially, the right hon. Member for Haltemprice and Howden (Mr Davis), my hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil), and the hon. Members for Newport West (Paul Flynn) and for Brighton, Pavilion (Caroline Lucas).

Many of the Members on the SNP Benches, as the numbers indicate, see this as important issue. If not in all constituencies in the United Kingdom, it is so in Scotland, and for a specific reason. It was a real issue on the doorstep at the last election. I am mindful of my hon. Friend the Member for Glasgow North West (Carol Monaghan) who, in a hustings with her predecessor last year, asked the question, "Why did you vote for the Iraq war?" The answer was, "I didnae." My hon. Friend took out an iPad and looked up *Hansard*. The rest is on YouTube to watch. It is embarrassing that that situation arose, when a Member of this House could not even remember whether they voted to go to war or not. It was a disgrace. Needless to say, that Member no longer sits in this House. Iraq has been a critical issue in Scottish politics over the past decade.

I declare an interest. My brother is a reservist and had a tour of duty in Iraq and two tours of duty in Afghanistan. When I used to write to him on the frontline, I knew day in, day out that I might never get a reply, so I share the concerns of many Members and those who represent military families of both officers and personnel. The report needs to be published, as promised. Families such as Rose Gentle and her family need answers.

Who, in any western democracy, would have believed that a four-letter word would have such a far-reaching and profound effect on domestic affairs and be so detrimental to our relations with other countries, as well as paralysing any hope of moving on and learning from past mistakes? It is a word deeply embedded in our psyche and conscience and it continues to overshadow our work in an increasingly unstable and fractured world. That word, of course, is "Iraq".

In February 2003, together with more than 100,000 others, I marched through the great city of Glasgow, joined by another 1 million across the communities of these islands, to protest against an invasion of the sovereign nation of Iraq. I would never have imagined that I would be standing here to reiterate the same belief that led me to march then—a belief

[*Martin Docherty-Hughes*]

shared by Scottish National party members, predominantly those who elected us, that that invasion was the wrong choice and an immoral one.

Now, 13 years after our armed forces were led into that illegal invasion, and seven years after the establishment of the inquiry into the UK's role, this Parliament and the communities of these islands are still waiting to learn of the true events of that catastrophic war which, as I said, has had profound consequences on our international relations and, critically, on the lives of our armed forces and on millions of lives across the globe.

During the debate I was looking up at the Public Gallery and I could see young and old, people of every generation and of every race and creed, and I thought to myself, "The consequences of that decision to go to war, on what I perceive as an illegal basis and a lie, will have profound consequences not just on those in the Public Gallery, but on the children being born now and the lives that they will lead in the future."

Much has been made of using the Chilcot report, as stated in previous debates, as a mirror to reflect on the events leading up to the invasion and on the war itself. More importantly, the real opportunity is for the British Government to change what they are doing. In a speech on the Floor of the House last year, as has been mentioned, the hon. Member for Penrith and The Border (Rory Stewart) stated that this is our Vietnam. I would go even further back, because this is another knot in the history of failed diplomatic choices by this political state. I consider Iraq to be a modern-day Khartoum, so we could go back even further and look at the situation we have faced in Sudan and Egypt over the many decades since. Iraq laid the ground for considerable misadventure in the years that lay ahead. I believe that we would be misguided to look at this report from the classic imperialistic viewpoint; the one that led us into Iraq in the first place.

Since being established, the Chilcot inquiry has had a stranglehold on British diplomatic and military policy, with everything being placed in limbo until the report is released. The longer we wait, the more unstable our position becomes. That has led successive British Governments to continue with the same failed philosophy without ever learning from their mistakes or looking at a different set of responses to the situation in which we now find ourselves. It would also be inexcusable for the British Government, led by the Conservative and Unionist party, to use its internal European war to delay publication. Frankly, it would be immoral.

Sadly, there does not seem to have been any willingness or vision from successive British Governments to change their knee-jerk and reactive diplomacy, according to which a situation requiring attention almost always ends up with a bombing campaign, which only adds fuel to an already inflammatory setting. In reality, we now have an inability to confront threats in a progressive manner due to the fear oozing from Chilcot. The Government are unable to learn their military and diplomatic limits, and that is undermining the UK's diplomatic capabilities and reducing its ability to defend its economic and social interests.

The UK's senior diplomats, as the hon. Member for Penrith and The Border mentioned last year, are reduced to a rump, often moved on very quickly in their tenure

and often unable to communicate in local languages. Time and again in debates about Chilcot on the Floor of the House, the point is made that the policy of having a mass diplomatic service with ever dwindling expertise and reliance on local information undermines the idea that this place knows what is going on, and not only in Bagdad, but in Washington, as we clearly saw when a British Labour Prime Minister, and his Government, walked hand-in-hand with a Republican President of the United States and led our armed forces into war.

I am not often for quoting things, but I thought I would go back a wee bit and see if there was any expertise on how to use information in "The Art of War", an ancient Chinese publication. The General notes that there are two goals for intelligence activities—I will quote only the first, Members will be glad to hear. He states:

"The first goal is to obtain accurate, timely information about the objectives, resources and activities of competitors."

We failed in that basic military process because we relied on the services of others, while our other closest NATO allies in Europe looked to their own services and came to the discerned opinion that an invasion of Iraq would be wrong, with regard both to ability and to inability to extract ourselves from it. From that perspective, it looks like our diplomatic policy is based on Google Translate, due to the limited numbers of senior diplomats with second languages relevant to their placement and over-reliance on local translators and locally based staff.

From the Scottish National party Benches at least, the idea of "mission accomplished", as mentioned by my hon. Friend the Member for Dunfermline and West Fife (Douglas Chapman), is both a fallacy and a myth perpetuated by successive British Governments hell bent on rewriting history. The maxim that victors write history cannot be applied here, because the war is not over.

Further to the point about the UK's diplomatic efforts, failure to publish the Chilcot report would reduce the UK's military leadership. With this House's decision on Syria, for instance, it abdicates responsibility for bombing a country into submission, rather than dealing with the reality we now face: Assad, still ensconced. We knew that would happen, yet the Government have pursued a military programme that places in a perilous position not only the armed forces, but civilians. This policy failure is the price that the United Kingdom of Great Britain and Northern Ireland is paying for Iraq, and it is one for which the communities of these islands will pay for years to come. It is unforgivable.

Yet even when published, as surely it must be in the timeframe set out by the Prime Minister, the Chilcot report will not reflect the entire story. I am grateful that the hon. and gallant Members for Beckenham (Bob Stewart) and for Gravesend (Mr Holloway) rose to address the House today, because they reflected some element of the lived experience of the military service personnel on the frontline. But Chilcot is more than just an examination of Government policy and the impact on international relations; it is a very real and personal goal for the families of those service personnel who lost their lives during the war. Those families have lived the Iraq war every day since the bombs were dropped, and every day that the evidence of the inquiry was gathered. We want closure.

I will bring my comments to an end, because I am conscious of the time. We, as parliamentarians and representatives of the communities that have sent us to this place, have a duty and a responsibility to ensure that decisions made about war and peace are open and transparent. We recognise that armed services personnel know that they might not come back, because that is the danger of being in the armed services—that is not the point. The point is that we do not wish them to go to a war that is illegal or a bad diplomatic choice for the country. How can we carry out this process if we are being denied the opportunity to read a report on a war that continues to impact on the security of this political state?

The Prime Minister must stay true to his word on a two-week clearance period so that the report can be published in the week beginning 2 May 2016. Any further delay will not be acceptable to those on the Scottish National party Benches or our constituents, and I am sure, as we have heard from hon. Members across the House today, that it will not be acceptable to them and to Parliament itself. Critically, it will not be acceptable to those who served the Crown abroad and to the families of those who lost their lives.

1.37 pm

**Wayne David (Caerphilly) (Lab):** Let me say at the outset that we certainly welcome this debate, and our thanks should be recorded to those Members from different political parties who put their names to the motion. We have had a good debate. This is a serious issue that exercises the minds of not only Members of this House, but many people across the country. The concerns of so many people in our country have today been well expressed, articulately and in different ways.

As has been said, it was Labour that set up the inquiry in July 2009, when Gordon Brown was Prime Minister. I have heard what Members have said about how such an inquiry should be conducted, but as was made clear at the time, it was genuinely thought that the inquiry should begin only once all British combat troops had left Iraq. I remain convinced that that was the right course of action to take at the time.

**Sir Gerald Howarth:** Is the hon. Gentleman aware that his right hon. Friend the Leader of the Opposition took a rather different view, and voted in favour of our motion, but the hon. Member for Nottingham North (Mr Allen), who was in the Chamber earlier, took the Government line, even though he has been a critic of the decision since then?

**Wayne David:** I willingly acknowledge that this issue is open to discussion and judgment, but at the time that was our judgment, and I think that it was probably the correct one. The important thing, I would stress, is that the Labour party did not at the time expect that the report, thorough as it was going to be from the start, would take seven years to complete. That is completely unacceptable and very difficult to justify or, indeed, understand. The Labour party wants the report to be published in full as soon as is practicable. At the same time, we must acknowledge that if the report is to have integrity, it needs to be recognised as independent. It would be wrong, therefore, for the Government or

individual politicians to try to influence the contents of what I hope and am sure will be an objective report and assessment.

The fact that the report is taking so long is cause for concern, however. The latest delay, we are told, is caused by the need for security checking. We understand that there needs to be security checking. Sir John Chilcot explained clearly in his letter to the Prime Minister, dated 28 October, why that should be:

“National security checking is distinct from the process of declassifying material for disclosure in the inquiry’s report. Its purpose is to ensure that the government’s obligations under article two of the ECHR and for the protection of national security will not be inadvertently breached by publication of the inquiry’s report as a whole.”

That makes a great deal of sense, and I do not think that many people would object to that. It is noteworthy that the Prime Minister said the following in his letter to Sir John dated 29 October, which he willingly consented to publish:

“In relation to National Security checking, the Government will aim to complete the process as quickly as possible. As you know, National Security checking for the Savile Inquiry took two weeks to complete. It would certainly be our plan and expectation to take no longer than this, and we will look to complete the process more quickly.”

It is worth bearing in mind what the Prime Minister said, and was more than happy to make public. I am concerned that we are where we are today. I look forward to hearing what the Minister has to say in response to the debate, and to my specific question: what is the date for publication?

I conclude by reiterating what several Members have said: it is important to have the report published soon, for two essential reasons. The first is so that we can, collectively, learn the lessons of Iraq. Lessons have to be learned about what happened in the run-up to the war, during the war and, crucially, once the war concluded. I remember going to Washington and having a meeting in the Pentagon before the war commenced, and I pointedly asked a five-star general what the United States’ plan for reconstruction and rehabilitation after the war was. He said, “That is not our concern. Our job is to kick ass and get out.” That was crudely put, but unfortunately that was the attitude that informed the actions of the American-led coalition. In my discussions with military personnel in this country, the attitude was quite different, but, to be blunt, Britain was a very junior partner. That kind of mentality and mindset among the Americans made what has happened since almost inevitable. Lessons have to be learned from the situation that unfolded.

The second reason is that we need openness and closure for the families of all the British soldiers who so gallantly gave their lives for the country. We have a debt to them, and it is important that a clear message goes out from the House that we want the report to see the light of day, and to be published, examined and debated as soon as is practicable.

1.44 pm

**The Parliamentary Secretary, Cabinet Office (John Penrose):** I start by joining the chorus of thanks to the Backbench Business Committee, to my right hon. and gallant Friend the Member for Haltemprice and Howden (Mr Davis), and to the many other hon. Members from

[John Penrose]

all parts of the House—some of them have personal experience of serving our country in the armed forces—who contributed to the debate.

This issue could not be more serious or important. As colleagues from all parts of the House have said, this is about how and whether we take the country to war, and whether we have done that in the right way in the past. Even for those, like me, who were not here when the debate and votes were held, there could be no more important or serious issue for us to address. There is a thirst, not only in the Chamber but more widely across the country, for accountability, for closure, and for lessons to be learned.

I will not try your patience, Madam Deputy Speaker, by going over the history of the war, but I will try to address the questions raised in the debate about what will happen to get the report out as soon as we reasonably can.

**Tom Brake:** Can the Minister give us an undertaking that the Government will implement any recommendations that come out of Chilcot to improve the transparency of the decision making involved before we commit the country to going to war?

**John Penrose:** It would be premature for any of us to prejudge the results of Sir John Chilcot's inquiry, but I am certain that everyone—Members on both sides of the House and others more broadly—will look extremely carefully at the conclusions. I am sure that there will be a great many lessons to be learned.

In line with the timetable set out by Sir John Chilcot in his letter to the Prime Minister last October, to which a number of colleagues from all parts of the House have referred, we expect the inquiry's report to be ready for national security checking in the week beginning 18 April—that is, some time next week. Once Sir John indicates that that is the case, the work will begin. As the Prime Minister promised, it will take no longer than two weeks.

Once that is done, the inquiry team will prepare the report for printing and publication. I should make it clear that at that stage, even when the national security checking process is complete, the report will still be in Sir John Chilcot's hands and will not be released to the Government until everything is ready. The inquiry team has said that it will complete the remaining work as swiftly as possible, and Sir John Chilcot indicated in his letter to the Prime Minister last October that he expects publication in June or July this year.

I would like to reassure colleagues by providing a little more detail on what national security checking involves, because a number of concerns have been raised about what might or might not happen in that process. National security checking is a legal obligation and a well-established standard process for inquiries that consider sensitive material. It has been used in extremely sensitive reports, including those of the inquiries into Finucane, Bloody Sunday, Billy Wright and Rosemary Nelson, to name just a few. I am sure everyone will agree that the report must not compromise national security or breach article 2 of the European convention on human rights by putting the safety of individuals at risk. It is a limited

process with a narrowly defined remit focused solely on ensuring that the inquiry's report does not put lives at risk.

By making those extremely narrow and clear terms of reference public, I want to reassure everybody, in Parliament and elsewhere, that the process will not and cannot be used to redact or censor material that does not need to be secret, or that might prove embarrassing to Ministers or officials from the time covered by the inquiry. I am also pleased to inform the House that I understand that the inquiry team expects to announce a firmer publication date soon after the national security checking process is complete. That may answer some of the concerns raised by Members from all parts of the House.

Sir John made it clear in his letter to the Prime Minister that he needs to complete several further steps after security checking before he can hand the final version to the Government for publishing. As the House will be aware, the report is very large, with over two million words—about three or four times the size of "War and Peace"—and it will be accompanied by many hundreds of documents. I am told that, because of its size, it will take a number of weeks to prepare it for publication. That matter is under Sir John's control. Sir John and his team have promised that they will complete the work as swiftly as possible.

I should also reassure the House that I have checked with senior officials in the Cabinet Office and been assured that nothing in the rules of purdah for the EU referendum could provide a reason to delay the publication of Sir John's report once he delivers it to the Government. We will therefore publish the report as soon as it is delivered to us in its final form by the inquiry team, whenever that may be.

**Mr Andrew Turner (Isle of Wight) (Con):** I am grateful to my hon. Friend for his assistance on this matter. The problem is whether Sir John Chilcot will push that through. Has the work that needs to be done to create such a large piece of work been done? In other words, will the only delay be to allow the Prime Minister to examine the report, or will there be further delays?

**John Penrose:** I am trying to make it clear that the Prime Minister made a pledge that the Government's contribution—the national security checking—will be done in two weeks or less, and we will deliver on our pledge. At that point, we will not have control of the report; it will still be in Sir John's hands. He will need to complete the work. I am sure he will have listened to the tone and tenor of this debate, and he will understand the thirst to see the results of his work, given the frustration at its taking so long. However, we are in his hands—the report, quite rightly, is an independent one, and it needs to be objective and independent of Government—as to the work that remains to be done. From the Government's point of view, I can say that we promised to get the security checking done within two weeks, and we will.

I want to provide reassurance to my many colleagues on both sides of the House who I know have concerns about the interests of the families of service personnel killed or injured in the war. We will discuss these issues with the inquiry once national security checking is completed, but I understand that the inquiry will make suitable arrangements for families around the date of publication.



In conclusion, I am grateful to all right hon. Members, hon. Members and gallant Members who have contributed to this debate. I think we agree on the need for the report to be published as soon as possible. I am also sure that we all appreciate the wish of the families involved to understand why and how certain decisions were taken, and for us to learn any lessons that need to be learned. This inquiry has looked at complex events, over a nine-year period, that evoke strong feelings on all sides of the political debate. I am sure we all agree that it is vital that the inquiry completes its work to the timetable Sir John Chilcot laid out in his letter to the Prime Minister last October. We will then, at last, have the fully independent, heavyweight, evidence-based report that events of such importance demand. Parliament, the families of service personnel killed and injured in the war, and the country as a whole deserve nothing less.

1.53 pm

**Mr David Davis:** This has been a very good debate. Every speech has been impressive, well-informed and passionate. There are three reasons why Chilcot matters: one is learning lessons; one is holding people to account; and one is giving closure to those who have suffered the loss of their nearest and dearest. From the point of view of the last of those reasons, I want to say through the Minister to Sir John Chilcot that publication in June or July is incomprehensible and unacceptable. In the Gallery is Peter Brierley, whose son Shaun died 13 years ago in the service of his country. In my mind, he represents the 179 families who have lost sons, daughters, brothers, sisters, husbands, loved ones, wives and, in some cases, mothers and fathers. We owe them a debt. We call ourselves right hon. and hon.—and sometimes gallant—Members, and this is a matter of honour: let us give those families closure.

*Question put and agreed to.*

*Resolved,*

That this House calls on the Government to conclude the National Security checking of the Iraq Inquiry report as soon as possible in order to allow publication of that report as soon as possible after 18 April 2016, and no later than two weeks after that date, in line with the undertaking on time taken for such checking by the Prime Minister in his letter to Sir John Chilcot of 29 October 2015.

## BBC: Diversity

1.54 pm

**Mr David Lammy (Tottenham) (Lab):** I beg to move,

That this House notes the crucial cultural role the BBC plays in modern Britain; welcomes the fact that one of the public purposes outlined in the BBC Charter is to represent the UK, its nations, regions and communities; notes with concern that the last employment census in 2012 showed the number of black, Asian and minority ethnic people working in the UK creative media fell by 30.9 per cent between 2006 and 2012; believes that a BBC target of 14.2 per cent for 2017 is insufficient; further notes that this target falls short of other UK broadcasters; and calls on the Government to recognise these failings when considering the BBC's charter renewal and make representations to the BBC to ensure that the corporation is not failing in any of its diversity objectives, including, but not limited to, delivering high quality programming which reflects modern Britain accurately and authentically and that the Corporation must advance equal opportunities to diversify and develop its workforce and senior leaders so that they better reflect audiences.

I am grateful to the Backbench Business Committee for allowing me to bring this motion before the House today, and to my colleagues the hon. Members for Maidstone and The Weald (Mrs Grant) and for East Renfrewshire (Kirsten Oswald) for co-sponsoring this debate.

Over the past few weeks I have met and spoken to many people, both black and white, who work in our creative industries. They do an extraordinary job, and our creative industries rightly have an envied international reputation. I am acutely aware that this is the first time in the history of the BBC that matters of diversity have been debated on the Floor of this House.

This is certainly not, however, a new issue. I must begin by acknowledging those who have called for many years for greater diversity in the arts, especially in television. I salute the work my good friend Lenny Henry has done. Back in 2013 he called on me to help him as he began to think about the issues more deeply. In 2014 he laid out his plan for the BBC to set aside money for black, Asian and minority ethnic shows. Earlier this year, Idris Elba came to Parliament and spoke of the

“disconnect between the real world and the TV world”,

and the even bigger gap

“between people who make TV, and people who watch TV”.

I pay tribute to the Minister for Culture and the Digital Economy, who is in his place. In his six years in post he has been a champion of diversity in the media. I absolutely agree with his comments on “Channel 4 News” last week, when he said that the current position on diversity across our broadcasters is unacceptable and that more progress is needed. He has taken our broadcasters and the wider arts and culture sector and held their feet to the fire. I am grateful to him for doing so. On this issue, there is very little between us.

Let me make it clear that diversity is not of course just about black and minority ethnic individuals; there is still significant work to be done to improve the representation within broadcasting and across our public life of women; of lesbian, gay, bisexual and transgender individuals; and of people with disabilities. It is also right to say that class and social mobility play a role in representation across the BBC. I am quite sure that colleagues in the House are also concerned that, despite

[Mr David Lammy]

some progress, there is a north-south divide in England. There is still some way to go, particularly on the representation of the depth and range of voices across the north of this country.

Diversity is an issue across the whole media sector, not just in broadcasting and certainly not just within the BBC. From Fleet Street to Hollywood, there are clearly many more rivers to cross. City University's latest survey, conducted just last month, found that British journalism as a whole is 94% white, and that there was not a single BAME face among the entire list of nominees for the 2016 Oscars. In 2006, representation of BAME people in the creative media industries stood at 7.4%; yet in 2012, the figure fell to 5.4%, and in television it fell from 9.9% to 7.5%, so it is going in the wrong direction.

Directors UK has said that the number of BAME directors working in UK TV is "critically low". A sample of 55,000 episodes drawn from 546 titles found that only 1.29% of programmes were made by black, Asian and minority ethnic directors. In some areas—period dramas, talk shows, panel shows and sketch shows—not a single episode had been made by a black, Asian or minority ethnic director. This is just not good enough in 2016.

We are privileged in this country to enjoy so much public broadcasting. That goes beyond the BBC: ITV, Channel 4, Channel 5, S4C, STV and UTV have a public service broadcasting remit, meaning that they operate for the public benefit rather than purely for commercial purposes. Taken together, those channels account for 70% of all TV watched in the UK.

**Mr Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): The statistic the right hon. Gentleman read out about programmes produced by black and ethnic minority people is shocking. I would support his argument by pointing out that when a population of 60,000—I am talking about the Gaelic speakers of Scotland—is given the opportunity, tremendous talent comes forward and great programmes are made. I think the point he is making is that if that opportunity was available to others, the same would happen. I support him in that.

**Mr Lammy:** The hon. Gentleman is absolutely right. We have gone beyond the point where we say, "The talent is not there. Can we do some training?" The talent exists. Can we now bring it forward and get the change that is required?

One of the central statutory responsibilities of public service broadcasters, as outlined in the Communications Act 2003, is to ensure that the diversity of the UK is reflected in their output. They must broadcast

"programmes that reflect the lives and concerns of different communities...within the United Kingdom".

Ofcom has made it clear that all public sector broadcasters must do more on diversity and the portrayal of under-represented groups. Its latest research found that 26% of black viewers saw people from black ethnic groups on TV daily. Over half of black viewers feel both under-represented and unfairly portrayed across our public service broadcasts. Some 55% of viewers from a black ethnic group felt there were

"too few people from black ethnic groups on TV"

and 51% felt that black, Asian and minority ethnic people were shown negatively on TV.

Since its inception at Alexandra Palace in Haringey, my home borough, the BBC has time and again proved its worth as a national broadcaster in the quality, depth and breadth of its output. Its great programmes bring the nation together, its outstanding journalism brings stories to life, and its online offering has seen the Beeb continue to flourish and serve its audience in the digital age.

Over the years, the BBC has made significant strides in reflecting Britain's increasing diversity. In 1964, it made the groundbreaking documentary "The Colony", about West Indian immigrants living in Birmingham. In 1967 "Rainbow City" was the first drama series that saw a black man in a leading role. There was not a huge number of black actors on television when I was growing up, but Benny in "Grange Hill" was one of them and I was grateful for him. I remember Moira Stuart reading the news, beginning in 1981; the Tavernier family arriving on the set of "EastEnders"; and Diane-Louise Jordan presenting "Blue Peter" for the first time, as I made my way to university—not to mention great shows such as "Black Britain", "The Lenny Henry Show", "The Real McCoy" and "Goodness Gracious Me".

Seeing black faces on the BBC, the national broadcaster, has helped show Britain's black community that they belong and that they are part of the nation's social fabric. The BBC is the cornerstone of public service broadcasting in our country and our most important cultural institution. Most of all, it is the recipient of huge amounts of money, receiving £3.7 billion from the licence fee. Tony Hall, the director-general, has admitted that although this is "a truly cross-industry challenge", "the BBC must take the lead because of our unique funding and responsibility to licence fee payers",

which comes with that funding.

Let me state categorically that I am a friend of the BBC; I love its output. Today, my remarks are strong because I think my friend is in trouble. Too many people from ethnic minority backgrounds who work in the organisation have contacted my office over the past few weeks to say that they cannot speak up because they do not want to be labelled a troublemaker. Well, I have no problem with being called a troublemaker. That is why I and so many colleagues are in this House to speak up on their behalf.

Between 1999 and the inquiry of the Select Committee on Culture, Media and Sport into the future of the BBC in 2014—within 15 years—the BBC ran 29 initiatives aimed at black and ethnic minorities, but the situation is still not improving. In September 1999, it published a statement of promises, pledging better to reflect the UK's diversity. In 2000, it published a cultural diversity action plan, promising that the corporation would

"reflect the UK's diversity in our programmes, our services and workforce".

It set up a new recruitment agency to reach out to "different communities", a mentoring programme and a development scheme to enable

"minority ethnic staff to compete for senior positions within the BBC".

In 2011, the BBC published "Everyone has a story: The BBC's Diversity Strategy 2011-15", which outlined its

"determination to visibly increase our diversity on and off air"

and five separate

“strategic equality and diversity objectives”.

Diversity was outsourced to various divisions, which were told to create divisional diversity action plans and diversity action groups.

In 2014, Tony Hall unveiled yet another action plan to tackle on and off-air representation, stating

“we need to do more”.

He announced a senior leadership development programme, under which six talented people from black and minority ethnic backgrounds would come forward, and a diversity creative talent fund.

We heard last year, and we are hearing it again, that at the end of this month the BBC will publish an equality and diversity report. Yet another one is coming very shortly, and it is all going to be fixed—£3.7 billion! It will be another strategy to get our teeth sunk into, and we will fix this challenge. If the BBC is genuinely a universal broadcaster, we have to ask these questions. This can no longer be about skills training. The skills are there. This is about the institution and the change that is now required. That is why we brought this debate forward.

I am growing tired of strategies, new approaches, action plans, initiatives and press releases. The net result of all these strategies and initiatives is, sadly, very little. Despite the good intentions, the rhetoric has not been matched by real progress. In 2011, the proportion of the BBC’s workforce that was from a black, Asian or minority ethnic background was 12.2%. Tracked against the progress of its 2011-15 strategy, we see modest rises to 12.3% in 2012, 12.4% in 2013, 12.6% in 2014 and 13.1% in 2015. In four years, we have seen a 0.9 increase. In 2003, BAME employment was 10%, so in 12 years, it has increased the proportion of black, Asian and minority ethnic staff by just 2.2 percentage points.

That is still not reflected by an increase in management roles in the organisation. We can all go into Broadcasting House and see black staff in security and at the junior end, but when we walk into that newsroom and think about the editorial decisions that are being made, we must ask ourselves, “Is this really representative of our country as a whole?”

Everyone I have spoken to recognises that over the past two to three years, on-screen representation has improved significantly. There are areas of the BBC’s output that, frankly, are fantastic. I have young children, and children’s television is one of the areas that is really diverse. Anyone here who has teenagers or slightly older children who watch BBC Three’s output will know that it is really diverse. Documentary-making is another strong area. Last year, my constituency was portrayed in a documentary called “This Is Tottenham”, which showed the lives of people in that part of north London. However, in many areas, there is still a huge amount of work to be done.

Let us take the headlines around the BBC’s new drama, “Undercover”, which people can see on BBC iPlayer at the moment. It is a great drama, but it was announced with great fanfare as, “The first time we’ve had a drama with two black leads.” In 2016? That was not news in the 20th century, let alone in this century.

We must also ask questions about current affairs. I love sitting next to Andrew Neil on a Thursday night, when I occasionally stand in for my hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott). Andrew Marr is a great guy, as are John Humphrys and David Dimbleby—when they allow me on the show, which they have not for almost five years. But they are white, patrician men. What does that communicate about our country—that there cannot be a voice that is not a southern one? That there cannot be a woman? That there cannot be someone from a diverse background? Those men are the arbiters of current affairs in this country. We have to be brave and hold our public broadcaster to account. It cannot just appoint the same old faces from the same old schools to the same old jobs. That is not acceptable from a public broadcaster that takes licence fee money from all our constituents. We must hold it to account and say that yes, those individuals are brilliant, but more needs to be done to get that diversity across the spectrum.

A lot of this comes back to senior management, and with systemic change what really matters is who the decision makers are. As I have said, there has been a lot of focus on training schemes and apprenticeships to open up the industry, but we need to change the culture and practices that stop black, Asian and minority ethnic people rising to the top; it should not just be that new schemes are set up to encourage more people to get in from the bottom. Only one of the BBC Trust’s 16 trustees is from a black, Asian and minority ethnic background. The executive directors are really important, as they are the controllers—the people who really govern the decisions on the executive board. Of the BBC’s eight executive directors, none is from a black, Asian and minority ethnic background, and only two are women.

My question to the BBC is simple: what will it take to see a black, Asian or minority ethnic channel controller? When will we get there, I wonder? What have we got to do to see a black commissioner in an important area—current affairs, or drama—in the BBC? Is our public broadcaster really saying that across the population of this great country there are no individuals from a BAME background who could take up those posts today? That is what it has to explain to us over the coming weeks as it heads towards its diversity strategy.

**Mr Gareth Thomas** (Harrow West) (Lab/Co-op): Given the lack of diversity at the very top of the BBC, on its board, is it not now time to think about having a radical reorganisation of the BBC’s top management, potentially with elected directors for the board?

**Mr Lammy:** My hon. Friend is good at radical ideas—he is known for them—and that is certainly one. I am not going to stake my name today on what the change should be, but clearly we have come to a point—perhaps that is why the issue is on the Floor of the House for the first time—where we want step change. Change cannot be incremental any longer. I say that because if we treasure our public service broadcaster and the universality that it represents, I am afraid that in a multi-platform world, where people can turn to other services, that broadcaster is going to be in deep trouble if it does not step up pretty quickly.

In 2015, 9.2% of the BBC’s senior leadership were black, Asian and minority ethnic. Looking beneath the surface, in TV the percentage drops to 7.1%; in news,

[Mr Lammy]

the figure for senior leaders who are BAME drops to 5.8%. The lack of diversity at management and senior levels creates a dangerous vicious circle. If those decision makers are not from diverse backgrounds, content and programming will lack fresh narratives and insight, and will not speak to the breadth of this country. When we have all the same people at the top, hiring people in their own image, the circle simply stays closed.

**Bob Stewart** (Beckenham) (Con): I really commend the right hon. Gentleman on his speech, which has highlighted the issue to me and educated me. I hope very much that, because of the brilliance of his speech and the force with which it is being given, the BBC board will insist on change.

**Mr Lammy:** Well, I am very grateful to the hon. Gentleman for that, but I am only halfway through—just hold fire.

Let us look at targets. The BBC has set itself a target of increasing representation in its workforce to 14.2% and increasing onscreen portrayal to 15%. As I have outlined, the track record does not fill me with absolute confidence that those targets will be met. The targets also fall short of those set by other broadcasters. Take Sky, for example. It has said that all new TV shows in Sky Entertainment will have people from black, Asian and minority ethnic backgrounds in at least 20% of significant onscreen roles. All original Sky Entertainment productions will have someone from a BAME background in at least one senior role, either producer, series producer, executive producer, director or head of production—my God, that is tall. It has also said that 20% of writers on all team-written shows across all Sky Entertainment productions will be from a BAME background. Looking at the statistics from January and February 2016, Sky has also made progress in current affairs and news: on “Sky News” 15% of interviewers were BAME; on “Murnaghan”, the figure was 17%; on “Sunrise” it was 22%; and it was 17% on “Ian King Live”.

Let us look at Channel 4’s targets in its “360° Diversity Charter”. One is that by 2020 20% of all Channel 4 staff will be BAME, a 33% increase from the 15% figure in 2015. Another is that of the top 120 people in the Channel 4 organisation—executive teams, heads of department and senior commissioning executives—15% will be from a BAME background, a big increase on the current figure of 8%.

Instead of being behind the curve, the BBC should be setting the gold standard. This issue does not affect only in-house teams. Broadcasters commission a lot of their work from independent production companies. The relationship between the BBC and those third-party suppliers is growing in importance, because the BBC is moving towards a new, more fluid production model, whereby BBC Studios will operate in the market and produce programmes for other broadcasters, and the BBC will allow independents to compete for more of the corporation’s commissioning spend.

If we look at the BBC’s editorial guidelines, which apply to all content made by a third party working for the BBC, we will see 19 separate subsections and eight appendices, but not one is specifically related to diversity

and representation. Nudity, violence, the watershed, the right of reply, privacy, religion, editorial integrity and conflicts of interest are all covered specifically and in great detail, but there is not a single section on diversity. In a 228-page document, there is not even a mention of the 14.2% target that the BBC is setting for itself internally. In section 4, on impartiality, production companies sign up to providing a breadth and diversity of opinion, but they do not sign up to any diversity in terms of equality and representation.

The BBC’s latest equality and diversity report, published in 2015, made this promise:

“We will be clear with our suppliers about our diversity requirements so that they are able to deliver on them.”

To find out just how clear the BBC is with its suppliers about diversity, I submitted a freedom of information request asking to see the agreements that BBC makes with its supplier for one show, “Question Time”. I was told that the information would not be supplied to me because it is

“held for the purposes of journalism, art or literature”.

Although the BBC is promising to be clear with its suppliers about diversity requirements, it is altogether less clear with its audience and those who pay the licence fee about what exactly those diversity requirements are. I therefore ask the Minister to look at the freedom of information rules that are enabling the BBC to be less than wholly transparent on these issues. I am sure that he, and all Members here today, would agree that a publicly funded body must adhere to the highest standards of openness. Over 50% of the FOI requests put to that organisation are denied. That cannot be right.

**Mr MacNeil:** The right hon. Gentleman’s point about transparency and openness is very important. The Liberal Democrats used to be in the position that the Scottish National party is in now, and I have asked “Question Time” and “Any Questions” for an impression of what the Liberal Democrat representation on those programmes was like compared with the representation of the SNP at the moment. An answer was not forthcoming.

**Mr Lammy:** The hon. Gentleman makes his case.

By comparison, Channel 4’s diversity commissioning guidelines cover on-screen and off-screen diversity, and all commissions must adhere to one guideline in each section. For example, at least one lead character must be black or minority ethnic, disabled or LGBT. At least one senior off-screen role—executive producer, director, series editor, or executive producer—for all factual and scripted programmes must be from an ethnic minority or have a disability, and at least 15% of the entire production team or crew of a factual or scripted programme must be from an ethnic minority or have a disability. Channel 4’s expectations seem altogether much clearer, which means that production companies know exactly what is expected of them.

Last month, Trevor Phillips presented research to the Oxford Media Convention that showed that in 2015 BBC 1 had a 21.9% audience share, but only 13.3% of BAME audience share. BBC 2 had a 5.7% share of the total audience, which falls to 3.3% for the BAME audience. Because the BBC is failing in its duty to reflect modern Britain, ethnic minorities are well within

their rights to ask why they should continue to pay their licence fee at all, given that it is used to fund a service that does not serve them.

The BBC, Channel 4, ITV and Sky have come together to create a diversity monitoring scheme to provide detailed, consistent and comparative data on diversity, and that will go live imminently. Project DIAMOND is a groundbreaking project that will shine a light on the industry, and provide independent data to show where we are with diversity in broadcasting so that we can make comparisons. Its monitoring and transparency will be clear, which I welcome, and I am sure the Minister will say more about that.

The current BBC charter runs to the end of this year, so renewal provides a vital opportunity to drive real change if the BBC wants to be serious about being a leader in delivering diversity. I believe that diversity requirements should be stated clearly in the new charter as one of the BBC's public purposes, and a core value at the heart of what the BBC does. We need something stronger, more ambitious and—importantly—more tangible than the current requirement for it to represent the UK, its nations and communities, which is frankly too woolly. I call on the Minister to assure the House that diversity will be front and centre of new ongoing debates about the BBC charter.

A new public purpose should be written into the BBC charter, including a specific commitment accurately to reflect the diversity of the UK in its on-screen and off-screen workforce, and in its programming, including, but not limited to, promoting equal opportunities irrespective of age, gender, race, ethnicity, disability, sexual orientation or gender reassignment. It is time to update the BBC's founding mission for the 21st century so that it becomes "to inform, educate, entertain and reflect". Writing diversity into the heart of the charter would be a bold first step. If we are to have another strategy at the end of this month and more initiatives, the BBC must propose specific actions to secure progress each year, together with details of how that progress will be measured objectively. To be taken seriously, we need answers to the questions of "how?" and "when?"

Money talks, and money alone will drive real change. We have hard evidence of what works when it comes to addressing under-representation. The BBC had a problem when it came to representing the nations and regions, so it did something about that which involved a dedicated pot of money. It did not rely on mentorship or apprenticeship schemes—there was structural change, and the move to Salford was part of that. Since 2003, there has been a 400% increase in the number of network programmes produced in the English regions. As of this year, half the network spend will be outside the M25, and the amount of spend in Scotland and Wales has matched or exceeded the size of the population since 2014. I absolutely agree with that direction. I was a Culture Minister at that time, and there were real concerns in Scotland because it paid 9% of the licence fee and had none of the programming. That has changed in recent times, although I am sure there is more to do.

The BBC's core purpose is to represent the UK's nations, regions and communities. It seems to have got there or beyond for the first two, but what about BAME communities? I am sure that moving production spend out of London has not led to more employment for people of Chinese heritage in Liverpool, of Somalian

heritage in Cardiff, or of Pakistani heritage in Glasgow. A focus on improving the representation of nations and regions has also seen areas with high concentrations of BAME people—such as Birmingham and London—lose out. We need something similar to act as a counterbalance, and if that is not in this next strategy, it will have failed. The holistic approach has not worked. After 15 years of focusing on people, skills and mentoring, it has not delivered the step change that we need in the institution.

This is a seminal moment for the BBC and its position as our national broadcaster, and it must rise to the challenge. It is not enough for the director general to make the right noises. The will is clearly there, but the institution is big and it will take more than good intentions to turn such a huge tanker around. We cannot rely on individuals pushing the agenda; we need systemic change.

Charter renewal is around the corner. We have reached a point of fragmentation in the TV industry where more content is available than ever before and viewers are consuming it online, and watching it on demand and through Netflix and Amazon Prime. They are challenging the BBC's position at the centre of our national conversation. That national conversation is hugely important, especially when things go wrong and we see something awful. I was culture Minister in 2005 when there were those terrible bombs in London, and we looked to the BBC for that national conversation.

Let us get it right. We cannot have people from BAME backgrounds turning to mother-tongue cable stations because they do not see themselves represented on the BBC. Take the Chinese community in this country. My God, it has been here for more than 100 years—talk about invisible! That community is not just invisible in this House—I recognise that the Government have made some progress on their Benches—but it is totally invisible among our broadcasters. I secured this debate because it is time for change, and I welcome the leadership shown by the Minister, and the fact that so many people have gathered across the House to debate these issues this afternoon.

2.27 pm

**Mrs Helen Grant** (Maidstone and The Weald) (Con): In December 2014 the Royal Television Society produced a video called, "Behind the Scenes at Newsnight". It was an information film for young people about the TV industry and ran for 11 minutes, yet not a single person from a BME background was included—by BME I am referring to people from black, Asian and minority ethnic backgrounds.

Seven months ago in September 2015, the controller of Radio 5 Live gave a 16-minute presentation about his ambitions for the station. In it he made no reference to the BME audience and included no BME voices. The video that went with the presentation showed no BME staff or any other BME people on screen. The embarrassment continues anecdotally, with many public figures commenting on the lack of diversity at the BBC. When he was BBC director general, Greg Dyke described his organisation as "hideously white", and the current director general, Tony Hall, has said that it needs "to do better".

I expect that colleagues will cite other shortcomings in the BBC's diversity record, and yes, there is much more to be done and it needs to do better. However, I

[Mrs Helen Grant]

have also seen it show leadership and create positive change in several areas in recent years. For example, as a result of Barbara Slater's vision as head of sport at the BBC, and her close work with the Department for Culture, Media and Sport, a step-change was achieved in the media coverage of women's sport in the UK. Sky and BT Sport played their part, but the BBC was an essential part of the mix, and that should not be taken away from it. To my mind, if the BBC can tackle gender diversity in sport—not easy—then why not racial diversity within its own organisation?

Perhaps we are starting to see some encouraging signs. In 2014, the BBC launched a plan, with targets and a budget, to address some of the issues I have raised. Eighteen months later, some progress has been made in the recruitment and commissioning of BME writers. Sky and Channel 4 have their plans, too, with even more ambitious targets and budgets. A word of caution to all, however. The metrics are important for measuring and monitoring, but they can sometimes be driven by short-term thinking and quick wins. That will not achieve sustainable change. For real change, the dinosaurs really do have to go, with the body corporate rewired and an organisation created with diversity running through its veins; an organisation where people can be recruited and promoted, can feel comfortable and part of the place, and are able to succeed at every single level not for the sake of tokenism and targets, but because they have the right skills and reflect the world in which we live.

**Mr Gareth Thomas:** Does the hon. Lady share my view that there will not be real change on a whole series of accountability questions until ordinary licence fee payers have the opportunity to have a direct say in who runs the BBC at the very top? BME licence fee payers are not really going to be able to hold the BBC to account on diversity at the BBC until they have the opportunity to directly elect at least one or two BBC directors.

**Mrs Grant:** I hear what the hon. Gentleman says and I note the radical ideas expressed by the right hon. Member for Tottenham (Mr Lammy). To get this right, we need to have unusual ideas put into the mix, and they need to be discussed. In some ways, people talk with their purse. At the end of the day, if the British people are not happy with representation in BBC programming they will not pay the licence fee. In a way they do have a direct say, because they will not spend their money. However, I take on board what the hon. Gentleman says. I think it is interesting.

A nation's diversity is something to be celebrated and broadcast far and wide, especially in places where racism and discrimination abound. The BBC could and should be leading the way on this, with 23 million viewers every week worldwide in 33 different languages. Just before Armistice Day last year, the BBC ran some programmes about soldiers and spies who made a big difference during the war. One featured a Sikh man and another featured a Muslim man, both of whom fought very bravely to defend our country and made incredible sacrifices. This coverage at a time of great national pride illustrated the very positive link between Britishness and multi-culture. I am in no doubt that the stories will

have changed some perceptions and some behaviour, but we need the BBC to make more programmes like this: programmes that attract a diverse audience while still entertaining the wider population. If such programmes were commonplace, then so too would be the demand for production teams, writers and actors from a BME background. The Lenny Henry plan for ring-fenced budgets could greatly assist this much-needed step-change.

It would seem that younger graduates tend to have difficulty in finding work at the BBC. Yvonne Thompson, from the European Federation of Black Women Business Owners, remarked rather sarcastically that perhaps applicants should use English-sounding names such as Camilla Winterbottom or Jonty and see if they get a call-back then. A similar point was made by our Prime Minister at party conference last year, not specifically in relation to the BBC but in relation to discrimination in recruitment generally. Since then, the Government have announced that companies and organisations that together employ more than 1.8 million people will recruit on a name-blind basis. To its credit, the BBC is a participant, but it could go even further. It could disclose, on a voluntary basis, detailed BME data on recruitment, retention, promotion and pay. This type of transparency not only helps to focus the mind, but sets a great example for others to follow. Some BME data were published in one of the annexes to the BBC's 2015 diversity report, but the tables were not user-friendly. They were very hard to read—I spent several hours on them. There was no real narrative that drew conclusions and no real analysis, so we remain pretty blind to the facts in an area where greater transparency is desperately needed, and where lessons could and should be learned.

**Clive Lewis (Norwich South) (Lab):** Does the hon. Lady agree that there would be some benefit in redacting not just the names of people on applications but the school and university they went to as well, taking into account the impact Oxbridge and what schools people attend, in particular independent schools, have on people gaining employment? Recent research by the Sutton Trust shows that in the fields of law and journalism and so on, the school and university that people have gone to have a massive impact on applications.

**Mrs Grant:** That is a very interesting idea. We have to do everything we can to make sure we attract the most diverse talent, especially in the BBC and on other stations. The more diverse the talent, the better the programmes and the higher the ratings. The business case is made. I think this is a moving target. Let us see how the name-blind goes, but we have to look at everything.

The Government have a significant role to play, too. I want to take this opportunity to mention the Minister for Culture and the Digital Economy, my hon. Friend the Member for Wantage (Mr Vaizey). His personal commitment and personal determination to shine a light on the need for diversity in the creative arts and media is absolutely commendable. I know it is very close to his heart. I hope all Ministers across all Government Departments take a note of his fine example as they strive, over the next four years, to achieve the Prime Minister's 2020 vision for equality and diversity.

Charter renewal is an ideal opportunity for the Government. During the process, they could really help to drive change and position the BBC as a world leader

in delivering diversity. I would like to see the remit of the public person strengthened, too. Diversity commitments should be secured and diversity targets set to run over the lifetime of the next charter. Governance must be tightened, too, to truly represent the UK—its nations, regions and communities. The BBC's governing body, the Trust, must itself better reflect diversity in the UK. In the 2015 BBC diversity report, of 23 senior people employed by the Trust, none was from a BME background. Currently, only one of the 12 trustees is non-white.

Culture change is never an easy process, but it is the only way to achieve real change. Channel 4 is managing it and is doing it really well. It has done it because of three key factors: commitment, leadership and money. The BBC needs to embrace this issue honestly and from the very top. It has done the surveys, set the targets, and has its plans and its budget. It knows exactly what the problems are. It just needs to get on now and do it.

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Natascha Engel):** Just before I call the next speaker, we have more or less the right amount of time for every single Member to get in with about 10 to 12 minutes, but not much more than that if we want to start the wind-ups at 4.30 pm. With that in mind, I call Julie Elliott.

2.38 pm

**Julie Elliott** (Sunderland Central) (Lab): I congratulate my right hon. Friend the Member for Tottenham (Mr Lammy) on securing, with help from the hon. Member for Maidstone and The Weald (Mrs Grant) and the hon. Member for East Renfrewshire (Kirsten Oswald), this interesting and important debate. The British public's love of, interest in, and concern about the BBC is an issue that crosses party lines.

Since joining the Select Committee on Culture, Media and Sport in October last year, I have spent much of my time reading written submissions from the BBC and attending oral evidence sessions on BBC charter renewal. I am therefore pleased to have this opportunity to speak on an issue I feel strongly about: regional diversity and fair funding at the BBC. I acknowledge all the issues raised about the diversity agenda, and I am sure I will agree with other such issues raised in the course of the debate. That is one of the points about this debate: it is so wide-ranging. It is not a narrow area of diversity we are concerned about but a very broad one.

I pay tribute to the BBC. It is not perfect—I will shortly make some constructive criticisms about things it is not getting right and some suggested improvements—but it is worth reiterating that I and many of my constituents feel a deep well of affection for the BBC and its unique position in British society. Arts Council England was right when it described the BBC as

“an invaluable cultural asset to the UK, it is an internationally recognised example of what British creativity and commitment can achieve”.

The BBC charter, which runs until the end of the year, is clear in stating the BBC's public purposes, which include representing the nations, regions and communities of the UK. At present, it is falling short on this commitment. There are two central issues at stake: one is financial, and the other—more intangible but no less important—is

reflecting diverse experiences. I will start with the financials. At £873 million, the north of England's contribution to the BBC licence fee is the second highest in the country, yet the north comes last when it comes to the BBC's spending per region, with just £48 million. This compares with £150 million for Wales and £2.5 billion for London.

The migration of BBC services, production and output to Salford has been successful in somewhat rebalancing the concentration of BBC services away from London, but just as London is not the UK, so Salford is not the north—or rather it is not where the north ends. The north extends all the way to Sunderland and beyond. It is a misplaced belief that if the BBC places staff and commissioning services in Salford, it can tick off the north from its checklist; that is not the case. There is certainly no lack of talent outside London and Salford. The University of Sunderland, in my constituency, has one of the best journalism courses in the country in its outstanding faculty of art, design and media. The BBC has a role in working with these types of young, talented, enthusiastic people to support them in building their careers.

As a major player, the BBC has enormous spending power and provides a major stream of capital to the UK's creative industries. In 2013, the BBC spent £2.4 billion across television, radio and online, making it the single largest source of funding for original content, excluding sport. For every pound of the licence fee the BBC spends, it generates £2 of economic activity. By failing to spend money in all areas of the country, the BBC is denying regions such as the north-east the economic benefits that licence fee spending can bring.

The BBC has been making progress. The north of England accounts for just under a quarter of the UK's population, and programming spending has increased from just over 10% in 2007 to over 17% in 2013. This improvement is welcome, but clearly there is further to go. I understand that the BBC is under pressure to reduce costs and that there is a danger of it spreading investment too thinly, but it must be possible for a national broadcaster at least to have commissioning bases in all the major regional centres, and to develop a fair commissioning and business strategy that encourages production across all parts of the country.

My second point is about the representation of regions such as the north-east on BBC television, radio and online. Perhaps the greatest strength of the BBC is that it is a truly national organisation, engendering shared experiences and making our imagined community a little more real, but this will begin to break down if people do not feel that their experiences are being reflected in the BBC's output. Figures from the BBC Trust in 2014 showed that only 52% of UK adults believed that the BBC performed well in representing their nation or region.

We must not underestimate the impact on a young child's life and development when they see and hear someone on the television, be it in drama or newsrooms, who looks and sounds like them. It gives them the reassurance that their life experience is not a lonely one, and that people like them are going through many of the same issues. In children's television, my region has a history of success, with programmes such as “Byker Grove”, “The Story of Tracy Beaker” and “The Dumping Ground”. I think also of Byker Grove's very own Ant and Dec, probably two of the most successful people in

[Julie Elliott]

television today. [HON. MEMBERS: “They’re from Newcastle!”] I’ll let them off being from Newcastle. There is diverse talent, reflecting different experiences, geographies, cultures, cuisines and accents.

We expect a lot from the BBC, both as licence fee payers and as viewers. We expect BBC output to be high quality, original, innovative, challenging, engaging and trustworthy; to reflect the diverse British experience; and to be widely available. Every region and country has the right to see itself represented by the national broadcaster. At present, the BBC falls short on this commitment, and I look forward to working with it, as a constituency MP and a member of the Select Committee, to ensure that this commitment is met, and to help make the BBC even better.

2.46 pm

**Mr Andrew Turner** (Isle of Wight) (Con): I congratulate the right hon. Member for Tottenham (Mr Lammy) on securing this Back-Bench debate. He focused on the important and interesting topic of black and ethnic minority diversity in the BBC, and I can see that he is worried that he will just get plans; he wants action.

I would like specifically to consider diversity of opinion on the BBC. Britain has always been proud to have a broadcaster free from advertisements and Government interference, but I cannot be proud of a supposedly impartial public service that, time after time, takes the opportunity to promote political opinions. This relentless promotion of opinion is not right, mainly because impartiality is supposed to be at the core of the BBC’s commitment to its audience. Impartiality should ensure that its output can be trusted by people of all political opinions in the UK’s cities, towns and villages, but I believe that that trust is increasingly being lost.

Last December, the European Scrutiny Committee, of which I am a member, took evidence from Rona Fairhead and Richard Ayre of the BBC Trust. During the sessions, it became clear that the BBC’s impartiality relied on three safeguards: the editorial judgment of programme makers using the editorial guidelines, the impartiality reviews, and the feedback from

“50 million viewers and listeners”.

First, there are the trust’s editorial guidelines, which are intended to help editors and producers to produce work that meets the highest ethical and editorial standards. They include a chapter on impartiality, because the royal charter requires impartial coverage. However, the chapter is only a framework enabling editors and producers to interpret the impartiality requirements. In an organisation as large as the BBC, that is simply not sufficient as a primary safeguard. Furthermore, it has been shown that minor editorial decisions build up to form a larger pattern that, cumulatively, creates unintentional bias.

Secondly, there are the trust’s regular impartiality reviews, which are intended to serve as studies to establish how content evolves over a significant period, and are also said to produce objective and in-depth analysis. The Bridcut report of 2007 is quite a good example of how an impartiality review should not be conducted. Almost 70% of the committee that produced the report

consisted of BBC staff and trustees. Its members did not aim to look for systematic bias, so, unsurprisingly, they did not find it.

Then there was the Prebble review of 2012, which was intended to be a

“Review of the Breadth of Opinion...in the BBC’s Output”.

In other words, the authors of that report were also not directly looking for systematic bias. News-watch, the public service monitor, has found that problems were ignored by the researchers. For instance, the report failed to explain a 50% drop in the number of UK Independence party appearances during the five years between 2007 and the time leading up to the report. Instead, it suggested that the UKIP’s views were represented by the Conservative party. I am quite sure that my right hon. Friend the Prime Minister would disagree robustly with that conclusion.

The final safeguard is supposedly the complaints procedure, with feedback received from those

“millions of views and listeners”.

However, the complaints procedure is patronising, complicated and inefficient. In fact, News-watch went so far as to say that the procedure’s automatic response was to discourage and dismiss complainants.

The next issue that I wish to raise involves programme content. The BBC is not allowed to express opinions on current affairs. Can it be right that, as the *Daily Mail* tells us, Jonathan Dimbleby urged his audience to write to their MPs to save the BBC from further cuts? The alleged incident took place just a week after the Culture, Media and Sport Committee published a critical report about the BBC. Dimbleby’s call to arms was made at the end of “Any Questions?”, in front of the Hereford audience.

**Mr Chuka Umunna** (Streatham) (Lab): Let me first congratulate my right hon. Friend the Member for Tottenham (Mr Lammy) on initiating the debate. Does the hon. Member for Isle of Wight (Mr Turner) really believe that the *Daily Mail* is the best arbiter of the impartiality or otherwise of a great institution like the BBC?

**Mr Turner:** I was not requiring it to do that. I was requiring it to quote what Mr Dimbleby said, and what he said was a fact, quoted by the *Daily Mail*. What he said was never broadcast by the BBC, because that would have been a massive breach of its agreement.

There are still many people who believe in the BBC’s strong ethos of impartiality, and believe that editors’ judgment is enough to protect it. The impartiality of the BBC is ingrained in our national psyche. However, we see the BBC fail in that regard over and over again. Earlier this year, the hon. Member for Cardiff South and Penarth (Stephen Doughty) resigned from his post as a shadow Foreign Office Minister live on “Daily Politics”. The programme was criticised for the decision to broadcast the Minister’s resignation. The BBC defended itself, saying that it was supposed to break news stories, but an output editor on “Daily Politics”, Andrew Alexander, revealed in a blog that BBC News political editor Laura Kuenssberg had made a deal with the hon. Member for Cardiff South and Penarth on his resignation before the show was filmed. The fact that the blog post was later



deleted suggests that the BBC was not breaking the news, but planning to create a central bit of the news story; that is the difference.

For most television, viewings and awards determine the right to exist. Programme makers follow the sensational path to attract an audience, and that is understandable, but the BBC does not need to create sensation, as its existence is protected through the royal charter and the accompanying agreement; on the contrary, the BBC is charged with reflecting the UK's diversity, being independent and upholding impartiality.

Robert Mosey, a former editorial director and the director of London 2012 at the BBC, gave his view on 25 February in the *New Statesman*:

"I do not believe that there is systemic bias. The BBC will be meticulous in allocating airtime for contributors and its journalists will display their characteristic professionalism – but they will also need to have some empathy with the opposing camps."

That is correct. Mosey unintentionally demonstrates a point. Systemic bias is difficult to detect, and it is especially difficult to detect when it is a minor decision that leads to a larger pattern of systemic bias. It is obvious that the employees of a company will determine the tone of the output, and that is what is fundamentally wrong with the BBC. It is the inability of staff to be objective about the overall output. What has the BBC done to rectify those issues when they have been voiced? It has done nothing other than discourage and dismiss them. The BBC's bias is a big issue, but it is not the thing that worries me most; it is its unwillingness to examine itself and its output critically that worries me. If the BBC's own complaints procedure lacks independence and the organisation rejects criticism, something must be fundamentally wrong.

Finally, this is not a criticism of the majority of staff and editors working for the BBC. They cannot be expected to solve a problem that has been created by the system in which they work. The answer must be stronger and more efficient safeguards; consideration of the cumulative output of the BBC, rather than of individual programmes; and a new willingness to look self-critically to ensure that it continues to deserve its unique and privileged position. All of that can come only from the trustees.

2.57 pm

**Dawn Butler** (Brent Central) (Lab): I congratulate my right hon. Friend the Member for Tottenham (Mr Lammy) and the hon. Member for Maidstone and The Weald (Mrs Grant) on securing this important debate.

I wish to talk about two things: optics and solutions. The optics of what we do are very important, both in this place and in the BBC. There is the saying, "You can't be what you can't see." Sometimes, I like to change that to, "You can be what you can see", which means that we need to see more diversity in the BBC. I accompany that with a short story.

A friend of mine—an actor—and I were talking many years ago. He said he could not find any jobs in the UK, although he had been on "Absolutely Fabulous", and he was going to America. We had a big debate on whether that was a good idea. I was sad to see him leave, but he did very well—his name is Idris Elba, and he is now a household name. It is a shame that we could not keep his talent in-house in the first place.

Black people get very excited when they see other black people on TV. I remember the days of T-Mobile, when the phone would ring after 7 o'clock—the calls were free then—and someone would ask, "Did you see that black person on this TV station?" It was the talk of the community. Optics are just so important.

**Mr Umunna**: I am loving my hon. Friend's speech; she is so right. When she talks about programmes, I think of "Desmond's" and the legendary "The Real McCoy". She illustrates the fact that it is not just who is in front of the camera that matters; commissioning editors and producers are equally important if our different communities are to be accurately portrayed on the BBC, rather than the stereotyping of different communities that, unfortunately, we have seen year after year after year.

**Dawn Butler**: My hon. Friend makes a valuable point, and I shall return to it later in my speech.

I do not watch the BBC that often, but I remember watching "EastEnders" in my younger days and thinking how strange it was, given that I am from the east end, that there were hardly any black people in the programme. When a black person did appear, they were totally unrepresentative of any black person I had ever known. It was rather shocking, and that point applies to commissioners and the way in which programmes are made. It is so important to get this right, but if we do not understand the culture or what it means to be, say, a disabled person, a black person or a woman, we will get it wrong.

My right hon. Friend the Member for Tottenham mentioned a new BBC drama, "Undercover". When I saw the trailers, I immediately put the programme on my record settings. I have not watched it yet, but I recorded it only because there were two black lead actors, and I got excited again—also, Adrian Lester is quite hot! [*Laughter.*] You have come in at the right time, Mr Deputy Speaker.

Shonda Rhimes, a producer, director and writer of amazing shows such as "How to Get Away with Murder" and "Scandal" was once asked how she felt about the diversity she brings to TV. She responded that what she is actually doing is "normalising" what we watch on TV. I hope the Minister will take that on board and demand that the BBC be normalised in this way.

The Olympics provide another example. Black people are extensively seen on the field and some are very well known in sport, yet during the coverage of the Olympics we rarely saw any black presenters. That made me wonder how that could happen. I am not sure whether a report was produced at the end of the Olympics coverage in 2012.

According to Directors UK, only 1.5% of programmes are directed by black, Asian or minority ethnic people. That is the fundamental root of many of the problems we face with programmes and programming. The number of BAME people working on TV fell dramatically when BBC and Channel 4 moved their productions outside London. Why was that problem not considered when they were thinking about the move? Why did they not think of retaining at least the BAME people they had, if not building on their number?

[Dawn Butler]

The BBC has a problem with recruitment; it always recruits internally first, which means it will recruit only from the people currently employed. If they are already “hideously white”, only white people will be recruited and promoted. The BBC’s recruitment process therefore needs to change. My hon. Friend the Member for Streatham (Mr Umunna) mentioned the industry professionals, and it is difficult for them to see and understand the beauty and diversity of written or other materials if they do not understand them. The only way to address the problem is to change some of the industry’s professionals. It is incumbent on the Minister to ensure that the BBC does that—and does it quickly.

**Mr Andrew Turner:** I am thinking about the people who are concerned about the number of outs, as opposed to the number of remains, who are employed by the BBC. I bet it is rather little.

**Dawn Butler:** I am not quite sure that I follow the hon. Gentleman’s intervention. I thought it was linked to the EU.

**Mr Turner:** It was.

**Dawn Butler:** It has already been said that anything and everything the Government think is important is written into the BBC charter. There is no excuse for that not to happen. The charter already takes into consideration how many current affairs programmes and children’s programmes should be made, as well as the number of programmes that should be made in Scotland and Wales and so on. If the BBC and the Government are serious about diversity, this should be written into the charter with the threat of the BBC losing money if it does not fulfil its obligations. I hope that the Minister will tell us that that will be the case.

Ofcom oversees the television industry but not the BBC. I hope that will change. In my opinion, and according to many of the people who were asked, the BBC board needs to be completely independent. Scottish, Welsh, Irish and English audience panels represent the interests of their regions to Ofcom, but there is no BAME audience panel. Money has gone into the parts that are represented by audience panels, so it stands to reason that establishing such a panel is the way to go if we want to see more money go into the black, Asian and minority ethnic area.

**Mr Gareth Thomas:** A few seconds ago my hon. Friend said she thought the BBC board ought to be completely independent and, presumably, free from Government interference over its appointments. Would she be willing to consider elections to the board as a way of achieving true independence?

**Dawn Butler:** True to form, my hon. Friend offers a radical solution. Yes, I agree that there should be elections. They would produce interesting results, and that is what we need.

Ofcom should ensure that the black, Asian and minority ethnic population has a systematic process to allow the industry to hear its views and concerns by setting up an advisory board. I cannot stress strongly enough to the Minister how important such a solution is. We often

talk about problems in this place, without talking about the solutions. I hope that the Minister will take this on board.

**Mr Umunna:** Where we see the hard end, where things go wrong if we do not have appropriate diversity, is in the representation of our Muslim communities. The rise in Islamophobia is due in no small part to certain broadcasters—this applies to the BBC and to others—putting up so-called community leaders who purport to speak for their community but have no mandate whatever to do so. Having a panel of the kind that my hon. Friend describes would increase the chances of the BBC and others getting this right and properly representing the Muslim community in particular.

**Dawn Butler:** Absolutely. This is an important solution to the problem. We would not have to rely on people thinking they knew who to go to. It would open and widen the field to members of the community who actually knew who to go to.

The advisory board would be based on the same model as the advisory committees in each nation that provide Ofcom with detailed expert insight into the challenges facing citizens and consumers in different parts of the UK.

Black, Asian and minority ethnic interests would be served through representation on Ofcom’s content board and the Communications Consumer Panel. The UK’s BAME community currently represents a larger proportion of the population than any specific nation apart from England, yet often makes up less than 12% of any advisory board, meaning that its voice is not heard as clearly as those of the people of Scotland, Wales and Northern Ireland. The Minister has a chance to put that right and, with his enthusiasm and commitment to the cause, I am sure he will.

**Mr MacNeil:** I want to help the hon. Lady by saying that I hope her ambition is greater than just matching the voice of people from Scotland, Wales and Northern Ireland. I hope that the ethnic minority voice will be stronger than ours, which we sometimes feel is not strong at all. I wish her well.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** Order. We have an informal 10-minute limit, and the Members who are intervening were hoping to be next on the list. I would not like to have to put them down the list.

**Dawn Butler:** I am coming to the end of my speech, Mr Deputy Speaker.

I completely agree with the hon. Gentleman. My ambitions for my community are always as big as possible and know no bounds.

My next plea relates to the “The Real McCoy”. There has been a long-standing campaign for the BBC to bring the show back, but one of the reasons that has not happened is that the archive has apparently been lost. If so, that says to me that the BBC felt—[*Interruption.*] An hon. Member in a sedentary position just kissed his teeth, which I am sure *Hansard* would not be able to print, but it basically means that what happened was very bad. [*Laughter.*] Will the Minister please investigate

whether the archive has been lost? If it has, it is a shame and it shows that the BBC had little regard for such a funny, legendary programme.

Finally, the BBC is under threat from the internet. Many groups and communities run their own programmes online because their voices are not being heard. I was part of Star Media and had a show to connect with the Somali community. It will be a shame if the BBC does not grasp the nettle and run with our suggestions.

3.12 pm

**Mr Gareth Thomas** (Harrow West) (Lab/Co-op): Like others who have spoken, I am a BBC enthusiast, yet I find myself sharing the essential analysis of my right hon. Friend the Member for Tottenham (Mr Lammy), who demanded not yet more good intentions from the BBC on diversity but serious structural and systemic change. I will use my few words to advocate one aspect of what that change might look like.

Much of my constituency does not feel properly represented in the BBC's output. I cannot think of any programme that positively portrays a leading figure from the Tamil community. I have large Pakistani and Gujarati communities, and the way in which they are portrayed, if at all, is often far from positive. Somali and Chinese constituents will also wonder whether the BBC properly represents their communities. There will be greater chance of the BBC offering a more diverse output, with more opportunities for black and minority ethnic staff and actors, and of more resource being generated from the UK's regions—a point made strongly by my hon. Friend the Member for Sunderland Central (Julie Elliott)—if the BBC's governance is significantly changed. There has always been a consensus in the House—sometimes somewhat reluctant and sometimes somewhat disguised—whereby Ministers, of whichever party, believed that overall control of the BBC Trust should be in their hands and that they should appoint to the BBC Trust or the board the great and good with whom they felt comfortable. The Government's proposals for change reflect that ongoing consensus, albeit perhaps with less enthusiasm for the BBC than previous Conservative Governments have shown. I do not think a 13-strong unitary board, which I understand is currently envisaged—all appointed in one shape or form—is likely to achieve the governance needed to ensure the more diverse and representative BBC output that many of us want.

I therefore wonder whether it is now time to have a serious debate about converting the BBC's governance at the top into a more mutual form, whereby licence fee payers elect all, or even just some, of the board's directors. I commend the imagination of the hon. Member for Wycombe (Mr Baker)—he is not in the House today—who joined me in a letter to *The Times* urging the BBC and the Government to contemplate converting the BBC into a mutual. Elections, although they will probably not be held immediately, will lead to a more diverse board. An elected board is more likely to have to take into account the need for more diverse output, as would-be directors would have to secure election.

As licence fee payers and citizens, we nominally own the BBC, but in practice we have very little influence over the way in which its management behave—the financial decisions they take; the strategy they choose;

the output they deliver; the commissioning decisions they take; the pay of senior executives; or any other key decision they care to make. Our nominal ownership is a long way from real ownership. In practice, our ownership responsibilities as licence fee payers have been outsourced to Ministers and to the great and good they choose to put in place. The BBC has an ownership deficit and an accountability gap. In practice, the current BBC Trust is accountable to no one beyond Ministers. Merging the Trust and the management board, with its members again largely chosen by Ministers, albeit perhaps with a little more external regulation, will still fail to address either that ownership deficit or that accountability gap.

The BBC operates in a highly competitive marketplace, as the hon. Member for Maidstone and The Weald (Mrs Grant) said. The days when 20 million people would sit down at the same time to watch “EastEnders”, important programme though it still is, are all but gone. The companies and organisations that are succeeding are more likely to be the ones moving beyond a merely transactional relationship with their customers—and indeed their workforce—and building a real connection and relationship with them. The chance to vote every Sunday on who is axed from “Strictly Come Dancing” is not enough; a more radical and strategic involvement in shaping the decisions of the BBC should be available to our constituents, the licence fee payers.

The Co-operative party, which I am privileged to chair, has for some time been running a people's BBC petition calling for the BBC to be mutualised, allowing licence fee payers to become members and owners, solving the ownership deficit and accountability gap at the same time. There are a number of ways in which those membership and ownership rights could be exercised, but the key is the right of members to choose representatives to sit on the board. That would require the Government to give up the bulk of their powers to appoint the BBC board and would achieve the independence my hon. Friend the Member for Brent Central (Dawn Butler) rightly cherishes so much.

Thorny issues such as executive remuneration or accountability on diversity, and tough decisions about how to prioritise resources, could be debated and decided at an AGM, open to all to attend in person or online. That would increase the accountability of those at the top of the BBC as they go about exercising their responsibilities. It would begin to deal with the accountability gap and would be an important line of defence against political interference.

Many organisations across the public and private sectors already have similar mutual structures. They include employee-owned businesses that are national treasures, such as John Lewis, whose board directors are elected. The National Trust, which is responsible for crucial assets that we all value, elects a members council from which its board is drawn. Nationwide gives all its customers a vote on the composition of the board. Foundation hospitals give patients a chance to influence who sits on key decision-making bodies. Many private sector companies across Europe, including big companies such as Deutsche Bank and EDF in France, ensure that at least one board member is directly elected by their employees. If mutual structures can work in other parts of the private and public sectors, surely it is time now to

[Mr Gareth Thomas]

think about whether they can solve some of the challenges that, as my right hon. Friend the Member for Tottenham and others have rightly pointed out, still exist in the BBC.

3.22 pm

**Mr Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): Tapadh leibh. I hope that I can add another layer of diversity, and something else that we can think about, to this excellent debate, led by the right hon. Member for Tottenham (Mr Lammy). I congratulate him on bringing it to the Floor of the House.

Diversity is very important. It is certainly very important for somewhere like the BBC. I believe that a broadcaster should be a mirror to the society it seeks to serve when giving impressions of that country. The days are long past when we had the 1950s cut-glass accent as the only voice of our broadcaster. If other voices exist, they should be reflected on television—it should not just be received pronunciation accents, such as my own Hebridean accent, of course. The BBC must serve more widely; it must serve from across the world. A recent example, on which it should be congratulated, is the tremendous Icelandic drama suspense series “Trapped”, set in Seydisfjörður in Iceland, which managed to get the whole Faroese ferry as a background prop. That, coming out of a nation with a population of 300,000, is quite something. It is something we should acknowledge and that I hope to develop later.

When the message is the UK and the vehicle that is being carried is the UK, the family of nations that are still in the UK and the people within those nations, in all their diversity, should be included in them. That is why I strongly support the right hon. Gentleman’s words. One of the first issues I had with the BBC when I was elected to this House in 2005 was that it had, in its infinite wisdom, decided to change the weather map. It changed the angle of the map, which meant that Scotland was hardly seen at all. That had important knock-on effects for many in my constituency who relied on the BBC’s isobar chart as their most important way of looking at the wind for the coming days. The BBC, with a bit of pressure, moved the weather map to a better angle to represent Scotland, but Scotland still does not have a proper geographical representation on BBC weather maps, and, of course, it is not getting the accurate forecasts that it deserves, although those who work there do a good job with that policy. In the meantime, other providers, such as XCWeather online, have replaced some of the services that the BBC was relied on to provide. I hope that even a decade later the BBC can revisit the policy of not having a map that is geographically representative, which I always thought was the purpose of maps.

I long since heard the line, “Life imitates art”—I think it was back in 1992 in New York. It is a powerful line. People should see themselves portrayed accurately, fairly and without stereotypes. That has to be true of Scotland, Wales, Northern Ireland, Liverpool, Sunderland, Tottenham or wherever. It has to be true also of women and ethnic minorities. I wish the right hon. Gentleman well in his quest again to be on “Question Time”. Happily, I have not been pestered to go into that bear pit myself, but I will certainly watch if he is on, and I wish him well.

The BBC has to reflect the languages of these islands, especially the older languages of Britain that pre-date the migration of English into Britain. I refer to Welsh and Gaelic, both Scottish and Irish Gaelic, as well as Cornish. I hope Cornish is being heard on the nation’s airwaves.

**Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): On the languages of the nations of the UK, does my hon. Friend agree that not only was it wrong of the Department for Culture, Media and Sport to cut £1 million, which was 100% of the budget for BBC Alba, but it was particularly insensitive at a time when the Department was announcing £150 million for museums in London—although there is nothing wrong with supporting museums?

**Mr MacNeil:** My hon. Friend makes an excellent point. I wonder if he is telepathic, as he guesses what I am about to say. It was very disappointing to see in the autumn statement that £1 million was to be cut by the Westminster Government from the Gaelic service of BBC Alba. That was virtually all the funding that the Westminster Government provided. It cannot be argued that that was part of the wider voodoo economics that is the Chancellor’s austerity cult, because as my hon. Friend said, it was at the time of the autumn statement, when an extra £150 million was found for museums in London. I understand the frustration of the hon. Member for Sunderland Central (Julie Elliott), who feels that the north of England is being penalised, to the benefit of the south-east of England.

We look for diversity in broadcasting, and we look to the Government to maintain a little diversity in the funding of broadcasting across the UK. We have to ask ourselves what exactly is being funded. To me as a consumer of Gaelic TV and radio, it is a fantastic addition to life in Scotland. A recent series on Radio nan Gàidheal was outstanding, containing testimonies from old recordings of world war one veterans.

Listening to that, it struck me that a whole history of the UK—a whole history of global conflict, perhaps—was closed to many people who did not speak the language and did not understand the testimony of soldiers, their poems and songs from world war one, many composed in the trenches. But at least that material was being broadcast and brought to life, and was understood by those who spoke the language. In conversations afterwards I was able to make others aware, as I hope I am doing today, of that resource. I was left with the impression that my inability to speak Welsh means that another aspect of life in the UK—these islands in the north-west of Europe—and other experiences from world war one or world war two are closed to me. The job of broadcasters is to reflect the diversity of the languages as well as the ethnicities in the UK.

Radio nan Gàidheal does not just broadcast fantastic historical programmes. One of the programmes that I enjoy most, which gives me a laugh every night when I listen to it, is “Siubhal gu Seachd”. The pre-seven o’clock light entertainment programme with an old friend of mine, Derek “Pluto” Moireach, is excellent. I hope and pray that he is never spotted and poached by English broadcasting. I hope he would not take the shilling and would stay with Radio nan Gàidheal.

On television, “Bannan” has been a greatly acclaimed drama series. Perhaps it could be exported to Iceland. If I have any criticism of BBC Alba, it is that it could import programmes more widely from other parts of the world and use Gaelic subtitles, not just English subtitles. I hope those at BBC Alba will listen to that friendly idea. Certainly, BBC Alba has opened up the Gaelic language to a wider audience in Scotland, with many who do not speak Gaelic tuning in regularly to listen to BBC Alba. The news programme “An Là”, shows that the Gaelic side of the BBC in Scotland—at least BBC Alba—can deal with the world, whereas the English side at Pacific Quay navel-gazes or seems not to have the full confidence of its bosses. I think that is changing—I certainly hope it is—because it certainly has my confidence, and that of my party, to be as good at producing flagship news programmes as broadcasters in Copenhagen, Dublin, Reykjavik, and maybe even London. To be honest, I actually think that it would be better than London, because it would be more relevant to life in Scotland.

I flag that up in order to support the opening remarks from the right hon. Member for Tottenham—and to boast to an extent—because if a language pool of 68,000 is producing that fantastic television and radio, I have no doubt that a larger talent pool of ethnic minorities can produce absolutely fantastic programming. Furthermore, they will bring new and different perspectives that will enhance our lives as viewers and consumers. I wish him and his colleagues well in achieving exactly that. Some of us might even have our lives further enriched by learning phrases of Urdu, Punjabi or some of the African languages, which I hope are still thriving within the UK’s immigrant communities. After all, “Nation shall speak unto nation” was meant to be a two-way process.

I also note the comment from the hon. Member for Maidstone and The Weald (Mrs Grant) that on a weekly basis 34 languages are broadcast by the BBC internationally across the World Service, which is a great resource and an almost unique selling point for the UK. It is a crown jewel and an access point. We have not had such a great international reputation in recently years—that relates to our earlier debate on the Iraq inquiry—but we do have a good international reputation with the BBC World Service.

Other UK broadcasters have to be commended on the issue of wider diversity. Sky has broadcast the Irish game of hurling in recent years, which has become my favourite sport to watch on television, although I would certainly not like to play it, having played the Scottish version, shinty, which is not as aerial. Having once had to get 10 stiches in my forehead after playing shinty, I would not like to see how I get on with hurling. At least Sky is showing a greater diversity, informing us, widening our horizons and giving us different experiences. I must also commend Sky. I had a conversation with Andy Cairns, the chief of Sky Sports, and praised him for broadcasting hurling and Gaelic football and said, “What about shinty?” It was not too long before he had a programme about Ronald Ross, the “Ronaldo of the Glens”, the fantastic shinty player from Kingussie. There is much more to be done on a sporting and general diversity basis.

Another plea I make to broadcasters on the diversity front is not just to be diverse within the UK, but to look at extending diversity across borders—again, nations

shall speak unto nations. There is TG Ceathair in Ireland, and a number of Gaelic speakers in Scotland would like to get over the border and open the closed door that is the Irish Gaelic language, and more exposure to it would help us. Likewise, perhaps the Irish Republic might benefit from the tremendous programmes of BBC Alba. There is probably an opportunity for cross-fertilization there.

I again congratulate the right hon. Gentleman on securing this important debate, which hopefully is useful for the public. I certainly hope that it will go some way towards influencing thinking at high levels of the BBC about the range of ideas and the diversity present in this debate.

3.33 pm

**Kirsten Oswald** (East Renfrewshire) (SNP): I will start by commenting on why the view of the BBC from this particular corner of London might be, as my hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil) said, quite different from the view from other parts of the UK. The clock and bell that form part of this parliamentary complex are among the most iconic symbols used by the BBC, and they can be read as symbolic of two significant characteristics of the BBC. The first is its close identification with London, from Alexandra Palace to Broadcasting House and Television Centre. They were not just bases for commissioning, recording and broadcasting programmes; they also often contributed to the identity of some programmes.

The period from the 1930s to the arrival of ITV in the 1950s was clearly a halcyon era for the BBC. At the time it genuinely provided part of the glue for the fabric of the UK, as people across the diverse nations and regions listened to and watched the same programmes. Despite the increase in self-directed programming, the majority of us still consume broadcasting live. What makes it to the schedule, at what time, and who appears on screen or behind the microphone help set the cultural context for people right across the UK. The views and values that determine the content of entertainment, news and current affairs programmes have an impact on listeners’ and viewers’ perception of society around them.

Looking backwards, despite having had a Scot, John Reith, as its chief for the first 16 years of its existence, the BBC, particularly in respect of television, has been undeniably dominated by London. After leaving the BBC, Reith was briefly a member of this House before being transferred along the corridor to another place. He spoke seldom in his time there, but he briefly intervened on the subject of broadcasting, making a telling comment about the BBC:

“To-day...British broadcasting commands the respect and admiration of the whole world; an institution of which England—yes, and Scotland and Wales and Northern Ireland—can be proud”.—*[Official Report, House of Lords, 22 May 1952; Vol. 176, c. 1297.]*

That is an interesting formulation for someone from Stonehaven who was so closely associated with the corporation. Tacking the other nations of the UK on as an afterthought is not an unreasonable illustration of how the BBC works. That has certainly been the case when it comes to dividing up the budget.

The second issue that is flagged up by the use of these symbols is the BBC’s links to the centre of political power in the UK. Throughout the 20th century, to

[Kirsten Oswald]

become a BBC governor, it seemed obligatory to be a Member of, or to secure elevation to, their lordships' House. Of the 65 people who served as BBC governors, more than 50 were Members of the House of Lords when they were appointed or became Members after their appointment. I found only one governor who was known to have refused an honour when it was offered. Nine of the 65 governors were born into the aristocracy or into well established political families, and 90% of governors had a degree, more than half from Oxbridge. My point is that those who directed BBC strategy for much of its life made no effort to make it look like us, in all our diversity.

My constituency is one of the most diverse in Scotland, and we are the richer for that. My children are proud to have both Scottish and Indian heritage. Our society is made up of people with different backgrounds, different lives and different perspectives, and our public broadcasting system should, surely, reflect and portray us all accurately and without stereotype. We need producers, writers, technicians and artists from all sorts of different backgrounds, with different genders, races, sexual orientations, disabilities and religions. We need that as a matter of course, not as an add-on. However, the BBC seems to find it difficult to accept that there are disparate voices that are entitled to be heard, and that those people are entitled to see their lives and experiences reflected by the broadcaster that they help to fund.

None of that is to suggest that the technical or artistic quality of what the BBC produces is not high. In very many instances, it quite clearly is. Because the BBC is free from many of the commercial pressures that bear down on private media companies, we should, surely, expect it to make the investment that is needed to build relationships with its audiences. If it had done so effectively, we might not be having this debate.

The BBC seems to find it difficult to get its position right when it tries to address the drain that it places on Scotland's licence fees to sustain its London operation. I have to say to Tony Hall that the BBC's approach to meeting Scotland's expenditure quota is just not good enough. Rebadging an established programme such as "Question Time" as a Glasgow production is not an adequate response. "Question Time" is produced by a Welsh company that moves around the UK every week. The show was recently broadcast from somewhere that was labelled as Dundee; as someone who is originally from Dundee, it seemed to me to be closer to Brigadoon. That short-term fix is no substitute for grown-up commissioning, located in Scotland and with a budget that recognises the scale of Scotland's licence fee contribution.

There are so many great productions coming from Scotland that would make for fantastic television. I would have liked to see the award-winning play "Black Watch" adapted for the screen. That play had former service personnel in America on their feet at its portrayal of the reality of the war in Iraq. If the play had been adapted, perhaps some of the creative Scots who had to move to London to break into media might have found it possible to stay.

It is long past time that Auntie BBC in London let go of her purse strings. Continued resistance to the demands of large sections of the audience, whether they be in the

nations, the regions or in sections of the black, minority ethnic and other communities, will diminish support for licence fee-funded public service broadcasting. Of course, that might serve the purposes of some Members of this House and their friends in the private sector. Continued stalling by the BBC will certainly fuel demands from Scotland for control of broadcasting to pass to Holyrood. For my part and that of my hon. Friends, we would certainly be happy for that to happen.

These sentiments are not just mine; they are also reflected in the fact that Scots rate the BBC less positively than other parts of the UK. I was interested to hear of a debate in Edinburgh last night on the future of public sector broadcasting, and to hear David Puttnam's endorsement of the view that what we have at present is too London-centric. He is right to identify the need to address how Scotland connects to the new governance structures being put in place as part of charter renewal. John McCormick, a former controller of BBC Scotland, made the telling point that the BBC has yet to catch up with devolution: it has the same structure now as it did before the Scottish Parliament reconvened in 1999. I look forward to seeing how that issue is addressed in the Puttnam report. It is clear that the disconnect extends to many within the BBC. When grand schemes are announced and then are not delivered, people's motivation drops. Lenny Henry identified 29 diversity initiatives over 15 years, which is clearly a problem. I look forward to hearing him report on the result of his work into that.

As someone with a background in managing change and having responsibility for making sure diversity was taken seriously as an issue, embedded and made core to the business, I was keen to look for evidence that diversity is taken seriously by those in charge of the BBC. An essential requirement of such a change is commitment from those at the top not just to use fine words, but to walk the walk. Unless that happens, change will not be effected.

As Members will be aware, after a very long transition period, the BBC has moved away from having governors to having a board of trustees. I was pleased that the trustees are a more diverse group than their predecessors, but there is still an overreliance on certain key sectors. This time, the key sector is not politics, but financial services. However, I pay tribute to trustee Sonita Alleyne, who came closest to pursuing equalities as one of her personal objectives when she declared she was

"passionate about ensuring that all audiences are served by the BBC and see their lives reflected in the programmes they watch and listen to."

I wish her every success.

The BBC workforce diversity monitoring page is still advertising system changes due to take place in 2013 and referencing 2012 figures, so we must ask how anyone inside the BBC—never mind us outside it—is supposed to know what is going on. That rather stale attitude is reflected in other ways, such as how the BBC deals with audience selection. I have seen a form in which it asks prospective audience members whether they "suffered" from a disability. I know that words are just words, but such an attitude to disability is most unhelpful and not what we expect from our public service broadcaster. Interestingly, the TV workforce are considerably less likely than the working population to declare themselves as having a disability.

I will finish by touching on the issue of gender equality at the BBC. As with many large organisations, the BBC demonstrates a failure to attract, nurture and develop female talent. The corporation shows an all too common step down in the proportion of women among the higher grades of staff. With it now on its 18th director general, every one of them male, it is worth asking what a woman has to do to get appointed to the top job. If those at the BBC get cold feet at the prospect of appointing a woman to such a job, I have two words for them—Stella Rimington. If the boys who wanted to be Bond can stand having a woman in charge, I am sure the BBC can cope. If the BBC can take the risk of putting someone in the top job who does not fit the mould, that may be the biggest signal the corporation can send that the change it needs is under way. I pass that challenge to the BBC and the Equality and Human Rights Commission for them to address before the next vacancy is upon us.

3.43 pm

**Dr Rupa Huq** (Ealing Central and Acton) (Lab): I am from a generation in which the cathode ray tube ruled supreme. Many moments of my life have been mediated through the idiot box—sometimes it has been in the foreground, forcing me to sit up and take notice; sometimes it has been in the background, flickering like a fireplace.

When I first went to school, we were probably the only family on the block, in the hood or whatever we call it—I was dragged up—to have a black and white set. Among my early memories of TV is watching “The Black and White Minstrel Show” on a monochrome set. Even at my tender age, it was baffling to me. For those too young to remember that light entertainment show—is that what we would call it?—it ran for 20 years, from 1958 to 1978. It had white actors and singers blacked up to imitate American minstrels of the 19th century. At best, that can be described as bad taste, and there are many other words—unparliamentary language—that we could use to describe the programme. Even in the ’70s when I was tuning in, the accusation could have been made that the BBC was not representative of the population in modern Britain.

I welcome this debate and congratulate my right hon. Friend the Member for Tottenham (Mr Lammy) on bringing this subject to the House. There are parallels with this place. Ethnic minority representation both on TV and in politics is a case of “could do better”.

**Kwasi Kwarteng** (Spelthorne) (Con): I am sorry to interrupt the hon. Lady’s speech, but I have sat through 45 minutes of this debate—I apologise that I was not here at the beginning, Mr Deputy Speaker—and must point out that this is an issue across the media. I suggest to the hon. Lady that the situation in this House, though bad, is considerably better than that across a large portion of the print media. I am surprised that journalism and political journalists have not been brought up. This is a broader problem, not just one at the BBC, and it is a much more acute problem at newspapers, magazines and across the print media.

**Dr Huq:** I completely agree with the hon. Gentleman. I think that at *The Guardian* newspaper, they have all been to one of the two greatest—sorry, oldest—universities in this nation. I went to one of them myself, so perhaps I should not say that—pot calling kettle and all that.

**Kwasi Kwarteng** *rose*—

**Dr Huq:** I will plough on because other people want to speak. I imagine the hon. Gentleman went there. He did—he was a contemporary of my sister at that place wasn’t he?

**Kwasi Kwarteng:** Indeed, I was. *The Guardian* is the only newspaper that consistently misspells my name. I just wanted to get that out.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** On that basis, we will want to know when it improves.

**Dr Huq:** That is a hazard for people with a name like mine or the hon. Gentleman’s. The sooner we take steps to acknowledge and address this situation, as we are doing today, the better. He is right that this is a sector-wide issue across the media.

It goes without saying that the nation’s front rooms should be illuminated by more than just white people, and clichéd representatives of white people at that. The late sociologist Stuart Hall used to talk about representations and reality. There is a circuit between them and they feed off each other.

Sadly, “The Black and White Minstrel Show” was not a complete one-off. As my viewing habits progressed, there was ITV’s “Love Thy Neighbour”, which ran from 1972 to 1976—a situation comedy in which the situation was having a black family next door. It seems absurd now. Astonishingly, the *TV Times* trailed the programme with the line:

“You can choose your friends but you can’t choose your neighbours”.

Also on ITV, there was “Mixed Blessings”, which the British Film Institute describes thus:

“Christopher and Muriel are in love. But since he is white and she is black, their marriage raises tensions among their respective families.”

The BFI—this programme is now a BFI classic—says that it

“understandably reflects the confused racial attitudes of the time”.

Confused.com! The racist ranter Alf Garnett in “Till Death Do Us Part” was on the BBC. We can excuse the other two because they were on a commercial broadcaster. All of these things are now excused. It is like Jimmy Savile’s crimes. These things were acceptable in the ’70s, which was a pre-politically correct time.

We can cite examples of where we have not really moved forward. Sorry, I missed another programme—“It Ain’t Half Hot Mum”. There is a bit of a pattern in these things, because they all demonstrate an inferiority. In that show, it was with Asians. There are academic theories that show that things like slavery are based on the inferiority of another race. These programmes, to some extent, had that sort of attitude at their core.

A current programme I would cite, which has been going since 2012, is “Citizen Khan”. If I did not know what the year was—I do not know if people know that programme. It is the everyday tale of a Birmingham family of Muslims, but they are really quite backward. Again, it relates to the point about Islamophobia made by my hon. Friend the Member for Streatham (Mr Umunna), who is no longer in his place. There is a

[Dr Huq]

beardy-weirdy chap. They are not quite cutting off people's hands, but I could imagine that being in a future episode.

**Mrs Helen Grant:** I just want to give a contrast to the terrible programmes the hon. Lady has recalled, which I remember too. I want to mention one positive and diverse story that I saw this morning on "BBC Breakfast". It was about the 276 girls from Chibok in Nigeria who were abducted by Boko Haram. It was a brilliant story that was well done and well produced. It was the BBC at its best. It has also allowed me to say a little in this Chamber to highlight the fact that today is the second anniversary of the abduction of those girls. It is two years on and the vast majority are still not back. It is important that these girls are remembered. We must not forget them and must do everything we can to campaign for their safe return.

**Dr Huq:** The hon. Lady's excellent point anticipates a later part of my speech, which is about the difference between black and Asian people over there, compared with the ones here.

I do not want to bash the BBC. I am a former employee of the corporation. Ealing and Acton are very BBC places—the wage slips we used to get were issued from Villiers House in Ealing Broadway. Ealing Studios is in my seat, as is the wig and prop department in Acton, where there are various warehouses. It is a very BBC area, on the whole. I have had 361 separate communications from people begging me to argue that the charter renewal should go through and that the Reithian principles—to educate, inform and entertain—should be preserved in the new settlement.

I do not want to attack the BBC, and the point has been correctly made that the examples that have been chosen are selective. People see the BBC as a world standard. My cousins in Bangladesh always say that when they want to know the truth they turn on the BBC to hear what is going on, which chimes with the hon. Lady's point. But with power comes responsibility—it is an old phrase—and the mainstream media have enormous power. They do not have simply to reinforce; they can also challenge. If there is any broadcaster that does not run only on supply-oriented lines, it is the BBC.

As many Members have said, diversity does not just stop at ethnic diversity. There was the case of the "Countryfile" presenter Miriam O'Reilly, a woman in her 50s who was discriminated against just for reaching her half century. We could do a Venn diagram of all these things: gender, ethnicity—I would fit into quite a few of them—sexuality, regional diversity and class representation, because we want to see the people downstairs as well as those upstairs. We also need to know what is going on off screen as well as on; it is all very well having a pretty person who can read the autocue, but we need to know what is happening at board level.

To go back to my couch potato days, Michael Buerk's reporting on Ethiopia in the 1980s put the issues underlying what became LiveAid and BandAid on the agenda, but there is a worry that sometimes factual broadcasting can resort to clichés, showing gangs, or Muslims who are repressed. My right hon. Friend the Member for Tottenham mentioned the character of Benny in "Grange

Hill"; at the same time, all the Asian people in the programme were victims of the bully, Gripper. That gave me, as an Asian person, a very negative portrayal.

I did not want to make my speech about statistics, because other Members can do that better than me, but there is progress. For example, I am encouraged that Aaqil Ahmed—I do not know him personally, but that is definitely not a white Anglo-Saxon Protestant name—is the commissioning editor for religious broadcasting at the BBC. John Pienaar got the amazing interview with my hon. Friend the Member for Brent Central (Dawn Butler) when it came out that she had been mistaken in the lift for a cleaner—sadly, many of us have had similar experiences, although not perhaps as extreme as that. I have just heard today that he has been promoted to deputy political editor at the BBC.

That perhaps reflects progress in this House, with the new Serjeant at Arms, who is British-Moroccan, and the chaplain Rose Hudson-Wilkin, who also represents progress. Again, however, we need to look at things like hyphenated identities, because the Serjeant at Arms is British-Moroccan. Old slogans like "Black, white, unite" make it sound as if people can be only one category, but mixed race is predicted to be the biggest demographic segment in global megacities such as ours before long. We need to represent that. We should also think about Chinese people and Jewish people; there are Irish stereotypes on "Mrs Brown's Boys"—all of those things. [Interruption.] Okay. I need a killer conclusion.

Many people have referred to "hideously white", the famous slogan of Greg Dyke when he was director-general. Sometimes it feels as though progress is painfully slow.

3.54 pm

**Liz McInnes** (Heywood and Middleton) (Lab): I am not sure that I can really follow my hon. Friend the Member for Ealing Central and Acton (Dr Huq), but I will give it a go. I thank her for that trip down memory lane. I was also dragged up on those television programmes, and fortunately things have improved slightly since then.

I congratulate my right hon. Friend the Member for Tottenham (Mr Lammy) on securing this debate, and the hon. Members for Maidstone and The Weald (Mrs Grant) and for East Renfrewshire (Kirsten Oswald) on their contributions. As a Greater Manchester MP, I am proud that the BBC is now based in MediaCityUK in Salford; that has opened up great new job opportunities in my area. We had a jobs fair in Rochdale a while ago, and it was fantastic to see the BBC opening up great opportunities for working-class kids that were not previously available to them. We are proud to have the BBC in Salford in Greater Manchester. It is also fantastic to switch on Radio 4 or Radio 5 Live and hear northern accents. That is really refreshing, and it is great that the BBC is doing that, now that it is based in Manchester.

Last July I spoke in a Westminster Hall debate on diversity in public sector broadcasting, secured by my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah)—she is now the shadow Minister and will be winding up this debate. That was not long ago, but we should ask what progress has been made on increasing diversity in the BBC on television and radio and, importantly, behind the scenes.



During this debate I have been looking at #bbcdiversity, and I was struck by one comment:

“There is not enough diversity in the BBC, by which I mean British Born Chinese”.

I thought that deserved a mention. My right hon. Friend the Member for Tottenham highlighted in his opening speech the appalling under-representation of Chinese people. The BBC needs to address that, so I thank that tweeter for giving me that line. It will stay with me.

The White Paper from the Department for Culture, Media and Sport made it clear that

“Public-funded culture should reflect the diversity of our country”,

and that

“The government expects the cultural sectors to represent our diverse society in their artistic talent, workforce and audiences.”

Public sector broadcasting, especially the BBC, is rightly held in high regard in this country, and it must be protected and properly funded. Lord Reith summarised the BBC’s purpose in three words—inform, educate, entertain—and that remains part of the organisation’s mission statement to this day. However, public sector broadcasting must also address other duties, such as inclusivity, diversity, equality, fairness and representation.

Let me slightly change the direction of the debate and talk about the representation of disabled people, because there are simply not enough disabled people on television. The BBC announced plans to quadruple the number of people with disabilities that it puts on television by 2017, and for disabled people that was a welcome initiative. However, the plans sound slightly more impressive than they are. Just 1.2% of people on BBC television are disabled, and quadrupling that figure will only take it to 5%. Disabled people make up about 18% of the population, so even 5% is 13% too few. For BBC television to represent the disabled community fairly and reflect British society accurately, the percentage of disabled people that it shows must be multiplied by not four, but 15. As I said, the disabled community make up 18% of Britain’s population, but I would never have known that from watching British TV, and neither would any young person growing up with a disability, or any able-bodied person who has never considered the substantial role that disabled people play in British life.

I have just been to a meeting, organised by my right hon. Friend the Member for Tottenham, in which a disabled actor said that disabled people were portrayed as either scroungers or superhuman. How true that is. On television, disabled people are a minority. In reality, disabled people are a large and important section of society. They are a cross-section of society, too. There are disabled people of every age, ethnicity, religion, gender, sexual orientation and political inclination. People with disabilities are frequently robbed of self-representation. In film, disabled characters are too often portrayed by able-bodied people. I am glad that the BBC has created the position of disability correspondent, but for disabled people to be integrated properly into television, they need to appear constantly in programming that is not wholly about disability. It would be good if the BBC met its targets for increasing the number of people with disabilities in scripted entertainment by ensuring that more disabled characters were created, and more disabled actors employed to play them. An equally excellent and important strategy would be to ensure that more disabled

actors were cast in roles in which it is immaterial whether the character is disabled or not. A similar principle should apply to factual programming.

The BBC’s new initiative is an admirable first step on a long journey. At present, just over one in every 100 people on BBC television is disabled. For our national broadcaster to reflect our nation, that number needs to be just over one in six. No one could expect the percentage of disabled people on TV to leap from 1.2% to 18% immediately or even soon, but if the BBC is serious about a long-term commitment to equality for people with disabilities, it could publicly set that figure as its long-term target.

I want to talk briefly about the representation of women. Watching or listening to a news broadcast might give the impression that there are plenty of women involved in news and current affairs broadcasting. On the surface, women appear to be well represented. However, a closer look at the statistics shows that, despite making up more than half the population and a larger proportion of the TV and radio audience, women are severely under-represented, on and off air, in news and current affairs broadcasting. The House of Lords Communications Committee’s report on women in news and current affairs, published last year, highlighted concerns about the representation of women in news and current affairs broadcasting because of the genre’s wide reach and role in shaping public perceptions about society. It is well documented that although women make up a significant share of broadcasters’ workforces, they are under-represented in flagship news. One study showed that there are three male reporters in flagship news programmes for every female reporter.

The House of Lords Communications Committee argued that women are also poorly represented as experts in news and current affairs coverage. It heard evidence that women make up only 26% of the people interviewed as experts or commentators, and 26% of those interviewed as spokespersons. In a typical month, about 72% of the BBC’s “Question Time” contributors, and 84% of reporters and guests on Radio 4’s “Today” programme, are men. The situation for older women is particularly bad. The Lords Committee heard from a number of journalists, including Miriam O’Reilly, who as we know, won an age discrimination case against the BBC. It is extremely important that older women are represented on television as role models for younger women.

I want to finish by talking about Angela Rippon, who, ironically, at the age of 71 is currently appearing in a BBC programme entitled “How to Stay Young”. I heard her being interviewed the other day, and she says that she takes no responsibility for that title. The title was decided by others as one that would pull in viewers. Perhaps a programme entitled “Fitness and Health for the Over-70s”, or even “How to Stay Alive”, would not drag in the same number of viewers. She tells the story of John Birt suggesting to her when she was 50 that she might consider a career change. He actually told her, “You’ve had your day.” That was 20 years ago, but the case of Miriam O’Reilly shows that the BBC has not come a long way since then in its treatment of older women. I hope that that point will be taken on board.

4.4 pm

**Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): I congratulate the right hon. Member for Tottenham (Mr Lammy) on starting the debate with

[Drew Hendry]

a powerful and thoughtful speech. I also congratulate the other speakers, who touched on an incredible range of diversity needs. My hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil) talked about the need for language diversity and for Gaelic to be taken seriously, and I am particularly grateful to him for mentioning Kingussie and shinty.

I was struck by the words of the hon. Member for Heywood and Middleton (Liz McInnes) about the important issue of disabled people and their dramatic under-representation. They should be represented much more thoroughly. She mentioned the words “inform”, “educate” and—I have forgotten the other one. [HON. MEMBERS: “Entertain”.] Entertain! It is the important one for the theme of my speech, so I should have remembered it. I am also grateful to my hon. Friend the Member for East Renfrewshire (Kirsten Oswald), who raised the issue of women’s representation in the BBC, for mentioning the incredible interest that people have in the BBC and its duty to represent people. She also mentioned Scotland’s contribution to the BBC licence fee and the Scottish people’s rating of the BBC.

Today, a row is erupting between the Scottish professional football league and the BBC that has the potential to stop broadcasts of football in Scotland. The chairman of the SPFL, Ralph Topping, is asking the BBC for £3 million to £4 million for Scottish football rights. The figure is currently just over £1 million. That is around half Gary Lineker’s salary. The BBC has the ability to do football extremely well.

**Mr MacNeil:** I am sure I speak for many Scottish MPs when I say that Ralph Topping has our full support. As far as I understand it, not only is it about half Gary Lineker’s salary, but one production of “Match of the Day” costs as much as the BBC puts into Scottish football annually. More power to Ralph Topping’s elbow!

**Drew Hendry:** I completely agree. The issue has been picked up by James Dornan, MSP for Glasgow Cathcart, who has Hampden Park in his constituency, and who, reflecting on the fact that Scotland pays 10% of the licence fee, said:

“The future of Scottish football is very important, and our domestic game needs a proportionate share of money in order to help build for the future.”

He pointed out that football accountancy experts estimate that Scottish football rights are worth 10 times what is being paid for them.

It is not that the BBC cannot do a good job with Scottish football. Three of my favourite games in recent years have been the 2012 Scottish cup final, when Heart of Midlothian—I declare an interest as a fan—beat Hibs 5-1 in a terrific game; the 2015 Scottish cup final, which I am delighted to say was in my constituency, when Inverness Caledonian Thistle beat Falkirk 2-1; and this year’s league cup final, when Ross County beat Hibs 2-1. I mention those games for a good reason—because there is a great deal of exciting stuff going on in Scottish football just now: the split, the play-offs, the question of whether people will get promoted in the championship, the interest in the Scottish premiership,

with Aberdeen and Hearts, and, as I said, Caley Thistle winning the Scottish cup and Ross County holding the league cup.

In my view, BBC radio coverage has been pretty good, but “Sportscene”, the BBC’s television coverage of Scottish football, is absolutely appalling. It operates on a Sunday night—a day later than England gets its football coverage—with a tiny budget. It is a blink-and-you-miss-it highlights programme. The camera angles would frustrate anyone watching premiership games in England. There might be a seagull’s eye view, from one fixed position, of a goal being scored. That is not good enough, and football fans are reacting. These are the people who are expecting to be entertained by the BBC. Only today, on the Hearts forum “Jambos Kickback”, “Doctor Jambo” said:

“I don’t even watch it anymore. It used to be a staple in our house. I record the games on ALBA.”

As we heard from my hon. Friend the Member for Na h-Eileanan an Iar, even BBC Alba is under threat. “Doctor Jambo” added:

“Sitting up to watch it then filtering through all the manure for 1 minute of Hearts footage? Nah.”

Inverness Caley Thistle fans say that it is even worse for them. Evelyn, a constituent of mine, says:

“If you are a fan of a team in the Highlands, even though the Highlands hold the League and Scottish cups and are well established Premiership teams the level of coverage is beyond poor.”

Ralph Topping, the SPFL chairman, has pointed out that the BBC pays £68 million a year for the rights to the English premiership and other leagues, as opposed to £1 million for football rights in Scotland. The BBC’s director of sport, Barbara Slater, has admitted that there has been “inequality”.

**Mr MacNeil:** Given that the BBC has made that admission, should it not redress past injustice and inequality, and make good the deficit in its funding for sport in Scotland?

**Drew Hendry:** Absolutely. I could not agree more with my hon. Friend, and I am grateful to him for making that point. There has been a long period of injustice: this is not just about the last couple of years.

**Kwasi Kwarteng:** I hope that the hon. Gentleman will forgive me for intervening at this point. He is making a compelling speech. However, in respect of the rights and the amounts of money spent on them, I must point out that in many instances—although I am not referring specifically to the one that he has mentioned—the price is market-driven. If it is felt that, in order to secure rights for the English premiership, the BBC must pay £68 million, that is a price that it may have to pay if other bidders in the market are willing to pay up to the same amount.

**Drew Hendry:** I am grateful for the hon. Gentleman’s intervention, because it allows me to highlight once again that Scotland is paying 10% of the licence fee. The BBC is paying what it believes is a market price of £68 million for the premiership and other league rights in England, yet it is unwilling to pay more than £1 million or so when the marketable value is estimated to be about £10 million. All that is being asked for is between £3 million and £4 million. That is a serious inequity.

**Mr MacNeil:** It should also be pointed out that the BBC is driving that market. The BBC has actually eclipsed the market, because without the public money coming from television licence fees in both Scotland and England, that price would not be achieved by football. Licence payers' money is beating the market to produce that £68 million, and 10% of the money that is spent in England should, as a matter of natural justice, be spent in Scotland.

**Drew Hendry:** I could not agree more. My hon. Friend has made the point compellingly that this is an injustice that needs to be addressed. The BBC has a right to educate, inform and entertain—

**Kwasi Kwarteng:** Will the hon. Gentleman give way?

**Drew Hendry:** No, I will press on and finish my speech, because I have been given the icy stare by the Deputy Speaker.

This is a long-standing injustice, as will be clear to anyone who speaks about football to fans in Scotland. Heaven forbid, by the way, that what has happened to the international game at the top level should also happen to women's football, and that we should lose it to public broadcasting altogether. However, that is a side issue.

The inequity in Scottish football has been going on for far too long. We have had to put up with coverage that does not encourage people to watch the games, and does not encourage young people to get involved in the sport. Football is a huge source of advertising, and everyone knows how that works around the world. It is about time that the BBC addressed this injustice, and corrected the position for the fans of Scottish football and, indeed, the people of Scotland.

4.14 pm

**John Nicolson** (East Dunbartonshire) (SNP): Let me say what a pleasure it is to follow my hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) and, indeed, to listen to this whole debate.

I congratulate the right hon. Member for Tottenham (Mr Lammy) on instigating the debate. He told us he was tired of BBC strategies, and that it was time for ambitious targets. I agree, although I slightly diverge from him when he says that only patricians now appear on Andrew Neil's programme. I have been on the programme four times in the past 12 months and I am as common as muck, so perhaps there is hope for the rest of us.

**Mr Lammy:** For the record, I did not say that only patricians appeared on the show. I appear on the show, and I would like to appear on it again.

**John Nicolson:** The right hon. Gentleman has repeatedly made that very clear.

My hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil) made a passionate call for fairer funding and representation for Gaelic. Alas, as he knows, I am the first member of my family not to speak the language of my island family and bitterly regret it.

My hon. Friend the Member for East Renfrewshire (Kirsten Oswald) gave us a fascinating tour d'horizon, illustrating the shamefully narrow social background of BBC governors through the ages.

The hon. Member for Ealing Central and Acton (Dr Huq) also walked us down memory lane with "It Ain't Half Hot Mum", Alf Garnett and the black and white minstrels. How we all shuddered. I shudder every time I watch Mr Humphries. *[Interruption.]* I was terrified that that would become a natural part of my growing development as a teenage gay boy.

There has been a remarkable amount of agreement in all parts of the House, which highlights the important role that the BBC plays in our national life and the responsibility it has as a public service broadcaster to ensure diversity on our television screens and, crucially, within the organisation itself.

As the motion recognises and many speakers have reiterated, one of the key public purposes outlined in the BBC's charter is to represent the UK, its nations, regions and communities. The BBC should mirror the society in which we live. We are not all white, able-bodied, English, heterosexual men, and the BBC should reflect us in all our glorious diversity, but for too long it has not. It is clear, however, that Members of this House want to see greater progress in the representation, both on and off screen, of under-represented groups, such as gay and lesbian people and older women.

The BBC must acknowledge the different needs of the nations of the UK and cater more effectively for them, not least in the provision of news. During this period of BBC charter renewal, there is a perfect opportunity to enshrine further the principles of diversity and ensure that the people of these islands see themselves portrayed accurately, fairly and without stereotypes.

On screen, the BBC has its work cut out to persuade ethnic minority viewers that it reflects them. The BBC Trust's purpose remit survey found that less than one third of black people believe that the BBC was good at representing them—the worst performance in the public remit survey. Critics of the BBC argue that ethnic representation on screen is often just window dressing. Simon Albury of the Campaign for Broadcasting Equality says:

"On-screen representation which is not matched by off-screen employment is a hollow, deceptive and superficial gesture. Editorial power and influence lie behind the screen not on it."

He is right. I know. I spent my television career on screen.

Although the BBC's black, Asian and ethnic minority workforce is at an all-time high, data from the Broadcast Equality and Training Regulator show that only 5% of those from black and minority ethnic backgrounds become executives in the TV industry. Other broadcasters have been significantly bolder in their attempts to diversify. Sky is on target to have people from BME backgrounds in at least 20% of significant on-screen roles, to have 20% of all writers on entertainment shows from BME backgrounds, and for every production to have someone from a BME background in at least one senior role.

**Kwasi Kwarteng:** Does the hon. Gentleman find it strange that the publicly owned BBC should perform so immeasurably worse on these measures than the private sector represented by Sky?

**John Nicolson:** Yes, I do.

Sky will announce this July whether it has been on target. I know many Members would like the BBC to emulate Sky's ambitions, and it has made strides in

[John Nicolson]

placing women in senior executive roles—and should be applauded for it. Some 41.5% of senior managers are now female, but there are still significant areas of weakness on screen. While John Humphrys and David Dimbleby stride manfully through their eighth decade at the helm of BBC flagship shows, anyone would be hard pressed to find a woman over 60, let alone 70, in a prominent role.

When Miriam O'Reilly was booted off "Countryfile", she had to fight BBC bosses tooth and nail to prove her unfair dismissal on grounds of age. Only after their defeat in an employment tribunal did they apologise and offer to change. It was BBC management arrogance at its worst. Olenka Frenkiel, an award-winning BBC correspondent and superb broadcaster, had this to say in her article in *The Guardian* about her treatment as a woman over 50 at the BBC:

"I could see the guys of my age thriving but the women were gone...No more films were being commissioned from me. It was a struggle to get any assignments. HR had no record of me and my managers had omitted to appraise me for three years...I was treated as though I wasn't there"—

even though she had been working for it for 20 years. Before they are pensioned off, of course, women are often placed in a subordinate role on TV—and not just in the news, where we all know they always sit on the right.

A cause close to my own heart as a gay man is the representation of LGBT people. The creative skillset survey reports that 8% of the television workforce are gay, which is probably a fair representation of the UK population. What is certainly not fair, however, is the on-screen representation. Equity has noted its concern at the scarcity of incidental gay characters in drama—characters whose *raison d'être* is not their gayness. While we all know much-loved gay TV personalities, they are overwhelmingly in light entertainment and comedy, as they were when I was a child. Gay people are seldom seen on screen in serious authoritative roles.

I can speak from personal experience. I came out as gay when I was presenting "BBC Breakfast" on BBC 1, which I did for a number of years. To my astonishment, I found I was the first mainstream TV news presenter to do so. When I told BBC press officers that I had been interviewed by the *Daily Mail* and asked whether my home life had been honest, they were alarmed rather than supportive. I would go so far as to say that the reaction of some of my bosses was hostile. That was in 2000, and I am not sure that much has changed. In fact, I cannot think of a single BBC 1 news anchor who has been openly gay since. Why does it matter? It matters for many reasons, but not least this: gay kids growing up should be able to dream that they can do anything and play any role in society, not just the stereotypical ones.

One television channel that has been a trailblazer for minorities and women is Channel 4. "Channel 4 News" has a higher proportion, at 14%, of BAME viewers than any other public service broadcaster in the UK. The figure for "BBC 1 News" is a lamentable 5%. In 2014, audiences rated Channel 4 as the best public service broadcaster for representing BAME viewers fairly. Channel 4 scored 30%; BBC 1 got 14%. Channel 4 was

rated best for reflecting lesbian and gay people, at 28%. The figure for the BBC was 5%. And for people with disabilities Channel 4 again beat the BBC, by 26% to 9%.

Channel 4's commitment to diversity stems from its statutory remit to appeal to culturally diverse groups, to offer alternative perspectives and to nurture new talent. This is all underpinned by Channel 4's unique not-for-profit model. How ironic it is, therefore, that as we debate how to advance diversity at the BBC, the UK Government are putting one of our best and most diverse public service broadcasters at risk through a threatened, albeit sleekly planned, privatisation.

Let me turn to Scotland. "Channel 4 News" was one of the few news outlets where viewers felt the Scottish independence referendum was covered fairly. Few thought, by contrast, that the BBC covered itself in glory.

So how could it change? I believe that if the BBC is to reflect properly the UK's diverse nations and regions, it must decentralise and devolve greater financial and editorial control. News is a particularly good example. In recent months, the BBC "News at Six" has deluged Scottish viewers with stories about the English junior doctors strikes and English schools becoming academies. I do not doubt that Scottish viewers watch the coverage and think, "There but for the grace of God".

**Mr MacNeil:** This applies in politics as well. My right hon. Friend the Member for Gordon (Alex Salmond) has said, in a pithy and telling line:

"UKIP is a party which gets beamed into Scotland courtesy of the BBC".

That is all due to a lack of local editorial control in Scotland.

**John Nicolson:** I entirely take my hon. Friend's point.

The BBC network news agenda is relentlessly, and often unthinkingly, Anglocentric. The solution, as the BBC now recognises, is a Scottish "News at Six" with national, UK and international stories on the running order, based on news values—a grown-up news programme, rather than the couthie opt-out currently on offer. That is not an especially radical proposal. It already happens on Radio Scotland and the Gaelic medium TV channel BBC Alba.

We on the SNP Benches are unapologetic champions of public service broadcasting. Although we have been trenchant critics of the BBC in recent years, we see it perhaps as a lover who has strayed and whom we want to see return true and honest. Ours is a very different position from many on the Tory Benches, whose hostility towards the BBC speaks more of post-divorce visceral hatred. But the BBC has to change. It has to be more ambitious in the way it reflects its audience. It has to catch up with the needs of post-referendum Scotland. Throughout the UK it has to be less pale and male. It has to join the 21st century in its attitude towards older women and gay people on screen. It has to demonstrate that its fine words of aspiration are translated into action.

4.27 pm

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): This has been an excellent and diverse debate. I thank the Backbench Business Committee for granting it, and

the hon. Members for East Renfrewshire (Kirsten Oswald) and for Maidstone and The Weald (Mrs Grant) for requesting it. I particularly want to thank my right hon. Friend the Member for Tottenham (Mr Lammy) for securing the debate and for being the outspoken champion of diversity and equality that he is. This was made clear by his barnstorming introductory speech.

The Labour party agrees with the 73% of respondents to the charter renewal consultation who support the BBC's continuing independence. It is as friends—indeed, as fans—of the BBC that we strongly welcome this debate. It is in the interests of the BBC to do better when it comes to diversity. I need to declare a familial interest, in that my brother and sister both worked for the BBC as filmmakers, although they no longer do so. Their experience has informed my views, not always positively. Indeed, on my sister's first day as a director at the BBC, she was automatically shown to the cleaning room to join the cleaning team, which was not what she expected when she was recruited to direct a series. That was one of the reasons why I called for a debate in Westminster Hall last July on diversity in public service broadcasting. It is good that we are now debating the subject on the Floor of the House and giving it the importance that it deserves.

Our creative industries, of which our public service broadcasters are at the forefront, are worth £84 billion a year, or £9.6 million an hour, to the UK's economy. As a truly world-class broadcaster, the BBC represents the UK across the globe, and we are proud of that. However, it also has a duty to represent Britain to the public as the vibrant, diverse, complex and sometimes eccentric country that it is. I am sorry to say that the BBC, as we have heard, is failing to do that in certain areas. Last month, for example, BBC 2 attracted 5.7% of Britain's total audience, but only managed to get 3.3% of black, Asian and minority ethnic viewers to switch on.

The motion refers to BAME diversity, but it is also important to consider, as many hon. Members have, other strands such as gender, disability, LGBT and age. The hon. Member for Heywood and Middleton (Liz McInnes) put particular emphasis on gender and disability. In my debate last year, I focused on socioeconomic background and region, which still get little coverage and few initiatives. Indeed, the Minister promised then to bring a casting agent to a state school in Newcastle, so that some state pupils can have the opportunities often enjoyed by those at public school, and I look forward to hearing about his progress on that. As my hon. Friend the Member for Sunderland Central (Julie Elliott) said, the BBC needs more working-class people from outside the M25 both on air and deciding what should go on air. It really should not need to be told that.

Diversity matters, not just in terms of principle and fairness, but because it is proven that organisations and industries do better when they make the most of everything that is on offer. Whether on screen, on radio, writing scripts, researching programme guests, operating cameras or in the boardroom, it is only right and fair that all our diverse communities get a fair crack of the whip. There is also an economic and business case. Organisations that do not take advantage of the wide array of creativity and talent on offer in this country are depriving themselves of potential. As we heard from my hon. Friend the Member for Brent Central (Dawn Butler), we are losing that creativity—and in some cases the “hotness”—to

other countries. Why is it that so many of our BAME actors and writers have to go abroad to get their chance? It is great to have shows such as “Luther” and “Undercover” featuring heavyweight British acting talent, but if a lead black actor wants to feature in a mainstream British show, they seem to need to have their Oscar, BAFTA, Tony or Emmy up their sleeve. White actors do not need that kind of validation. Equally, BAME writers and directors often find it easier to get something green-lit outside the cosy circle of BBC commissioners. Those at the very top of the BBC tell me that they recognise the importance and value of diversity, and I believe them. They do tend to focus on on-air diversity, even though we know that having diverse executives, commissioners, producers and writers is crucial. As we have heard, they also tend to emphasise training and entry-level opportunities, as if no existing BAME talent could take up senior roles.

**Mr Lammy:** My hon. Friend is delivering an excellent speech from the Opposition Front Bench. Is the issue not also that many from ethnic minorities have left the BBC? Many of us know names that we expected to advance and make it into those roles as controllers and big creators in the organisation, but they leave. What is the point of training people if 10 or 15 years down the line they exit because of the culture?

**Chi Onwurah:** My right hon. Friend makes an excellent point. In fact, I have a list of many of the talented BBC producers, directors and others who have left. I considered reading it out, but I thought that might embarrass them and the BBC. Should we be having a similar debate in a year's time, however, I may feel more tempted to do so.

The BBC acknowledges that it has a problem but, as my right hon. said, it has addressed that with 29 initiatives aimed at increasing BAME representation alone and yet it seems unable to effect real change in its own organisation. Of course it is difficult to change a large organisation, but surely it is not beyond the wit of an organisation as creative and world-leading as the BBC. True determination would mean more resources, and proper targets and incentives, through monitoring and mainstreaming the challenge so that a wide range of executives, commissioners and producers are accountable. We need to see a real push from the top all the way through the BBC's management.

I, too, wish to pay tribute to Channel 4 and the efforts of Oona King on its “360° Diversity Charter” and its ambitious diversity targets; I know they are working because my friends in the film and television industry are complaining to me about them, which is a sign that they are getting through. As we have heard, Sky has also set ambitious targets, so I would like the BBC to be more ambitious. My right hon. Friend has talked of a dedicated fund, which was something Lenny Henry also suggested last year. That idea deserves serious consideration; where resources are scarce, nothing concentrates people's minds as much as money.

As I said in my opening remarks, the Labour party and I have long been friends of the BBC. I am an unequivocal champion of the BBC, except in three areas: accountability; diversity; and humility. Although today's debate may have been more about critique than friendship, we must recognise that those at the top of the BBC may have their minds on issues that are, for them at least, more immediate than the long-standing

[*Chi Onwurah*]

challenge of diversity, and Ministers must take responsibility for that. Burdening the BBC with the financing of free TV licences for over-75s has already threatened the future independence and finances of the BBC; that is money that is not available to finance a catalyst fund for diverse commissions, for example. The dragging out of the charter renewal also hampers the BBC's ability to act more decisively and give this matter the attention it deserves. As my hon. Friend the shadow Secretary of State for Culture, Media and Sport has said:

“The Government has already created a cloud of uncertainty over the future of the BBC, damaging the Corporation's ability to function and plan ahead. To cast further doubt on the BBC's future by delaying the White Paper and extending the current charter would be a disgraceful failure.”

Ministers have their reasons for doing that. I am sure that the Secretary of State is delighted to be able to exert this level of pressure on the BBC at a time when he would like it to air his views on the European Union referendum more favourably. The Minister for Culture and the Digital Economy might agree with me on that, even if he might not feel able to say so.

I hope that the Minister can tell the House what the reasons are for the continued delay on charter renewal, when he expects it to be completed and whether it will be completed this year with no need for short-term renewal. I hope that he can also tell the House what work the Government have been doing in the year since we last debated this issue.

I pay tribute to the Minister, who speaks passionately of the importance of diversity, but he must recognise that we need less talk and more results. I hope that he will hear that, stop threatening the BBC's treasured independence in future through charter renewal and, instead, support it in reflecting the country that loves and treasures it so.

4.40 pm

**The Minister for Culture and the Digital Economy (Mr Edward Vaizey):** I am grateful, Mr Deputy Speaker, to have the chance to respond to this important debate. When a Minister is told that he has to spend a Thursday afternoon responding to a debate, particularly on the day of the Tory parliamentary away day, and realises that by being in the Chamber he will miss the company of his colleagues at a luxury country hotel—you can imagine the thoughts that went through my mind. But the cloud was lifted when I saw the subject of the debate. As many Members will know, this is a subject close to my heart and I am grateful for the kind words that have been said about some of my work.

Before I move on to the issues, I want to pay significant tribute to the right hon. Member for Tottenham (Mr Lammy) for his barnstorming speech. It was an absolute tour de force—the great MP at his best, reminding us of his great qualities, lighting up Twitter like a fire and making some points that, in my view, were completely unanswerable. He set the tone of the debate, and the other reason the cloud has lifted is that all hon. Members have made fantastic speeches bringing great passion, emotion and knowledge to the debate. It has been dominated by the issue of BME representation in broadcasting, but I must acknowledge those Members who have stretched the definition of diversity.

Let me briefly acknowledge, although he is no longer in the Chamber, for reasons I cannot fathom, my hon. Friend the Member for Isle of Wight (Mr Turner), who took diversity to mean more coverage of Brexit.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** May I just say that the h G did advise the Chair that he needed to get to Oxford, even if others did not?

**Mr Vaizey:** I cannot believe, Mr Deputy Speaker, that you have given away the secret location of the parliamentary away day.

**Mr Deputy Speaker:** It is the third time it has been in use; I think we are all getting used to it, luxury hotels and all.

**Mr Vaizey:** Anyway, my hon. Friend the Member for Isle of Wight has apparently gone to an undisclosed location, so I apologise for misrepresenting him. If he had been here, he would have heard the Opposition spokesman explain that the Secretary of State has the director-general of the BBC in a small room and is dictating that the BBC covers only Brexit opinion, so that point is covered.

The hon. Member for Sunderland Central (Julie Elliott), who sits on the Select Committee, rightly brought up the importance of the BBC's representing the whole nation as regards the regions and as regards its presence throughout the country. I acknowledge what she said both about where the BBC is physically present and about the people who are represented and who work for the corporation. Those points were well made.

My old friend the Member for the Outer Hebrides, the hon. Member for Na h-Eileanan an Iar (Mr MacNeil), representing the top—we had my hon. Friend the Member for Dover (Charlie Elphicke) in the Chamber earlier, representing the bottom, as it were—pointed out the importance of language diversity and talked about the huge success of BBC Alba. It was good to hear his colleagues acknowledge the additional funding that the coalition Government pushed towards that—that is, the extra 2 million quid that BBC Alba was not expecting to get, which was fantastic.

The prize has to go to the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry), who took “diversity” to mean more Scottish football on the telly. We all want to see some Scottish clubs playing in the league cup. We would like the English league cup to turn into a league cup where Scottish clubs can play English clubs. That is what viewers want. If anyone wonders about the importance of sport, that simple statement by me will dominate all news coverage.

**Mr MacNeil:** The ambitions of Scotland are higher. We do not want to play just across this island. We want to dominate in Europe again, as Celtic did so magnificently in 1967, being the first non-Latin team to win the European cup. But the Scottish team will do that only if it gets the funding. The broadcasters have to step up to the mark to make sure that the money is coming in as it should.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** We must be careful not to get into history, which is where Scottish football may take us.

**Mr Vaizey:** Having said that my remarks might dominate the news, I think the Deputy Speaker has outdone me.

I acknowledge what was said, but I shall continue on the subject of diversity in broadcasting. My former ministerial colleague, my hon. Friend the Member for Maidstone and The Weald (Mrs Grant), gave a brilliant speech about the importance of culture change and praised Channel 4. The hon. Members for Brent Central (Dawn Butler) and for Ealing Central and Acton (Dr Huq) gave fantastic speeches, with some brilliant comments. The hon. Member for Brent Central mentioned “Undercover” in order to let us know that she regards Adrian Lester as “quite hot”. She did not say “quite hot and happily married”, both of which are true, but she made an important point about perception.

I was struck by an article that I read this week on BuzzFeed by Bim Adewunmi. The BBC may make some great points about “Undercover”, but her fundamental point goes to the heart of what we are discussing. “The creator of the show, Peter Moffatt”, she says, “highlighted a peculiar thing in the optics”—that was the word that the hon. Member for Brent Central used—“of one scene.” Peter Moffatt told *The Guardian*:

“Here was a black family sitting around the dinner table eating pasta. So normal and yet I had never ever, not once, seen that on mainstream TV”.

That is really what we are talking about.

When we speak about BAME representation, it is important to acknowledge as well the representation of people with disabilities, the representation of the lesbian and gay community, mentioned by the hon. Member for East Dunbartonshire (John Nicolson), and the representation of women. These are all important issues that have to be addressed. We should make it clear that this is about on-screen representation, as well as representation behind the screen. As the hon. Gentleman pointed out, the power lies with the commissioning editors and the producers.

The hon. Member for East Renfrewshire (Kirsten Oswald) made some valuable points about regional representation. The hon. Member for Harrow West (Mr Thomas) wants to introduce elected members of the BBC—an admirable nod to his addiction to democracy, which I acknowledge. No doubt he will respond to the White Paper.

I have been involved in this issue for some three years. I had a meeting with Lenny Henry, Adrian Lester—I now know who to invite to the next one—and David Harewood. They told me stories which brought the issue alive for me. It is important to acknowledge that. People have only to look at me to know what my background is. If I had been responding to this debate three years ago, I probably would have read out a very well drafted civil service speech, which would have been full of all the right-sounding statistics about the progress that was being made, but it would not have rung true to this audience and it would not have been true. Those actors opened my eyes to the issue and I have become passionate about it because I think we can make a difference.

We have brought the broadcasters in and talked to them about how they can make a difference. There is a league table of broadcasters in this regard, and in my view—a subjective view, I acknowledge—Sky is way at the top. There was a commissioning editor at Sky—I

think he might have left—called Stuart Murphy. He uses a lot of Anglo-Saxon words, the meaning of which is effectively, “Let’s just do it.” And he has just done it. He has looked at who is commissioning his programmes and who is appearing in them, and he has just made a difference. The effect has been relatively dramatic, and it keeps coming. In fact, tonight Sky is broadcasting “The Pledge” with June Sarpong, who has been happily retweeting many of the best things said in today’s debate. I think that Sky has done a very good job.

Next I would acknowledge Channel 4. Members have rightly pointed out its 360° work on diversity, and I have worked closely with Oona King on the issue. Channel 4 is slightly bureaucratic, but it has made a difference. It did not want to move for a while because of the legal complications that it felt were brought about by the Equality Act 2010, but we got over that hurdle by commissioning work from the Equality and Human Rights Commission. It produced an excellent report last autumn showing in practical terms what broadcasters can do. It busts a hell of a lot of myths, particularly on things like quotas.

Then comes ITV, which I think hides behind the fact that it commissions a lot of independent production companies. I do not get the sense that ITV has the same passion for this issue that Sky and Channel 4 have. I would like to see it do a lot more, and I feel strongly its complete absence from this debate since the initial flurry. We had a debate when we started this issue, and it was suggested that they would have to keep having meetings and talking, and that there would come a time when people said, “Well, that was just a flurry of action and nothing happened.” That is not the case with Sky or Channel 4, but it probably is the case with ITV—at least, that is how it feels. Perhaps it would like to get in touch. Of course, Channel Five, even though it has now been bought by Viacom, appears to have done absolutely nothing in this area, so I wait to hear from it, or maybe I will go and talk to it. Those are the main broadcasters, apart from the BBC, which I will talk about later.

I want to talk briefly about the arts, because when we published our culture White Paper we put diversity front and centre. The Arts Council has made some big moves on diversity and is beginning some proper monitoring. It is pushing its national portfolio organisations to change. Within the arts sector we have seen the Chineke! Orchestra, with Chi-chi Nwanoku of the Orchestra of the Age of Enlightenment, who has made a big difference by highlighting not the lack of BME classical musicians, but their absence from our orchestras. Danny Lee Wynter and Act for Change are pushing for change in the theatre. We can see what happens when we get great leadership. When Rufus Norris came to the National Theatre, he said that he would make a difference, and we have seen a dramatic difference in representation. Change is happening, but it needs to happen much more quickly.

I also want to mention the British Film Institute, which kicked this whole process off with Ben Roberts and his “three ticks” initiative. It was the first really big public organisation to say, “We’re not going to fund you unless you can show us what you are doing in practical terms about diversity.” He has been fantastically well assisted by Deborah Williams, who has become a good friend of mine. She is a fantastically knowledgeable advocate on diversity issues across the board. She has

[Mr Vaizey]

been a real boon to the BFI, and I know that she will continue to work with it to really encourage the difference that the BFI is beginning to make.

Along the way I have been helped by many people, including Simon Albury, who will have been glowing following the references made by the hon. Member for East Dunbartonshire, Nigel Warner from Creative Access, Floella Benjamin and Jane Bonham Carter. They have all participated and helped move this along.

We are talking about the BBC, and the tone of the debate has been absolutely right. The BBC has, of course, sent me a brief about the incredible work that it is doing, but we want it to move further and faster. If I may pick up on what the hon. Member for Newcastle upon Tyne Central (Chi Onwurah), the Opposition spokesman, has said, I think we need to work with the BBC, if that does not sound too defeatist. I thought at the beginning of the debate that I might just go for the applause lines and give it a good kicking, but I think that it is changing. It is an extraordinarily bureaucratic organisation, but it is changing. We need to acknowledge those changes, because I can imagine that a BBC executive who has made those changes might listen to the debate and think, “Nothing that I am doing seems to be making a difference.”

I must wind up, so I will briefly tell the hon. Member for Newcastle upon Tyne Central, about the pounds, shillings and pence in terms of what the Government are doing. The hon. Member for Brent Central mentioned audience panels. The BBC has an independent diversity board, which the director-general created last year and which holds the BBC to account on those issues. I am also keen to know whether it is effective, and I will work with the hon. Lady on that. I want to find the tapes of “The Real McCoy”, and I will make sure that that happens. I found a trumpet in the Royal College of Art—that is a whole different story—so I am sure I can find those tapes.

Diversity will be prominent in the White Paper, of which I have seen an early draft. We are going to publish it in May, and we will get the charter renewed in time for the hon. Member for Newcastle upon Tyne Central.

4.56 pm

**Mr Lammy:** This has been a good debate, and I am grateful for the fact that we have had it. I want to thank some of the people and organisations who have made it happen. I am grateful to Simon Albury, Floella Benjamin, Connie St Louis, Bonnie Greer and Kurt Barling; and to the Equality and Human Rights Commission, Ofcom, Creative Skillset, the Creative Diversity Network, the Creative Industries Federation, the Media Trust, Act for Change and the TV Collective.

The bottom line is—I think that this is felt across the House—that we have to see a step change. We will see a strategy at the end of the month, and we will all look at it in detail. The overwhelming thrust of the debate has been that we love and treasure the BBC, and we are proud of our public service broadcaster. That is the spirit in which I have secured the debate. But we need to do considerably better, and that cannot just be rhetoric; it needs action. Money is a key part of that action, and we need to see more of that in the coming weeks.

It is important that diversity is centre stage in relation to charter renewal. Until those in charge look like the people of this country—that means women, people with northern voices, black people, brown people, Chinese people and lesbian and gay people who can make it and become the DG of the BBC—we cannot say that we have arrived. We are a long way from that point, and more skills training will not deliver it.

*Question put and agreed to.*

*Resolved,*

That this House notes the crucial cultural role the BBC plays in modern Britain; welcomes the fact that one of the public purposes outlined in the BBC Charter is to represent the UK, its nations, regions and communities; notes with concern that the last employment census in 2012 showed the number of black, Asian and minority ethnic people working in the UK creative media fell by 30.9 per cent between 2006 and 2012; believes that a BBC target of 14.2 per cent for 2017 is insufficient; further notes that this target falls short of other UK broadcasters; and calls on the Government to recognise these failings when considering the BBC’s charter renewal and make representations to the BBC to ensure that the corporation is not failing in any of its diversity objectives, including, but not limited to, delivering high quality programming which reflects modern Britain accurately and authentically and that the Corporation must advance equal opportunities to diversify and develop its workforce and senior leaders so that they better reflect audiences.



## Homelessness: Edmonton

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

4.58 pm

**Kate Osamor** (Edmonton) (Lab/Co-op): I would like to open this debate with a case study of a constituent who came into my office this week, four months after being made homeless. He was evicted at the beginning of the year at short notice. He is in his mid-50s, he has never been in rent arrears, and he had previously received references saying he was a good tenant. He has complex health needs. On eviction, he went to his GP for a copy of his medical report, which showed, among other things, a history of chronic depression, osteoarthritis, spina bifida, a cataract—the list goes on. He approached the council for help, but the council had no record of him. He approached his family, but they had no room. The only help he has managed to receive has been from charity organisations that work with rough sleepers, and those organisations are in huge demand.

My constituent is now, again, sleeping in his car, and he is chronically depressed. He has had his health problems callously acknowledged as “normal for those made homeless”.

To deal with this situation, St Mungo’s has recently launched the “Stop the Scandal” campaign. His case study epitomises the Government’s failure to meet the duty of care that they owe to every individual. He is just one of many who have approached my office after being evicted, most frequently from a private rental property.

5 pm

*Motion lapsed (Standing Order No. 9(3)).*

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

**Kate Osamor:** In this debate, I will discuss homelessness: the rise of rough sleeping, and the rise of hidden homelessness. By hidden homelessness I mean the situation of all those who do not have stable accommodation: those who are placed in temporary accommodation, resort to living with friends or family, or live in hostels because they do not have a home of their own. Its rise, like that of rough sleeping, demonstrates the failure to ensure a sustainable and working housing policy in this country.

This debate is particularly timely, because we are now in the spring. It is a season of buying and selling in the market, and it is consequently the season of evictions. In the last month, my office has dealt with more casework pertaining to housing than to any other single issue. Of the 28 housing cases opened in the past month, 15 are cases of constituents who have been evicted, and five others involve constituents fearing eviction in the future. While some were evicted for being in rent arrears, some have simply lost their home because the landlord wanted to sell the property. They come from across the ages and professions, and many are long-term tenants. One has lived in their rented home for over 23 years. One woman, a former lawyer, was homeless for over six months. She and her disabled adult daughter resorted to squatting, and to sleeping in churches or on night buses. A mother of a young child, who worked as a teaching assistant,

was evicted from temporary accommodation and deemed intentionally homeless for complaining about unsanitary conditions, including mice, damp and mould. Tighter regulations must be put in place to ensure that the accommodation rented out to people is suitable for living in.

**Dawn Butler** (Brent Central) (Lab): I thank my hon. Friend for raising very important issues with regard to homelessness and accommodation for families and individuals. As she says, councils must do more to ensure that accommodation is not overcrowded.

**Kate Osamor:** My hon. Friend makes an excellent point, which I will come on to. As I say, tighter regulations must be put in place. We are facing what has rightly been called a housing crisis, and homelessness is the sharp end of this crisis. It has dramatically worsened in the past five years, while rough sleeping has risen dramatically since 2010. Figures collected for the Department for Communities and Local Government indicate that there has been an increase from 415 to 940 in the number of people sleeping rough across London on any one night. The combined homelessness and information network database, which gathers annual data from outreach services, shows a similarly dramatic escalation in rough sleeping across London—from 3,975 rough sleepers in 2010-11 to 7,581 in 2014-15.

The rise recorded in Enfield has been particularly dramatic: the number of rough sleepers has risen from 18 to 174 per year. The borough also has a high level of hidden homelessness. Enfield has the fifth highest level of homeless households residing in temporary accommodation in the country, and the number increased by 29% between 2011-12 and 2014-15. Figures for the first half of 2015-16 show that Enfield, with more than 500, has the third highest number of homeless acceptances in the capital. At present, the number of households living in temporary accommodation in my constituency of Edmonton is 924, as identified in postcodes N9 to N18. That figure represents 34% of households in the area, which is an enormous percentage of people without stable homes.

Although the housing crisis is by no means confined to London, it has touched the capital acutely. With over 1 million private rented dwellings, London has the largest concentration of private renters in the country. Enfield saw a huge increase in its private rented sector between 2001 and 2011. According to a recent report,

“The average London renter spends almost 60% of their income (after benefits, but not after tax) on their rent.”

That is double the amount that is typically considered to be affordable. Also according to Shelter’s report, “Making renting more affordable for more Londoners”, one in three Londoners in private rented accommodation has

“gone into debt in the last year to pay the rent”.

The housing crisis has created a dangerously precarious situation for renters. Private renters live in inherently unstable accommodation, with little protection from eviction or rent increases. Our laws on private renting are some of the worst in Europe. In most countries, tenancies are longer than a year, and rent increases tend to be tied to external indices, such as inflation, rather than landlords being able legally to increase them willy-nilly.

[Kate Osamor]

The loss of a private rented home is now the most common way people become homeless in London. It accounts for almost half the capital's homelessness cases. Although the Royal Institution of Chartered Surveyors predicts that rents will rise by 20% between now and 2020, the Government's welfare measures have seen housing benefits fall. Local housing allowance has been frozen; the lower shared accommodation rate has changed, and now applies to those under 35, and not those under 25; and the benefit cap is causing more stress for people, who are already coming to my surgery about it on a daily basis. All that means that the gap between housing benefit and rent will worsen, pushing more people into rent arrears and, potentially, homelessness.

I, alongside Enfield Council, call on the Government urgently to review the local housing allowance so that it accurately reflects the inequality in the housing market, and to give more assistance to the local authorities that face the greatest challenges in housing the homeless. I also urge the Government to reverse the intended lowering of the benefit cap. The local housing allowance rate and the benefit cap are contributing to the high number of homeless families being placed in the most affordable part of the north London housing allowance region, namely east Enfield. They include homeless families from other London boroughs who are placed in temporary accommodation in the area. That has displaced local households who are renting privately, further restricted the number of properties available for Enfield residents, and increased the pressure on front-line services.

Enfield's relative affordability has made it a buy-to-let hotspot, and landlords who let to homeless families are seeking to offer their properties on a nightly rate. That drives up the cost of housing provision enormously. Gross expenditure on temporary accommodation in Enfield has doubled between 2011-12 and 2014-15 from £20 million to £40 million. Greater controls must be introduced on how buy-to-let landlords operate so that we move away from this exploitative system.

In an age in which more and more powers are being devolved to local authorities, councils are being stretched beyond their means. Underfunded councils are hugely overworked. The homelessness monitor for 2016 shows that nine out of 10 councils often or sometimes find it difficult to help single homeless people aged between 25 and 34, and that 87% find it difficult to help those aged between 18 and 24. The majority back a change in the law to expand homelessness prevention. I add my voice to theirs.

I echo the demand of homelessness charity St Mungo's Broadway in calling for the Government to improve homelessness legislation to prevent more rough sleeping with a new universal prevention and relief duty so that anyone threatened with homelessness will get help. At the moment, councils do not have a duty of care until a person finds themselves homeless, meaning families literally have to wait until they have been evicted from their property to get assistance. Implementing a broader duty of care would, I believe, help councils to assist families before they reach a crisis point. That would infinitely improve the situation for families; being served an eviction notice and having to wait for assistance can severely affect people's mental health.

It is one thing to legislate, however, and another to implement. Without proper investment from central Government, councils are faced with the impossible task of accommodating an ever-increasing number of families in need, without the resources to do so. An increasing number of families are being left in unsuitable temporary accommodation for prolonged periods of time, as alternatives are not available. Councils must be properly funded in their efforts to assist people who find themselves homeless. As a starting point, I call on the Government to review the allocation of the homelessness grant to bring equity to the system.

Most importantly, a sustainable housing policy must be put forward, and genuinely affordable homes must be built. City Hall's assessment is that London needs to build between 50,000 and 60,000 homes a year to keep up with the increasing need, yet only 20,000 homes were built last year. That is simply not good enough.

The homelessness crisis in Edmonton illustrates how this Government are failing ordinary people. Housing is a human right, and should be treated as such. The Government have a duty of care and must do more to protect tenants. Without regulation, tenants—in particular, those on low incomes—are left in an extremely vulnerable position. At worst, lack of regulation is creating the preconditions for a repeat of the Peter Rachman era. I would welcome a meeting with the Minister to discuss the details, if he wishes to have one. I will continue to monitor the issue and, in six months' time, will be reviewing what progress has been made.

5.12 pm

**The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones):** I thank the hon. Member for Edmonton (Kate Osamor) for securing this debate on such a critical issue. I know that she shows a great deal of interest in the subject on behalf of her constituents.

The causes of homelessness are diverse and complex. People become homeless for different reasons and have different needs. We should be proud of the homelessness safety net in this country, but one person without a home is one too many. This Government are absolutely committed to doing all we can to prevent and reduce homelessness. We must be able to respond to new and difficult challenges, to prevent people from becoming homeless in the first place and to support people with long-term, complicated problems—the type of issues that the hon. Lady cited with which some of her constituents had come to her. We must also enable people to recover from a homelessness crisis and start living independently again.

Since 2010 we have invested over £500 million, enabling local authorities to prevent or relieve over 1 million cases of homelessness. Our initiatives have helped to break the cycle of homelessness and rough sleeping for over 100,000 vulnerable people—for example, through the £8 million of funding for local authorities to work with local partners to prevent single homelessness, or the pioneering StreetLink app and telephone line, which make it easier for members of the public, and Members of this House, to help someone they see rough sleeping by reporting the situation so that the rough sleeper can access the support they need. We have also changed the law so that councils can place families in decent and

affordable private rented homes, to reduce the time they spend in temporary accommodation. We have made significant progress, but I want to see earlier and more effective action at a local level to make sure that we continue to deliver the best for this vulnerable group of people.

Protecting the most vulnerable in society is just as much of a priority as reducing the deficit, and there need be no contradiction between those two aims. Despite the need to take tough decisions on Government spending, we have prioritised investment in this area and increased funding for homelessness programmes to £139 million over this Parliament. We went one step further in the Budget by announcing an additional £100 million of funding for 2,000 new move-on accommodation places for those leaving hostels and refuges.

The hon. Lady's constituency is in the London Borough of Enfield, which will receive more than £2 million in homelessness prevention funding between 2016-17 and 2019-20 through the local government finance settlement. I reassure her that our allocation of homelessness prevention funding is based on the need in a particular area. Enfield has recently successfully bid for the funding that we announced in December for those local authorities facing the most significant homelessness pressures, particularly in temporary accommodation, which the hon. Lady spoke passionately about. That funding will help to ensure that people are moved from temporary accommodation into suitable homes.

Local authorities are at the heart of efforts to reduce homelessness. That is why we protected their homelessness prevention funding, which will amount to £315 million by 2020. That will help councils to provide quality advice and assistance to everyone who approaches them for help. We have also provided support to make local authorities more effective. For example, we have funded the National Homelessness Advice Service to provide expert training and assistance to front-line staff dealing with homelessness issues. My Department is also exploring options to improve the evidence base regarding what works in tackling homelessness, and to help local areas target their interventions more smartly.

We have a strong homelessness safety net in England, but we want to strengthen it and prevent even more people from experiencing a homelessness crisis in the first place. Supporting local authorities is not just about funding. We also want to work closely with them, homelessness organisations, and other partners to shape a new approach. That means greater innovation, integration of local services, and earlier intervention—all things that the hon. Lady mentioned.

We will put prevention at the heart of everything we do, but ensure those who fall through the safety net quickly get the help they need. We will invest in programmes to break the cycle of homelessness for those with the highest needs, and make sure that people have the support they need to make a secure, long-term recovery from homelessness. To ensure that every Department plays its part in breaking the cycle of homelessness, I have reconvened the ministerial working group to take action to address the underlying causes of homelessness, and I chaired the latest meeting of that group yesterday.

Prevention must be at the heart of everything we do. That means working together to keep pace with new challenges, learning from other jurisdictions that are tackling homelessness innovatively, and considering all

options for the future, including legislation—the hon. Lady raised that and a number of other issues, and I will be more than happy to arrange a meeting with her to discuss in more depth the issues that her constituents experience.

Of course, not every case of homelessness and rough sleeping will be prevented, and where it happens we must act quickly. The longer someone spends sleeping rough, the more likely it is that the problems that may have led them to becoming homeless in the first place will get worse. For those who fall through the net and end up sleeping rough, immediate intervention is vital to help them off the streets. We invested £20 million in rolling out the No Second Night Out approach across England to prevent rough sleepers from spending a second night on the streets. We are building on this success with a new £10 million programme to support even more innovative approaches to prevent and reduce rough sleeping.

Many people's experiences of homelessness and rough sleeping have been years in the making and will take time to solve. Many will have had mental health, alcohol or substance misuse problems. As homelessness Minister I have seen at first hand the fantastic work that frontline homelessness organisations do day-in—and sometimes night-out—to support these vulnerable people. To help to break the cycle of homelessness for those with the most complicated needs, we are investing £10 million in an innovative new national social impact bond. This will help rough sleepers with the most complicated problems to move off the streets and into accommodation and employment. It will build on the learning from the world's first homelessness social impact bond, which we funded in London. So far, over half of the participants have achieved positive outcomes.

The homelessness safety net gives people protection when they experience a homelessness crisis, but continued support is needed to help them to find settled accommodation. We have already funded Crisis to run a programme to create over 10,000 private tenancies for vulnerable people, 90% of which have been sustained. We are aware, however, that some people still struggle to move on to sustained accommodation. We must reinforce the routes that help people out of homelessness. At the Budget, we announced an additional £100 million investment to help vulnerable people to move on from hostels and refuges, and into independent living. That is on top of our £40 million investment to refurbish hostels and provide low-cost shared accommodation for young people at risk of homelessness. As well as investing in homelessness prevention, the Government are increasing the overall supply of housing and affordable housing with the biggest house building programme for 40 years.

Before I conclude, I would like to address one or two more of the points the hon. Lady mentioned. She mentioned people who are evicted from temporary accommodation and the suitability of temporary accommodation and some rental accommodation. I reassure her that all accommodation must, by law, be suitable to meet the needs of a household. No family with children should be on the streets. They are automatically in priority need if homeless and the local authority must accommodate that family for such a time as allows them to secure their own accommodation.

[Mr Marcus Jones]

On suitability of accommodation, the Housing and Planning Bill is currently going through the other place. The Bill will give local authorities powers to crack down on rogue landlords, for example through the ability to levy a £30,000 civil penalty against a rogue landlord for not providing suitable and right accommodation for their tenants. We will also enable local authorities to retain civil penalties, which will give them additional funding to improve and maintain enforcement activity. That will be extremely valuable in helping authorities, such as Enfield, to do more to make sure that we all, together, drive rogue landlords out of business and stop them renting unsuitable accommodation—often to the most vulnerable people.

I thank the hon. Lady for bringing this debate to the House. This is a critical issue on which the Government

are absolutely focused. We are a one nation Government. We want everyone to have the opportunity to live happy and fulfilling lives whoever they are, wherever they live and whatever challenges they face in life. Our goal is to keep moving from a low wage, high tax and high welfare economy, to a higher wage, lower tax and lower welfare country. However, we will always support the vulnerable and make sure they have a safe home to live in. I know that that is an aim that can be shared across the House. I look forward to meeting the hon. Lady to take this debate further.

*Question put and agreed to.*

5.24 pm

*House adjourned.*





# Westminster Hall

Thursday 14 April 2016

[SIR DAVID AMESS *in the Chair*]

## BACKBENCH BUSINESS

### Pubs Code and the Adjudicator

1.30 pm

**Greg Mulholland** (Leeds North West) (LD): I beg to move,

That this House has considered the Pubs Code and the Adjudicator.

It is a pleasure to serve under your chairmanship, Sir David. I thank the Backbench Business Committee for granting this important debate. I also thank colleagues. This is very much a cross-party motion, with its lead Members being the hon. Members for Lincoln (Karl McCartney), for West Bromwich West (Mr Bailey) and for Isle of Wight (Mr Turner), but it is also supported by a large number of Members from across the House. The hon. Member for Worthing West (Sir Peter Bottomley), who is one such Member, cannot be with us today, but he asked for his support to be recorded,

“not just because I am a life member of CAMRA but because better practice reduces exploitation, promotes better hospitality and allows fairer rewards to those who work hard building good pubs around the country.”

In my parliamentary experience, this issue is quite unique in how it has united Members from across the House irrespective of party or political perspective. It has united Liberals, the left, the right, Conservatives and Labour Members and, whether we look at the social, economic or personal argument, there is broad agreement over the need for a statutory code that works and for an adjudicator who enjoys the confidence of publicans in addressing the historical imbalance of power between pubcos and their tenants.

**Nick Thomas-Symonds** (Torfaen) (Lab): It is a pleasure to serve under your chairmanship, Sir David, and it is great that we are having this debate. On the Pubs Code Adjudicator, does the hon. Gentleman agree that it is vital that all sides, and particularly pubco tenants, have confidence in the adjudicator? Such is the nature of adjudication, and many tenants in my constituency have expressed concern about getting actual fairness and not more unfairness.

**Greg Mulholland:** The hon. Gentleman expresses the views of his tenant constituents. Tenants’ organisations and tenants throughout the country have expressed that same view. I will come on clearly to lay out why the appointment of the pubs adjudicator is simply untenable.

**Mr Stewart Jackson** (Peterborough) (Con): The hon. Gentleman is right to pay tribute to the cross-party nature of the campaign. I am someone who voted with him in 2014 and am very much on his side, but, in fairness, to balance things out, does he concede that our

coalition Government between 2010 and 2015 realised the necessity of a new code and regulatory framework to address the issues that he has raised over many years?

**Greg Mulholland:** The hon. Gentleman is absolutely right. I want to thank him personally because he has been a real champion for pubs in Peterborough and his support of the Save the Pub group and the Fair Deal for Your Local campaign has been warmly welcomed. Today is precisely about trying to finish a job that dates back to Select Committee inquiries, the first of which was in 2004—that is how long the issue has been on the political agenda. We are finally getting to the stage of a statutory code of practice, but that, still, is flawed and contains loopholes.

In the spirit of the hon. Gentleman’s intervention, that is an issue about which tenants have asked: is this conspiracy or cock-up? I am clear that what has happened is a cock-up. There was an excellent leading article in the *Publican’s Morning Advertiser* on 7 April in which Mike Berry, who is a neutral person on such issues, said:

“The Government has not covered itself in glory throughout this entire process. From accusation by campaigners of acting in bad faith by removing or amending parts of the legislation, to U-turns over the original omission of parallel rent assessments, the latter part of this saga has been particularly fraught. And that’s before we even consider the furore from some over the appointment of Paul Newby as the pubs code adjudicator”.

I say to the Minister that this is not personal, but the change of civil servants at the Department for Business, Innovation and Skills after the election has clearly led to mistakes being made and a lack of understanding of some of the complexities and technicalities of this legislation, to the extent that in a meeting with a group of tenants, one of the people who has been involved in drafting the pubs code and was on the panel that interviewed the adjudicator said, “I don’t really know much about this.” That being the case, how can tenants possibly have confidence in the Department? I have also been informed that one of the civil servants who had previously worked on the code and who did have experience and the confidence of tenants was brought back in to work on it.

Mistakes have been made, and those mistakes must now be rectified—that is all that we are asking for today—so that, when the pubs code comes in on 26 May and the Pubs Code Adjudicator starts work at the beginning of June, people will have confidence that that has been done properly and that the will of both Houses has been abided by. The legislation was subject to votes in both Houses, and Ministers in both the last Government and this Government, including the Minister here today, made clear promises to abide by those votes and introduce the pubs code and the market rent-only option.

I will address the concerns about the pubs code, the first draft of which was published on 29 October 2015. I declare an interest as chair of the British Pub Confederation, which represents 13 organisations, 11 of which are licensee organisations. The confederation and the Fair Deal for Your Local campaign, which many hon. Members supported, were appalled at the first draft, which included the outrageous clause 8.12. I have given credit to the Minister and her team, and to the Secretary of State, for being prepared to listen and to drop that provision, and we ask them to do so again to address the issues highlighted by an amendment that I tabled to the Enterprise Bill and by one tabled in the name of the shadow

[*Greg Mulholland*]

Minister, the hon. Member for Sefton Central (Bill Esterson). Unfortunately, we did not get the chance to discuss or vote on either of those amendments, so we urge the Minister to make those changes herself.

The first loophole in the draft code is that, as it is currently written, any tenant seeking to take the all-important market rent-only option that we voted through the House on 18 November 2014 will be forced to give up their lease for a shorter, five-year one. That is simply not acceptable. Clearly, all that the market rent-only option means and ever has meant is that tenants have the simple right to seek an independent assessment of their commercial rent on a free-of-tie basis and then pay that sum—and only that sum—to the pub-owning company for the entire remainder of their lease or tenancy. That loophole is simply not acceptable and must be removed if BIS is to stick to its commitment to introduce the market rent-only option that was voted for. As the person who tabled that clause, I can say that the code simply does not do that as long as that loophole is there.

The second loophole is an extraordinary one that allows a waiver in exchange for investment for people who have not even taken on a tenancy or lease. There has been much discussion about investment, but I think many hon. Members fail to understand the reality of pubco investment. A Federation of Small Businesses survey of its licensee members found that 68% had not had any investment from their pub companies in the past 12 months. Indeed, the costs of investment presented by pubcos are often inflated. Many tenants report that they have had cheaper quotes from other suppliers but are forced to use the contractors that the pub company insists on. There is a problem with allowing a waiver for people who have not yet taken on a pub. We accept that there will be a waiver to allow for investment—it must be limited, substantial and genuine investment—but we strongly say that it should not come in until someone has been in a lease or tenancy for two years.

The reality is that when pubs are vacant, frequently because of a failure of a previous tenant due to the tied pubco model, there is a need for repairs and basic investment simply to make the pub fit to let to someone else. If someone is forced or encouraged to sign a waiver before they have even taken on that pub, there is a real danger that that will be used and abused, with people able to say, “We have invested in this pub that you are about to take, and therefore you have to give up your right to an independent rent assessment for another five years.” That would be the case, and they would therefore not get that assessment for 10 years. There is also a great danger of encouraging pub companies to seek to force out sitting tenants who have the right to a market rent-only option, in favour of someone new who will sign away their right to it.

**Mr Jackson:** The hon. Gentleman is making a strong, detailed and comprehensive argument. He will know that paragraph 127 of the impact assessment produced by the Department specifically references a non-gaming caveat. Rather than waste valuable time and energy and the efforts of civil servants and others, including hon. Members, down the track in producing secondary legislation to amend the code, is it not better that we identify the gaming loopholes now before the code comes in on 1 June?

**Greg Mulholland:** The hon. Gentleman is correct. That is why we are doing this. The British Pub Confederation and other organisations have clearly written about these two glaring loopholes. In the wording of the pubs code, BIS must ensure that any waiver is limited, reasonable and entered into willingly by both parties. The code must also restrict waiver-free investment to a tenant who has been in a substantive agreement, not a tenancy at will, for two years, and must clearly forbid any waivers for investment for new tenants.

I have brought the attention of the Minister and her Department to pubco gaming and some of the behaviour at the moment, and have not really had any response. Paragraph 127 of the impact assessment says:

“Some specific risks include...That pub owning companies find a loop hole in the statutory code that allows them to continue acting as they do currently. To mitigate this risk the rules will be written in terms that are difficult to game. The code, which is likely to be set out in secondary legislation, will be amendable in certain circumstances which will allow it to reflect new developments in the industry and close any loop holes that are found.”

We have already identified these two loopholes, which must now be closed if people are going to have confidence in the code, and if it is going to work in the intended way.

**Neil Carmichael (Stroud) (Con):** I am certainly a supporter of this code, but I note that codes like this can have unintended consequences. One unintended consequence might be that pub owners would be put off from investing if they were discouraged by the changes that the hon. Gentleman recommends. Would it not be wiser to allow the code to bed in and then review it? The risk is that gaming and unintended consequences could occur, which we would need to monitor anyway.

**Greg Mulholland:** I thank the hon. Gentleman for his intervention, though I do not agree with him. With respect, I feel he has always been slightly confused on this issue. These are clear loopholes that could have very damaging consequences. I can tell the hon. Gentleman, the Minister and the House that pub companies are currently doing all they can to avoid the legislation and the code before 26 May. They are applying pressure on lessees to take up a rent review before 26 May, in advance of scheduled reviews, in order directly to circumvent the code and the market rent-only option specifically.

Some tenants are being coerced to relinquish long leases and take up five-year contracts that are not renewable, so that they are not subject to a market rent-only option. Some pubcos—I have seen one such case myself—are cynically issuing section 25 notices, ending existing tenancies or leases by 31 March to escape the impact of the market rent-only option. The Government must make it clear that the pubs code and the market rent-only option apply to all agreements that have renewal dates or rent reviews from 1 June 2016, because there is some confusion. I hope we will hear that from the Minister today.

Some tenants are also being bribed to sign an agreement without a market rent-only option. One tenant contacted the Save the Pub group to say that she had been offered a 20% drop in her dry rent if she signed a new five-year non-renewable tenancy, which therefore will not have the market rent-only option. It is funny, however, that the pub company did not mention that last bit. It simply



presented the agreement to her and said, “Would you like to sign this very attractive new lease with lower rent?”

Is BIS aware of what is going on? It has not said so or responded. If it is aware, is it dealing with the problem, and how? We need a clear announcement that any agreements made from the date on which the pubs code comes in will be subject to the market rent-only option, and that the sort of behaviour that is going on is unacceptable. That is what we want to hear from the Minister today.

Before I move on to the Pubs Code Adjudicator, I will simply say that if the Minister and her Department make the two changes that have been requested, I will announce that we are happy and will praise the Minister, her team, the Department and the Government for getting it right and for listening. All we ask is for those two loopholes to be closed and for her to criticise the way in which pub companies are cynically trying to avoid the code before it even comes in.

**The Minister for Small Business, Industry and Enterprise (Anna Soubry):** Will the hon. Gentleman make it clear whether there are three things he would like me to do, or two?

**Greg Mulholland:** By the end of my speech, the Minister will be clear about exactly the things I wish her to do. Two loopholes must be removed from the code, and she must deal with the current cynical behaviour. She must clearly criticise that today, in this Chamber, and say that it is unacceptable.

*Anna Soubry indicated dissent.*

**Greg Mulholland:** The Minister scoffs as if she does not accept that that behaviour is happening. I suggest that tied tenants around the country drop her a line to tell her that it most certainly is.

**Anna Soubry:** As I am sure you would agree, Sir David, it is important that nobody ever thinks there is any form of coercion, and I will do what I feel is right. In this Chamber, as in the main Chamber, we speak freely, so I do not think it is good for Members to put down conditions that say, “Ministers must condemn,” and “Ministers must do this, otherwise we will criticise.” We will have a good, free debate and then we will all make our comments accordingly.

**Greg Mulholland:** What a quite extraordinary comment, in the mother of all Parliaments, that somehow we are not allowed to challenge a Minister to condemn bad behaviour—what an extraordinary comment, even from the right hon. Lady. Quite remarkable.

The next thing that the Minister and her team must do is on the Pubs Code Adjudicator. Representatives from all sides of the pub sector noted as long ago as 2013 that to ensure impartiality, it would be sensible for the post to be taken up from outside the pub sector, if the role were to gain industry-wide confidence, credibility and acceptance. That is clearly the basic, essential nature of this role, yet BIS has clearly and demonstrably failed to ensure that.

Let me lay before the House the very serious issues as to the clear flaws and untenability of this appointment. The appointee, Mr Paul Newby, is a chartered surveyor

and a director and shareholder of Fleurets. He clearly has a conflict of interest, and it is clearly a disqualifying conflict of interest. Fleurets is the largest surveying practice operating in the very sector that the pubs code is being introduced to regulate. Of course, the reason for that is to protect tenants from abuse by their pubco freeholders.

Mr Newby’s CV, which is publicly available—although, interestingly, it has been taken off the Pubs Independent Rent Review Scheme website—openly advertises for whom he acts. Let me list the six companies that Mr Newby is required to regulate: Enterprise Inns, Punch Taverns, Marston’s, Greene King, Heineken—which is Star Pubs & Bars—and Admiral Taverns. Who do he and his firm currently, and boastfully, say they act for? Enterprise Inns, Punch Taverns, Marston’s, Greene King, Heineken and Admiral Taverns. He clearly is conflicted and biased. Of course the Minister will say, “But he has also operated and acted for tenants,” but actually, given the nature of this appointment, that equally would mean that he is conflicted.

**Mr Jackson:** Mr Newby may be an exceptionally gifted and talented man to have appointed, but does the hon. Gentleman agree that just the appearance of a conflict of interest is difficult? In this respect, it would circumscribe due process on those occasions when he was required to act in his official capacity. In that sense, it is not fair on him or the taxpayer, or on all the other stakeholders in this situation.

**Greg Mulholland:** The hon. Gentleman is absolutely right. I actually believe that Mr Newby has been let down in this process, because clearly his application was never tenable and should never have been proceeded with.

The Minister will say, “Oh yes, Mr Newby has represented tenants,” but does she realise that some tenants are actually pub companies themselves? It says that in Mr Newby’s own CV. I was in such a pub last night—the excellent, award-winning Eagle Ale House in Battersea. The award-winning licensees there lease it from Enterprise Inns, but Enterprise Inns are themselves tenants of a property company, so some of the “tenants” that Mr Newby has represented may well be pub companies.

Let me deliver this message as clearly as I can. Let me tell the House about the Fleurets website, and I would urge hon. Members to look at it. Fleurets widely advertises, including on its website and in trade publications, that it acts for all six of the large pubcos to be regulated, and that these are all clients that Fleurets and Mr Newby, as a director and shareholder, derive a substantial part of their income from.

The British Pub Confederation asked in a letter to the Secretary of State what proportion of the number of cases that Mr Newby has acted in have been on behalf of pubcos, and what proportion have been for tied licensees. The Government refused to answer that question in the letter of response, so I ask it again, and we must have a reply. And what is the proportion of income that Fleurets and Mr Newby make from pub companies and from tenants? We know the answer. Companies House records show that Mr Newby has been a director of Fleurets Ltd since 1995 and of Fleurets Holdings since 2009. He owns 100 ordinary A shares in Fleurets Holdings,

[*Greg Mulholland*]

amounting to 11.79% of the ordinary share capital in the company. Fleurets Holdings Ltd wholly owns Fleurets Ltd.

The Fleurets website makes it plain that the thrust of the company is to market its services to corporate entities, not to individual tenants. The logos of Fleurets' corporate clients appear on various pages of the site but there is no mention of tenant clients. There are quotes from satisfied clients. The only ones from the tied pub sector are from Star Pubs & Bars—owned by Heineken—Fuller Smith & Turner, Marston's, J.W. Lees and Daniel Thwaites. None of the CVs of the nine directors on the website shows any specialisation in acting for individual tied tenants or mentions doing so. Mr Newby's own CV does not mention his acting for any individual tenants. His CV that was on the PIRRS website—strangely, now taken down, as I said—confirmed that for the last five years, he has worked most closely with Enterprise Inns, Marston's and Punch Taverns. In 2008, when Martin Willis, the current chairman of Fleurets, was questioned by the Business and Enterprise Committee over a conflict of interest, he said:

"I think we represent just about every pubco".

That is clearly very true today.

Interestingly, I noticed that among the logos of companies that Fleurets has represented was that of Criterion Asset Management, the director of which is Theo Osborne, brother of the Chancellor of the Exchequer. Did the Minister and her team know that? Mr Newby's company website provides an interesting indication of the preferences of Mr Newby's firm in relation to the pros and cons of the tied model, which he is now expected to regulate. In 26 pages of news and information articles on the Fleurets website, as of yesterday, there was no criticism at all of the tied model. In contrast, the website is effusive in its promotion of that very business model, the one practised by so many of Mr Newby's clients—the very companies that he is supposed to regulate.

Let me read some of the headlines. Under "Leasehold pubs are an Attractive Option", the article states:

"There are some excellent businesses on offer from most Pub Companies".

Under "The Leasehold Pub—The route to success", the article states:

"With very little capital needed, tied and free of tie leasehold pubs offer the opportunity for passionate people to build spectacular businesses".

Under "How Do I Go About Getting Into The Pub Trade?" the article states:

"Whilst getting into the licensed trade can seem quite daunting it must be remembered that breweries and pub companies are continually on the look-out for enthusiastic new partners to run their pubs...For the first time operator this route can often be the best as it comes with various support and training packages and it is invariably the lowest cost of entry"—

that is something that many tenants who have struggled with the tied pubco model would strongly dispute.

Another interesting article, and something that has been missed entirely by BIS in this process, is headlined, "Pubs sold for alternative uses in 2014 by Fleurets". The truth is that Fleurets is not only a surveyor, but the estate agent of choice in the big pubco sell-off. The indebted companies, who got themselves into billions of

pounds of debt through their own recklessness and their acquisition spree, are now asset-stripping their estates, often selling for non-pub use, sometimes against the wishes of licensees and often against the wishes of local communities. Fleurets is doing that for them and profiteering from it—and so, currently, is Mr Newby. Did BIS realise that? It does not appear so, because there has been no mention whatsoever of Fleurets'—or Mr Newby's—role and financial links in that respect.

I will give a powerful example of why tenants cannot and will not accept Mr Newby as the adjudicator. This morning I had an email from a former director of the British Institute of Innkeeping—an organisation that the Minister was keen to quote from, citing it as a licensee organisation. I need to correct the record because it is not; it is a charity rather than a representative licensee body. I think she was indicating somehow that it supports this appointment. Well, that former director is now an adviser to publicans and other small businesses, but during his years with the BII he worked closely with larger surveyors, specifically naming Fleurets. He has described the relationship between these chartered surveyors' firms—again, specifically naming Fleurets—and their pub company customers. He says—I quote from that email—that it is "a gravy train". He explains that there are chartered surveyors in the sector who use valuation methods that advantage their pub company customers, and explains how surveyors and pub companies work together, using what he says are—I quote again—"questionable" practices, to ensure the best outcome for the pub company and not for the pub tenant, because of course most of the surveying work and most of the income comes from pub companies, not tenants—which is inevitable when tied tenants are running a pub and can barely break even.

We need to put to bed the idea that somehow this situation is acceptable because Mr Newby has represented a few tied tenants in his time and has potentially even won some cases for them. Very interestingly, there was an admission at a roadshow by Fleurets that it delegates tenant cases to less experienced and less expensive surveyors—something that Mr Newby very clearly is not.

When we were going through the process, we were told that the Pubs Code Adjudicator would be like the Groceries Code Adjudicator and that the Department for Business, Innovation and Skills would follow similar principles. It has clearly and demonstrably failed to do so. Paragraph 1 of the Groceries Code Adjudicator's conflicts of interest policy and register of interests refers to ensuring

"that no conflict arises, or could reasonably be perceived to arise, between the official position of the Adjudicator and private interests, financial or otherwise".

The hon. Member for Peterborough (Mr Jackson) has said clearly that that is not the case with the appointment of Mr Newby, who has a prejudicial financial interest. Paragraph 6 states:

"A conflict may arise whenever an outside interest might influence, or be perceived to be capable of influencing, a person's judgment."

The extraordinary thing is that the reply to the British Pub Confederation's letter states simply, "We don't think there is a conflict of interest." When asked whether Mr Newby declared his clear conflicts of interest, the reply was: "We asked him about his conflicts of interests

at the interview and were told that there weren't any and we accepted that." That is extraordinary and should never have happened.

Let me share with the Chamber paragraph 18 of the Groceries Code Adjudicator's policy and register of interests:

"Financial interests will generally arise from the ownership of assets (or other investments or sources of income) such as shares (whether bearing a right to vote or not)".

Just yesterday, the British Pub Confederation's secretary, Simon Clarke, received a letter from the Secretary of State saying:

"I understand that Mr Newby will continue to hold a number of non-voting shares in Fleurets, as security whilst monies owed to him are repaid".

The situation is serious. Someone will be allowed to continue to have shares in a company that profits from the work of the very companies that he will be regulating. You could scarcely make it up.

This week, the Prime Minister has been keen to tell us that he divested himself of all shares before becoming Prime Minister, but that has not got him out of the hole he has found himself in during the last few weeks. Yet we are seriously discussing a statutory adjudicator with a quasi-judicial role and the Department seems to think it is fine for him to hold shares in such a company. That is quite extraordinary.

Just this week, the Premier League, which has much higher standards than the Department for Business, Innovation and Skills, removed Kevin Friend as a referee for Tottenham Hotspur's game against Stoke on Monday because he lives near Leicester and supports Leicester. That was a good decision by the Premier League to avoid any feeling of bias. Yet the clear perception of bias in Mr Newby's appointment is being ignored. With respect, simply to say, "We don't think tenants are concerned," when tenants' associations have written to make clear their concern, is extraordinary.

Fiona Woolf was unable to preside over the child abuse inquiry simply because she had had dinner with someone who at that stage might have been of interest to the inquiry. Yet in Mr Newby's case, the Department for Business, Innovation and Skills has simply brushed under the carpet and dismissed his clear professional and financial links to the very companies he is supposed to regulate. How can the Minister possibly say that tenants can and will have confidence in Mr Newby, given that he will continue to receive share dividends from a company that has pubcos as its majority customer base?

Part of what the Minister will say today and part of what she has already said relates to her former career and profession of barrister, a profession I strongly admire. My sister and brother-in-law are barristers and I have huge respect for the work that barristers do. The Minister therefore knows that barristers are obliged to operate under the cab rank rule and to represent a client who comes to them with a legal problem in their area of expertise. As advisers, they are expected and mandated forcefully to advocate their client's position. The role of adjudicators and judges is different.

The Minister has stated that a surveyor is like a barrister—another form of professional—and simply takes cases. That completely misses the point. Surveyors do not operate under the cab rank rule. Mr Newby and

his company, Fleurets, actively market themselves to pubcos, including two of those he is supposed to regulate in a matter of weeks, boasting on his company's website of his expertise in representing them. If the Minister is under any impression that there is some equivalence between the way barristers operate under the cab rank rule and how a director and shareholder of a commercially active chartered surveying company would act, she is missing the reality of surveying, particularly in the pub sector.

The point is that Mr Newby will not be like a barrister. He will be like a judge. He will no longer advocate for his clients, but will adjudicate like an ombudsman or a judge, in this case like a jury and executioner. Why are the standards of public confidence that our excellent judiciary regard as essential to their legitimacy not applicable to Mr Newby in his new role as statutory adjudicator, which is a quasi-judicial role? He will be judging contentious legal issues that would otherwise see the parties concerned in front of the judiciary.

At the heart of the problem—the British Pub Confederation has taken legal advice on this—is that there is a lack of protection in contract law for tenant publicans who may enter into tied lease arrangements naively or when the realities of their new circumstances have been misrepresented by pubco representatives. That is precisely why we are legislating. It is impossible for Mr Newby with his current position and links to be able to fulfil that quasi-judicial role.

I have mentioned the 11 licensee groups that form part of the British Pub Confederation. They all oppose this appointment. The Minister has suggested that some licensee organisations support the appointment, but I am not aware of any and certainly the British Institute of Innkeeping, a trade charity, does not. The Campaign for Real Ale, which she mentioned, has not welcomed the appointment and has said it will scrutinise Mr Newby's activity. It is a consumer group and does not, as she wrongly said in the main Chamber, represent licensees. It is a consumer, campaigning group.

The Association of Licensed Multiple Retailers—which could be an organisation the Minister is talking about—represents multiple tenants, some of whom are individuals and some of which are companies, including Greene King, one of the companies the adjudicator will regulate. The Association of Licensed Victuallers Associations is run by a former Enterprise Inns employee and its 2015 dinner and AGM was sponsored by Enterprise Inns. I am afraid the Minister is kidding herself in saying that tenants' groups and tenants may support the appointment.

Let me say clearly that British Pub Confederation licensee groups and their licensee members have made it clear that they will not accept Mr Newby adjudicating on their cases. They have a clear right to do that, which means he will be unable to act in a large proportion of cases, which will need to be dealt with by someone else, presumably a deputy adjudicator. What a farce. What a mess.

I am not the only one saying that. According to the guidance on conflicts of interest and the arbitrator's code of conduct of the Royal Institution of Chartered Surveyors, in the majority of cases brought before Mr Newby, either party will be able to stall the process by citing his conflict of interest as a reason not to accept him as adjudicator. The adjudicator cannot be a surveyor, particularly not one from the pub sector.

[*Greg Mulholland*]

On that, I can do no more than read to the House what the Royal Institution of Chartered Surveyors told the Government in its response to the 2013 consultation on the adjudicator:

“Whether or not the Adjudicator is a chartered surveyor, he/she will require assistance from other specialist Chartered Surveyors...It is likely that many will have a conflict of interest having advised one of the parties on a range of matters”.

Was the Minister aware of that advice from 2013? Also, a pub sector surveyor might well wish, intend or need to return to their career surveying and acting for the pub companies and selling off pubs for them after their term as adjudicator, so there would always be the suspicion that they were worried about annoying the people from whom they would then seek to again be taking the majority of their income.

BIS was warned in 2013 by tenants groups. Simon Clarke of the Fair Pint Campaign and the secretary of the Independent Pub Confederation wrote:

“It would be catastrophic if the Adjudicator were a Chartered Surveyor”

because

“specialist Chartered Surveyors active in the market may have conflicts of interest and should not be put in positions where perception of independence or impartiality is a requirement of the parties”.

Mr Clarke is himself a chartered surveyor, a RICS member, so he knows what he is talking about. He knows that he could not be the adjudicator—the pubcos would certainly be screaming had he been appointed—but Mr Newby cannot either.

I hope that, having heard what I have shared with the House today, the Minister will reflect and realise that this appointment is untenable. However, let me make it clear: if Mr Newby is not removed from post, an initial early legal opinion taken by the British Pub Confederation is that there are indeed strong grounds for the decision—one that the Department has clearly made on a flawed basis, not taking into account the reality of the situation—to be judicially reviewed. I hope that the Minister will listen and accept that this was a mistake. We do not believe it was anything more than a mistake, but a mistake it certainly was—one that did not follow the previous knowledge that the very same Department had.

To conclude, I urge the Minister to listen at this late stage to people who have been involved in this issue for five, 10, 15 or 20 years—to experts in the sector. The pubs adjudicator cannot be someone from the sector, for the very reasons that I have laid out. It has to be someone who is impartial and has the confidence of all sides, or it simply will not work. The pubs code must be changed. The two loopholes must be removed. I urge the Minister not to make the mistakes that the Conservative Government made with the 1989 beer orders. That was very courageous and correct legislation to give consumers better choice in pubs, but there was lobbying by the large companies, which saw the opportunity to sell off pubs to their friends, giving golden handshakes and setting up the very pubcos that we are now talking about. We must not make the same mistake again. We must close the loopholes and we must see a proper adjudicator, so that we can finally have confidence that

this long-running saga will come to an end and so that tenants can have confidence in both the code and the adjudicator.

2.13 pm

**Mr Stewart Jackson** (Peterborough) (Con): It is a pleasure to serve under your chairmanship, Sir David. I am sure that you have visited many pubs over the years in your constituency.

In many respects, the debate that we have been having ever since 2014, when we considered the Bill that became the Small Business, Enterprise and Employment Act 2015, is a microcosm of what it is to be a good, diligent Member of Parliament, because we have two jobs of course. One is to represent all that is best in our constituencies, and pubs are part of that social and business fabric. The other is to scrutinise, oversee and assist in the production of good legislation. I think it is only fair that we pay tribute, as I said in an intervention, to the previous Government for taking the action that was certainly necessary at the time and remains necessary, to address some of the very clear infringements and unfairnesses in the legal, operational and commercial relationship between tenants and pubcos.

As a Conservative, I understand—I think we all understand; certainly my right hon. Friend the Minister, as an experienced parliamentarian and Minister of the Crown, understands—that all markets have to be regulated. We cannot just let the market have free rein. There has to be some paradigm, some rules that govern the market. The previous Government, of which the Conservative party was part, accepted that and understood it very carefully. The legal framework needed to be put in place, and followed on from the Report stage of the Bill in November 2014.

The context was a dysfunctional market, and a dysfunctional market is not good for anyone. It is not good for the taxpayer; it is not good for the consumer; and ultimately, in terms of reputational damage, it is not good for the owner, the landlord, the big business. We therefore needed to address that. We had market distortions. One might even, if one were being pejorative, say that it was an example of crony capitalism. As a Conservative, I do not favour crony capitalism. That oligopolistic behaviour of the pubcos needed tackling, and it is to the credit of the previous Government that they tackled it. They needed to do that because we did witness, and are witnessing now, potential abuse of section 25 notices and full repairing and insuring leases and other loopholes that the hon. Member for Leeds North West (Greg Mulholland) mentioned. I was remiss in not paying tribute to him for bringing this issue to the House today and for being a doughty champion over many years on it. I know that he has not always endeared himself to Ministers—this Minister or her predecessors—but he is not in the business of doing that. He is in the business of doing what he thinks is right and representing his constituents in Leeds, and he has done a fine job in that respect.

That dysfunctional market was the challenge we had. Of course, on a wider level, we were defending diversity, customer choice, fairness and individual decisions. We were right to take those steps, so essentially what we are doing now, as the hon. Gentleman said, is finishing the job. It will not be perfect. It will always be subject to

legal challenge and to tweaking in its execution. Nevertheless, I agree with him that we are looking at cock-up rather than conspiracy. I do not know Mr Newby; I have never met Mr Newby. I am sure that if I were in a pub, he would buy me a fine flagon of ale and talk about life and the universe and put everything to rights. But that is not the point. I think this has been a cock-up, and part of the job of being an MP is to point out where a Department might be going wrong and to accept the basic premise of the policy, but try to tweak it to improve it. On that basis, it is right that the Backbench Business Committee granted this debate today.

Before I go any further, I should say that there are some superb pubs in my constituency—I will be in trouble otherwise. Most notable, and not far from where I live, is the Hand & Heart in Highbury Street in Peterborough. I would be remiss if I did not also mention Andy Simmonds, the landlord of the Ploughman at the Werrington centre in the north of Peterborough. But I will not go through all the licensed premises in my constituency.

That is the background to why we are here. I do not want to recapitulate the very erudite, comprehensive and well researched remarks of the hon. Member for Leeds North West, but I do want to raise the issue of investment. That was one of the loopholes that he identified—the waiver of the market rent option for investing in pubs. If it were as simple as that—a symmetrical, rather than an asymmetrical, relationship—it would be all fair and good, but I do not think it is. One anecdotal fact that has come out of experiences over the past few months and years is that the burden of investment to keep a licensed premises going and to keep it viable falls disproportionately on the tenant. On that basis, it is quite demonstrably, obviously and self-evidently unfair.

Paragraph 141 of the Department's impact assessment of the pubs code and adjudicator noted that

“a FSB survey of their members found 68% hadn't had any investment from their pub company in the last 12 months.”

As we know, the cost of investment that the pubco presents is often inflated. Many tenants report that they have much cheaper quotes from other suppliers but are forced to use the contractors insisted upon by the pubcos, which use their buying power to get low prices but, as with beer, on-charge it as a mark-up to their tenants.

Often, the investment is not an investment in any true meaningful sense. It is a de facto loan that the tenants are compelled to comply with as part of a contractual relationship. Any pubco money that is spent on a pub is often spent when the pub is vacant, in order to get the business back on its feet. Pubco money is not often spent to support a sitting tenant. Churn tenants—those who have to move—are often pursued through litigation over dilapidation clauses in the lease.

The concept of investment as a quid pro quo for waiving the rights that are established in legislation on the face of the Small Business, Enterprise and Employment Act—or, certainly, in secondary legislation—is not as simple as it may seem. On that basis, it is an area that needs to be looked at. I referred to paragraph 127 of the impact assessment earlier. It is better to finesse and nuance the code to deal with the loopholes and problems that have been identified, rather than to wait for 12 months

or two years to introduce secondary legislation to do that or, indeed, to have to defend the code in the courts if there is a judicial review. There is no hidden agenda. In the same way that the loopholes are possibly a cock-up, there is no conspiracy among hon. Members to do down what we agree is a superb piece of legislation that rights some long-standing wrongs. We just want to improve it.

I will not take up too much more of the House's time, but I want to further develop the point about the Pubs Code Adjudicator. I was going to raise the issue of the comments of the Royal Institution of Chartered Surveyors, but I will not go into them now. The comments are pretty strong evidence from observers who do not really have a vested interest. I have had dealings with RICS, and it is a professional organisation. In this respect, it has been asked its honest, reasoned opinion as to whether something will give rise to problems in the future, and it has given it. That is something we should take very seriously.

The appearance of impropriety and of a conflict of interest is the Achilles heel of the appointment of the adjudicator. If we are discussing the methodology of the appointment, it is not good enough just to say, “Well, we had a nice chat and a robust interview. We all got on famously. Everything's tickety-boo. He's essentially a good egg. Job done.” [*Interruption.*] I exaggerate for effect, as the Minister knows, before she gets too concerned. The point is that the hon. Member for Leeds North West was quite right to make the distinction between and comparison with the supermarket adjudicator.

If the Department is to develop a methodology for important appointments, it has to be consistent. It is a serious issue when there is almost unanimous opposition and potential threat of a legal case, and when an individual is put in the difficult position of being unable properly to discharge his duties—the duties incumbent on him, which Parliament has given him—because the code circumscribes the workload and gives rise to potential problems.

Not everyone is as decent and honourable as everyone else. If people can find a way of winning a case by alleging that the adjudicator is biased or has a vested interest, they may very well seek to hold up legal proceedings and bring the whole thing to a juddering halt. We do not want that because we want the market to work effectively. I gently say to my right hon. Friend the Minister, who I have known for many years, that that is a consideration that she would be exceedingly unwise completely to dismiss out of hand.

The example we are debating probably supports the suggestion of many hon. Members that we need to move towards confirmation hearings before Select Committees or specially convened Standing Committees of the House to confirm the appointment of very senior regulatory roles. However, that is a bigger issue and we will not meander down that particular avenue of joy and excitement now.

In conclusion, we are right to have this debate because it is imperative that the Minister addresses the issues, and I am sure that she will do so in her customary combative but eloquent way. The hon. Member for Leeds North West has made some very strong points. My plea to the Minister is to think again about the Pubs Code Adjudicator and the loopholes. We still have a number of months—or weeks, at least—until the code

[*Mr Stewart Jackson*]

is formally published. I urge her to give it consideration, listen to the debate and make the legislation as efficient as it could be in righting the wrongs and bringing fairness to the market because it is something on which there is consensus and around which we can all unite.

2.27 pm

**Grahame M. Morris** (Easington) (Lab): I appreciate you calling me early, Sir David, and it is a pleasure to serve under your chairmanship. I know that we should never start a speech with an apology, but may I apologise to the promoter and the respective Front Benchers? I am afraid that I will not be able to stay until the end of the debate. No disrespect is meant but I must be somewhere else in the House at 3 o'clock, so I do apologise. May I also acknowledge for the record that I chair the Unite group in Parliament? Many of our members work in the industry as tenants and in brewing.

I commend the hard work and terrific speech of the hon. Member for Leeds North West (Greg Mulholland), who set out the arguments in such a cogent and readily understandable way. Unusually for me—for the first time ever, I think—I found myself agreeing with the hon. Member for Peterborough (Mr Jackson), who I had always assumed was a free marketeer, but he seems to recognise that there are faults, whether by accident or design, that need to be remedied before the code can be implemented.

The Minister asked what we, collectively, are asking for. This is not necessarily a partisan issue, although obviously there are strong interests. I thank my union, Unite, and its pub landlords section. I also thank the GMB, Justice for Licensees, the Fair Deal for Your Local campaign, the Fair Pint campaign and Mr Simon Clarke, who has been a stalwart defender of the interests of licensees in ensuring that they receive justice.

The things that we are asking for are not unreasonable, given that Parliament has debated and considered this issue at length and, on a cross-party basis, has agreed a way forward. We want to see the legislation implemented and the pubs code reformed. The hon. Member for Leeds North West identified specific concerns about the adjudicator, to which I will refer in a little while. The Government have an opportunity: to enforce the legislation that was passed with such overwhelming support; to close the loopholes that have been identified by the hon. Members for Peterborough and for Leeds North West; to protect tenants from being coerced or browbeaten into giving up their rights; and to restore confidence in the office of the adjudicator.

I mean no disrespect to Mr Newby—like other Members, I suspect, I have not met him—and I do not mean to impugn his personal integrity. I am sure he is a lovely chap, but there are issues of confidence and of conflicts of interest that must be addressed if we are to enjoy the confidence of the whole industry, not just the pub companies but the tenants and the people who rely on the adjudicator to act impartially so that there are no real or perceived conflicts of interest.

We have had many years of consultations—the former Chair of the Select Committee on Business, Innovation and Skills, my hon. Friend the Member for West Bromwich West (Mr Bailey), and members of the Select Committee

will, no doubt, elaborate on that—negotiations, debates and inquiries, but we would not be where we are without the co-ordinated efforts of the various organisations that have come together in the British Pub Confederation. Given that we are so close to the introduction of the new pubs code and the adjudicator, changes that have been long fought for, I am a little disappointed that Government Members have implied that nothing happened prior to 2010, which is not quite true. We had the first pubs Minister, and a lot of the groundwork was done in advance. I would like to think, although it is just supposition, that had the outcome of the 2010 general election been different, the pubs code and the adjudicator would have been implemented much more quickly. I cannot substantiate that but, having had conversations with many people in the know, I suspect that that may well have happened.

The changes have been a long time coming and, unfortunately, I regularly see figures in the trade press that 27 pubs a week are closing—that figure may be accelerating. Too many viable pubs and, indeed, working men's clubs in communities such as mine have had to call last orders not just because of broader pressures within the economy but because of unfair and unsustainable rents, ties and profit-sharing arrangements, all of which should be addressed by the code and, if necessary, by referral to an independent adjudicator.

All we are asking, and it is nothing unreasonable, is that tenants should be able to secure a fair income. Given the time commitment that they give, it seems bizarre that the tenants of even very successful pubs—the hon. Member for Leeds North West mentioned the Eagle, and I know a number of others—that, on the face of it, are incredibly popular seem unable to secure a decent living. Many tenants are struggling. When their income is aggregated and divided by the number of hours they work, in many cases they are actually working for less than the minimum wage. I have met a number of former tenants and landlords whose mental and physical health has been absolutely broken by their experiences.

We all know that the repercussions of pub closures are felt across communities, which lose not only vital community assets but the jobs and the contributions that such businesses make to the local and wider economy. I do not denigrate that contribution. Many of my union's members work in the pub sector—in the pubs, in the breweries and in delivery, such as on the drays—and I understand that the sector contributes £22 billion to the UK economy. Taking into account the multiplier effect, and not just the people working directly in the pubs, the sector sustains nearly 1 million jobs, particularly providing opportunities for younger adults to find employment, so the sector is important. Links in the supply chains include retail, agriculture and brewing.

The product is the essence of what we are about, of Englishness. Dare I admit it? Is it a secret that I love to have a pint of beer and to socialise? The problem is that the business model operated by the pub companies has weakened, rather than strengthened, the industry. Our hope is that the new pubs code and the adjudicator will address the inherent unfairnesses in the exploitative practice of the pub company model, but it should be a step that strengthens the industry, ensuring: that tenants receive a fair living reward for all their hard work; that viable pubs can remain open; and, hopefully, that we can halt the decline that has seen significant numbers of pubs close over the last 10 or 20 years.

I would like to think that the pub companies are acting in good faith but, as has been alluded to, there is evidence to the contrary and that they are working to circumvent the pubs code and the legislation even before it comes into force. If the Government and the Minister are not aware of that, I hope that she and her officials will make themselves aware of it by looking at the evidence that is out there. The appointment of Paul Newby as the Pubs Code Adjudicator has not endeared the Government to tenants or won any trust from them. Concerns remain that loopholes in the new draft pubs code could undermine the legislation, and if Parliament is to fulfil its promise to tenants, those loopholes must be removed before the final version of the code is implemented.

The hon. Member for Peterborough highlighted one particular loophole. The Government would undermine the fundamental principle of the pubs code, that tied tenants are no worse off than free-of-tie tenants, if they allow pubcos to force tenants to relinquish long-term leases should they opt for a market rent-only option. That is one specific thing that perhaps the Minister and her officials will take away. The loophole undermines the assurances offered by the Department for Business, Innovation and Skills that tenants who take the market rent-only option should not be subject to discrimination by the pubcos. The Government should also make it clear that if a tenant chooses a market rent-only option, they will be entitled to the same length of agreement, terms and conditions as their old tenancy—the hon. Member for Leeds North West raised that issue—otherwise the right to trigger the market rent-only option would be undermined and such tenants would be discriminated against by the very nature of the agreement.

Another loophole that I would like the Minister to look at is the market rent waiver in exchange for investment. The hon. Member for Peterborough also mentioned that, and it is a real concern. I do not want to labour the point, because I do not want to be repetitious, but I can think of a number of pubs in my constituency—I will not namecheck them—where the tenant has gone to their pubco and said, “I want to develop my business. I want to convert the rooms upstairs into a bed and breakfast and to knock a doorway in that wall”—not that wall, but a wall in the pub—“to create access to the beer garden,” and the pubco says, “Yes, that’s a great idea, but you’ll have to pay for it. When you’ve done that, we are going to increase your rent.” That cannot be termed investment from the pubco. In a way, it is coercion. We have to close the loopholes on the definition of investment and on what can and cannot be referred to the adjudicator.

I do not want to repeat points made earlier, but pressurising tenants to take up rent reviews, in advance of any scheduled review, before the implementation of the code is unacceptable. Coercing tenants to give up long leases and take up new five-year contracts with no market rent option at the end and no renewal rights is not acceptable either. It is unacceptable to effectively bribe tenants with short-term reduced rents—the hon. Member for Leeds North West referred to a 20% reduction—to sign new agreements with no market rent option, to seek to force tenants into five-year non-renewable tenancies or to threaten to offer only such agreements to avoid triggering tenants’ legal rights to the market rent-only option. The pub companies are doing so while

telling us that they want to move forward and draw a line under past disagreements, and that it is not their intention to exploit their tenants. I am afraid that the evidence does not really support that, so I am rather sceptical about the assurances that we have received.

I will refer to Mr Newby, if I may. We must ask ourselves what his intentions are, for after he leaves his role as the adjudicator. If he intends to return to the industry where he has fashioned his career and undoubtedly been incredibly successful, would a reasonable person not assume that the decisions that he makes while in post will inevitably bear on his future employment prospects within pubcos? If that is not a potential conflict of interest, I do not know what is. I am concerned that because of those links, every decision in which he agrees with a pubco will be questioned, even when legitimate, as will the fairness of his judgment. That is likely to happen as a result of his long-standing connection to pub companies.

I feel sorry for Mr Newby. He should never have been placed in that position, whether by accident or by design; I forget the exact terminology. What is more concerning—the Minister must take some responsibility for this—is that throughout the entire appointment process, the Department for Business, Innovation and Skills has seemed oblivious to the reaction that such an appointment would create. I was in the Chamber when the Minister made the statement, and there was uproar in the House at the nature of the appointment.

**Anna Soubry:** No there wasn’t.

**Grahame M. Morris:** I was there, Minister, with all due respect. I thought it was a rather heated and fractious exchange. The fact that it was not anticipated does not reflect well on the Department. If the Government insist on appointing Mr Newby, I fear that, intentionally or not, they will undermine the office of the Pubs Code Adjudicator from the day that he starts work.

**Mr Jackson:** The hon. Gentleman is making a good speech. Does he agree that this debate also gives an opportunity for the Minister to clear up the confusion about whether the adjudicator has helped design the code since December? There have been mixed messages from BIS about whether he is coming in clean from May or whether he has been complicit, to use a pejorative term, in the construction of the regulatory regime. That is an important issue.

**Grahame M. Morris:** Once again—for the second time in one Parliament—I agree with the hon. Gentleman. It is a completely reasonable question, and I hope that the Minister will be able to clear it up in her response.

There seems to be no doubt that the pub companies see Mr Newby as their man. Worse still, the tenants seem to agree. More than a dozen stakeholder groups have come together under the auspices of the British Pub Confederation. Collectively and individually, in the representations that I have received, all of them see Mr Newby as not independent. I am not saying that that is correct; I am just saying that it is their perception. I worry that the Minister cannot see that the situation is untenable. If she truly wants the pubs code to work, she will need to appoint an adjudicator who can command

[*Grahame M. Morris*]

confidence across the industry. Regrettably, I think that she should apologise to Mr Newby and rerun the recruitment process.

In conclusion, the pub and brewing industry makes an immense contribution to our local communities and our economy. I love pubs; I love the industry, and I want to see it flourish. I want community pubs to thrive and tenants and landlords to have successful businesses. The drive behind the pubs code and the role of the adjudicator is to strengthen the industry. It should be seen as a step towards addressing the decline and closure of pubs over the past 20 years. It is in the hands of the Minister to listen to the concerns expressed by hon. Members from all parties, and to take the issue forward in a positive way that addresses them all.

2.46 pm

**Mr Adrian Bailey** (West Bromwich West) (Lab/Co-op): It is an unalloyed pleasure to serve under your chairmanship, Sir David. I congratulate the hon. Member for Leeds North West (Greg Mulholland) on securing this debate and on his long-standing and tenacious involvement with the issue, which has played a vital part in bringing this legislation to the statute book.

My own relatively minor and insignificant involvement with the legislation stems from my involvement on the Select Committee on Business, Innovation and Skills pre-2010, under the chairmanship of Sir Peter Luff, and subsequently as Chairman between 2010 and 2015. Significant parts of the legislation are based on our recommendations. Overall, I am absolutely delighted that we have got this far, as it has been a long and hard battle. Having got this far, not to get it all right would be a tragedy. This debate is particularly relevant in assessing where we are with it, the potential consequences of not getting it right and what we can do to ensure that we do.

Although I did not mention them, there were two previous inquiries into the issue even before my involvement, under the chairmanship of Sir Peter Luff. These issues have been debated for well over 10 years in successive Select Committees, and three broad themes have emerged from all the inquiries. The first is the huge imbalance in advantage between the pub companies and the tenants who run their pubs: the plight of tenants, their low income and the churn of tenancies that has played a significant part in the decrease in pubs in our country and in local communities. We must not forget the often harrowing tales of some individuals who have been ruined as a result.

The second theme is the appalling relationships between many tenants and the pub companies and the climate of fear that has prevailed. I conducted a survey prior to the last election on the proposed legislation, and on the incomes and conditions of some of the tenants operating in the pubs in my constituency. I got probably a 50% response and what was significant was that not one of those who responded said who they were or what pub they were in. One person specifically said they were not prepared to respond because they feared some sort of retaliation. To me, that was perhaps more representative than almost anything else of the climate that pub tenants have to work under.

The third theme has been the attitude of the pub companies in responding to the very reasonable and moderate recommendations of successive Select Committees that they sort their own house out and introduce codes of conduct and standards of behaviour on a voluntary basis. It is fair to say that those successive Committees were met with resistance, obstructiveness and, in one classic case, downright abuse. Some long-standing Members may remember Ted Tuppen, the former chief executive of Enterprise Inns, describing the members of Sir Peter Luff's Business, Innovation and Skills Committee as all being morons. I can take being called a moron; what I am concerned about is that if we do not get this right we might start being called low-achieving morons, and I really would object to that.

Because of the obstructive attitude of some in the industry and the snail's pace of reform on a voluntary basis, there has even been some reluctance in Parliament. Indeed, the hon. Member for Leeds North West and others will know what a difficult job it was to move the previous coalition Government from their position on voluntary reform to taking the necessary steps to legislating for it. It was only when it became crystal clear that voluntary reform was just not going to work that the Government were prepared to introduce legislation. I give all credit to those involved for accepting that it was not going to work and then taking the necessary steps to introduce legislation.

Having got so far—to a point where we are actually looking at the code—it is crucial to get the code right, because all the history of the involvement of the pub companies shows that they will do whatever they can to find ways of subverting the will of Parliament and what is appropriate to get a fair and equal balance between themselves and the tenants. I will not reiterate comments about the loopholes that have appeared, because they have been thoroughly, effectively and comprehensively articulated by the hon. Member for Leeds North West. However, it is crystal clear that unless amendments are made to the code, there could be ways in which this group—these pub companies—will subvert the long-stated will of Parliament on these issues. I look to the Minister's response to hear exactly how the Government intend to engage and address the concerns that have been quite properly raised. If they do not, then locking tenants into a statutory framework that fails to address the underlying principle that the Government have articulated—that tied tenants should not be worse off than free-of-tie tenants—will mean an opportunity lost, which could present more and more problems in future.

Let me just say a few words about the appointment of Mr Newby. I do not like getting dragged into issues about individuals and personalities, and I certainly do not like prejudging somebody's performance. However, I must make a number of general points about the appointment. The first is the crucial strategic importance of getting the appointment right. Whoever is in this post has a pivotal role, not only in interpreting and delivering justice for the parties involved in any dispute, but in transforming, in the years ahead, the confrontational and aggressive culture that exists between the parties, which could be really significant in the future development of this particular industry.

For that to happen, there must be total confidence on both sides of the historic divide, but it is quite obvious that the stated levels of interest of this person have



given rise to serious concerns. I know that my hon. Friend the Member for Sefton Central (Bill Esterson) has written to the Minister and I believe there has been a response that sought to allay those concerns, but subsequent remarks by the hon. Member for Leeds North West indicate that there is still huge concern about the perceived level of conflict of interest of the person in this particular position.

[STEVE McCABE *in the Chair*]

My other query on this issue, and perhaps the Minister will allay my fears, is about the accusations—I would not pretend to know just how valid they are, but they appear to have come from a BIS source—that this particular person has been involved with the drafting of the code of conduct.

**Anna Soubry** *indicated dissent.*

**Mr Bailey:** I am quite happy for the Minister to intervene.

**Anna Soubry:** It is a pleasure to serve under your chairmanship, Mr McCabe. May I make it absolutely clear that Paul Newby has not been involved in the drafting of the code? To allay the hon. Gentleman's concerns, let me say that the only dealings he has had with officials in BIS since the announcement of his appointment, which was made in the House in a speech—without any comment, if I may say so; there might then have been some fractious discussions as a result of an urgent question—have been in relation to the setting up of his office.

**Mr Bailey:** I thank the Minister for that intervention. I cannot remember her exact words, but I think that in her reply in Parliament she said something about helping the Department—

**Anna Soubry** *indicated assent.*

**Mr Bailey:** I suppose there is a dividing line—where does helping start and finish?—but no doubt the Minister will want to elaborate on that.

**Anna Soubry:** Let me make it absolutely clear that there has been no help at all in the drafting of the code. The only help has been in the setting up of the office.

**Mr Bailey:** It is very helpful to have that on the record. I am sure that the Minister will understand, as I do, that often in politics perception can become reality, and if these rumours are going round, obviously that has considerable significance and could underlie or even reinforce the level of suspicion that exists about the proposed impartiality—

**Mr Jackson:** In an effort to be helpful and for the avoidance of doubt, let me point out that the Minister said on 10 March that Mr Newby had

“already started work. He has been very helpful to my officials in making sure that we have the pub code up and running, and ready to come before this House.”—[*Official Report*, 10 March 2016; Vol. 607, c. 425.]

Therefore, with all due respect to the Minister, there was some room for ambiguity and I am pleased that she has clarified that matter now.

**Mr Bailey:** I thank the hon. Gentleman for his intervention, which demonstrates the source of the ambiguity. That is certainly something that needed to be clarified, because if there is any suspicion that the arbitrator is involved in the drafting of the code, that calls into question the future impartiality of its interpretation. His intervention also demonstrates how easy it is, in this rather long-standing antagonistic set of relationships, to set things going that could perhaps be remedied with a slightly different approach.

What is undeniable is the lack of trust from the tenants' side on the appointment of Mr Newby. I do not like to prejudice that appointment. The hon. Member for Peterborough (Mr Jackson) mentioned having some kind of pre-appointment hearing for the adjudicator. That had crossed my mind as being something that, if the Minister is to go ahead and make this appointment, might go some way to satisfying everybody. I am in a slightly difficult position, because I am not on the Business, Innovation and Skills Committee—as its former Chair, I do not feel that it is my job to start recommending what it should be doing now—but it would certainly fall within the Minister's remit to perhaps gently suggest that it would be helpful for the Department to have such a hearing. I know that often there are informal channels of communication between Departments and Select Committees, and their roles can be reinforced if those channels are used properly. I gently suggest that the Minister could look, if not at a BIS Committee pre-appointment hearing, then at some form of parliamentary scrutiny that would enable an adequate response to the questions that are circulating.

In conclusion, I reinforce this point. The legislation has been a long time coming and people have devoted so much work to it. A successful outcome is so important. Given its long gestation, we do not want the legislation to be damaged at birth. I stress the need for the Minister to listen to the comments that have been made today. She should take them on board and provide mechanisms and responses that will not only enable the wider participants—the tenants, the community pubs and the beer-drinking community—to be satisfied, but Parliament, too. Every opportunity should be given for scrutiny to deliver that satisfaction. The importance of the industry to the individuals within it, the communities they represent and the economy as a whole is so great, and we want to get the legislation right. This is a once-in-a-lifetime opportunity. I ask the Minister to listen to everyone to ensure that we get it right.

3.3 pm

**Rachael Maskell** (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr McCabe. May I start by saying what an excellent introduction we have had to the debate. Indeed, Members from all parts of the House have spoken in this timely debate about how we move forward and the next stage of a long and important process. I put on record my interest as secretary of the Unite group in Parliament.

The Small Business, Enterprise and Employment Act 2015 was passed before I came to this place, so I thank colleagues for all their work in bringing forth the legislation

[*Rachael Maskell*]

over a long period of time to try to bring greater justice to the industry. That is obviously a welcome step forward. We are at the last stages of the process, and for Parliament to have a real function in that, it is important that our debates can change and influence things. I hope that today's thoughtful debate will help move the situation to a happy conclusion for everyone. It is important to get it right, to ensure confidence in the process, and that we can sustain the industry to see good growth on all sides that serves all interests.

We have heard the statistic that 27 pubs are closing a week. Seventeen pubs have closed in my constituency, so I know that we have to get the issues right. From talking to tenants, I know that they are concerned about the future if we do not get the code right.

I am going to make a brief speech and will not repeat all the excellent points that have been made. First, I will talk about the impact on my constituency of York Central, which has 132 pubs. I am not going to name them, for obvious reasons, but they form a major part of our local economy. They provide jobs for 3,037 people, about a third of whom are young people. The pubs pay out £32.2 million in wages and bring in nearly £25 million to the Treasury. It is important for the economy, locally and nationally, that the industry is sustained in the future. The loss of community pubs shows how fragile the industry is and why it is so important to get the pubs code absolutely right.

We have heard about some of the issues facing tenants, and they are reflected by the issues that tenants in my constituency face. Shorter leases bring instability for tenants who want to invest in their business for the long term. That lack of security destabilises their opportunities, so it is important that we ensure that the loophole is closed. We do not want to see shorter leases exchanged if people want to move forward with the market rent-only option. That option is important for tenants who want to use their expertise to develop their business in a way that they know can succeed, particularly in difficult times.

The point on waivers has been well made. If people are asked to sign waivers to address other issues, that cannot be right. We know from so many other pieces of our law that waivers can be abused. I can think of so many other instances. I ask the Minister to consider removing waivers as an option within the code. Can we tighten up on that issue?

I want to talk through what a landlord from York told me. He specifically asked not to be named, which speaks to the fear among tenants that my hon. Friend the Member for West Bromwich West (Mr Bailey) described. He went through a recent rebidding process in which his pubco came to him with a new rent that was 100% higher. The pubco wanted to double the rent for his business. Following that, there was some horse trading with the Royal Institution of Chartered Surveyors. It was not possible to move the situation forward, so a third expert accredited surveyor was brought in from RICS, and they were able to reduce the rent by a third. It was a very expensive process for the tenant, and the outcome was unsatisfactory. One way forward would be for tenants to ask an adjudicator to oversee the process. The cost of appealing and taking the process further was prohibitive for the tenant. As we have heard, tenants

often earn around £15,000 a year. They are on very low wages and we will see injustice unless we get the whole system right. That is why today's debate is so important.

Given those issues, we need to ensure that pubcos cannot abuse the system. I have heard about the issuing of section 25 notices, ending leases just before the pubs code comes in so that new terms can be set. That cannot be right. It is an abuse of the system. We should make the system watertight so that tenants have confidence in it and so that pubcos know what the rules are and where the lines are drawn and cannot exploit the system. We need rigour to be put back into the system.

It is important that the adjudicator has the confidence of all parties. When I think of comparable roles, that is so apparent. In fact, the adjudicator's office states, "the adjudicator acts as a fair and unbiased referee looking into complaints",

so it needs to have people's confidence. In so many other areas of arbitration—I have experience of ACAS—if people do not have confidence in the arbitrator, the arbitrator is changed. There is still an opportunity to make right this wrong and to ensure we get confidence behind the post.

I am not talking about the person. I am sure that Mr Newby is a man of integrity and probity. I do not know him and I certainly will not judge him, but it is important that we move forward with the confidence of all concerned, and I hope that Mr Newby will look at his own position if the Minister does not take steps to ensure that confidence can be built. It is absolutely crucial that this system works.

It is also important that future processes are scrutinised to ensure that such conflicts do not arise or can be detected at an earlier stage. Whether that is about clarity of the application process, or scrutiny of the appointment process, it is important for the integrity of the House that we get this right in future, and it is important that this is seen as a learning process to make sure that wrongs can be righted.

My constituents and tenants in York are concerned about the future of their industry. There is instability in their industry and they want to get the code absolutely spot on so that they can continue to build their businesses. We have an issue with drinking in York. Community pubs are the safest place that people can go to drink, but if the code is not right, those pubs could be vulnerable and we might see an escalation in the abuse of alcohol and the dangers that go with it. Even from a health perspective, it is important to get the code absolutely spot on. We have that opportunity. We have another six or seven weeks to go before the code is introduced. It is never too late to make things as tight as possible, and today's debate is an opportunity to do that. We should make sure that the right person oversees the process and has the confidence of all concerned as he takes the code forward.

3.12 pm

**Christian Matheson** (City of Chester) (Lab): It is a pleasure to see you in the Chair, Mr McCabe. It is also a pleasure to follow my hon. Friend the Member for York Central (Rachael Maskell). I confess that I once went with a group of friends to York to sample the delights of the pub trade there, on the basis that we had been informed it had the highest number of pubs per square

mile in the country. I can tell my hon. Friend that I was not disappointed. At least, I think I remember that I was not disappointed; my memory was slightly affected that day.

I join in the tributes to the hon. Member for Leeds North West (Greg Mulholland) not only for securing this debate but, as other hon. Members have suggested, for the constant and never-failing campaign that he has led and for the way that he has maintained this issue at the forefront of hon. Members' minds. I largely support the position that he has advanced today. I could talk about the appointment of the Pubs Code Adjudicator, but the hon. Gentleman's case was so compelling, so comprehensive and so forceful and forensic that there is little point in my repeating it. Suffice it to say that my concern is that the credibility of the pubs code and its implementation will be damaged if the appointment continues. Like other hon. Members, I do not know the gentleman concerned personally. To the best of my knowledge, I have never come across him previously, but it would damage the credibility of the operation of the pubs code itself if the appointment continues.

If I may caution the Minister, there is a danger that the lack of credibility and the damage to credibility might also contaminate to an extent the credibility of the Department and Ministers who made the appointment. For the sake of the Ministers' credibility, they might want to consider that. Somebody might wish to take Mr Newby out for a pint in one of the nice pubs and say to him, "Paul, it is not going to work. Think about perhaps withdrawing your name from the process and handing in your resignation. It's not you but the circumstances." That might be one way forward.

The hon. Member for Leeds North West mentioned two glaring loopholes. I absolutely support him on this. From what the hon. Member for Peterborough (Mr Jackson) and others have said—they obviously know quite a lot about the process—I suspect there were simply errors of drafting, but I am particularly concerned about the idea of the waiver of the right to market rent-only options. My hon. Friend the Member for York Central alluded to this. When there is an imbalance in power in a relationship, the organisation with the greater power has the potential for abuse. To force waivers on to tenants in this way distorts what I believe was the original intention of the code and of Parliament. It reminds me of when the working time directive was introduced. Jobs were offered to job applicants on the basis that when they signed their contract, they also signed a waiver to the working time directive. So what was intended to protect people was easily evaded and got around by unscrupulous employers. It has happened and will happen again, so I back the hon. Member for Leeds North West absolutely.

If the hon. Gentleman, who I support, will permit me, I want to give a perspective from the pubcos' point of view. Admiral Taverns, which he mentioned in his speech, is based in my constituency where it is a large employer. Although the issues and problems that the hon. Gentleman has had with pubcos might extend to all those he has mentioned, he will not necessarily have Admiral in his sights for all his criticisms. I make that point because I was pleased that that company in my constituency, which I am therefore proud to support, has recently been crowned best leased/tenanted pub

company of the year. It won the accolade from an independent survey of tenants, so it has a little more credibility than others.

**Greg Mulholland:** I am enjoying the hon. Gentleman's speech. I want to respond directly to him because I had a meeting recently with Kevin Georgel from Admiral Taverns. Kevin said that the difference that he perceives between Admiral and Punch and Enterprise is that Admiral does not have the catastrophic levels of debt that Punch and Enterprise do, on which basis Punch and Enterprise are continually overcharging and exploiting tenants on an industrial basis. That is what Kevin told me in a meeting, and I am happy to meet other people.

**Christian Matheson:** I am grateful for that intervention. Of course, the catastrophic debt built up by some of the larger pubcos as they built their empires based on debt is now being passed on to the tenants. The financial planning of the pubcos was catastrophically wrong. That completely wrong financial planning was not the fault of the tenants and landlords and it should not be passed on to them now in the way that my hon. Friend the Member for York Central described.

However, looking at it from Admiral's point of view—from a pubco's point of view—because I have sought advice from the other side, Admiral is concerned about the implementation of the pubs code, which it absolutely supports and wants to happen, but, in its words,

"the lack of any transitional arrangements is wholly unreasonable and will cause total chaos for pub companies, tenants and indeed the adjudicator",

whoever they may eventually be, assuming that the Minister has listened to hon. Members today.

Admiral points out that at the moment there are no transitional arrangements relating to the implementation of the pubs code. It had hoped there would be a minimum of six months from the implementation date to the market rent-only agreement, simply because that would allow time for negotiations with tenants and landlords. Negotiations can be quite complex and can last several months before the new arrangements are signed off. If the market rent agreement is to be signed off and handled fairly, that will require training, and full information available to both sides. However, at the moment, as things stand with the pubs code, I do not believe it will come in until May, and pubcos are still not actually aware of what the final arrangements will be. Nor, therefore, I suspect, are the tenants and the landlords. There is the potential for a lack of transitional arrangements, and for upheaval without the time being built in for making the complicated arrangements; those involved are very keen for that to happen.

There is associated guidance from the adjudicator to consider, as well as the fact that tenants will have only a short window in which to get up to speed with the new legislation and apply for the market rent-only option. Such transition might also apply to other key aspects of the code, such as business development manager training obligations, code compliance officer appointments, and systems to deal with due diligence and the very substantial information requirements. I am pleased that the hon. Member for Leeds North West spoke to the chief executive, Mr Georgel, my constituent. He believes that it is in everyone's interests to ensure that the much-awaited legislation is implemented effectively, rather than on the

[*Christian Matheson*]

hoof with the resultant chaos that he predicts. I remind the House of what the hon. Member for Peterborough said about getting things right first of all rather than having to review the legislation later. The same applies to the implementation of the code. We need to get it right and give due attention to what is being asked of landlords and pubcos before it is implemented. My constituents' plea would be to encourage the Minister to have proper transitional arrangements put in place to ensure the minimum of disruption.

The main point of my speech is to endorse the powerful and compelling case made by my hon. Friends and, indeed, the hon. Member for Leeds North West. There is still time for the Minister and her Department to consider how the credibility of the appointment in question might affect the operation of the pubs code and, indeed, their own departmental credibility. I hope that they will take the time to do that, because, as hon. Members from across the House have said, the importance of pubs to communities and society should not be underestimated. It is a hard job running a pub. The hours are long, often for little return, and the pressure is constant. The hon. Member for Peterborough described pubs as important parts of our communities' social fabric, and we need to make it as easy as possible for them to carry out their role and make our communities cohesive. I support the case made by the hon. Member for Leeds North West and I hope that his campaign will flourish and hit its goals.

3.22 pm

**Richard Arkless** (Dumfries and Galloway) (SNP): It is a pleasure to serve under your chairmanship, Mr McCabe. I add my voice to the congratulations that have been offered to the hon. Member for Leeds North West (Greg Mulholland) on securing the debate, and on his apparent and well documented tenacity over the past few years in keeping the issue at the front of hon. Members' minds. His comprehensive, detailed and considered speech kicked off an enlightening debate. I must confess that before I attended the Chamber I was struggling to conceive how hon. Members could talk for three hours on this subject; boy, was I wrong about that.

I pay tribute also to the hon. Member for Peterborough (Mr Jackson). Like the hon. Member for Easington (Grahame M. Morris) I found myself agreeing with him more than once or twice, which is a refreshing change. Of course, the hon. Member for Easington, who is no longer in his place, alluded to the concept of loving a pint as something peculiar about Englishness. I might agree with that, but I want to make it clear that he does not have the monopoly on liking a pint, and perhaps I shall relay that to him when I see him catching a fag on the Westminster terrace, over the next week or so.

The hon. Member for West Bromwich West (Mr Bailey) gave us an acute insight into the lengthy process that has been going on for the past few years. I am glad that he got to the bottom—with help from the Minister, of course—of the issues about whether the adjudicator was involved in drafting the code. That clarity was welcome in the circumstances and is helpful for today's debate.

The hon. Member for York Central (Rachael Maskell) was right to identify confidence in the adjudicator as the crucial thing. If we do not have a regulator who has stakeholders' confidence, the role may be a bit of a white elephant. I hope that that will not be the result at the end of the process.

The hon. Member for City of Chester (Christian Matheson) made the poignant point that running a pub is a tough job, and I can concur, given that—perhaps disclosing an interest of sorts—I was brought up in a pub. Thankfully it was on the right side of the bar; my parents were entrepreneurs, not overly active socialites. I understand how tough it is to run a pub. Normal practice was that I would barely see my parents for an hour or two each evening, and I did not see them at Christmas and Easter, because the trade moves when people are on holiday. That has a huge impact on family life, which should always be remembered when we think about publicans.

Pubs, codes and adjudicators are devolved to Scotland, so it is not my place to impart to the Minister my views on the loopholes that have been identified, or the code itself. Scotland is consulting on the question at the moment. We are looking and listening and will take on board what happens in this place. However, inequality of arms is a big issue. We can all see how such an inequality of arms would arise in negotiations between a powerful and perhaps wealthy brewery landlord and the tenant. If the need for the code is predicated on that, it seems sensible.

Beyond that, there is the question of the appointment of the adjudicator. I echo what the hon. Member for York Central said: of course Mr Newby may be a very competent, intelligent and capable individual, but that is not the issue. The issue is his position and his history, and whether his career had characteristics leading to a position of conflict. As a former solicitor—the fact that I am a former one is not because of any conflict of interest, I should say—I can say that conflict of interest is always at the forefront of a lawyer's mind. I always remember the partner at the law firm where I trained, who taught me about conflict of interest. He said, "Richard, look—if it looks like a duck, quacks like a duck and walks like a duck, the chances are it's a duck." If, as the hon. Member for Peterborough so vividly set out, there is an appearance of a conflict of interest, that in itself, in my view, is the conflict of interest. There does not need to be a financial interest that pulls Mr Newby from an impartial adjudication position. There just needs to be a history of working for one side or t'other. I urge the Minister to take that on board, given her experience as a barrister. She will no doubt be aware of those points.

My comments have been intentionally brief. If we are to have an adjudicator and a code, I urge the Minister to treat it as essential that they should have the confidence of stakeholders. It does not appear from what I have heard this afternoon that that is the case. I would hope that through the lengthy process that has gone on we would reach a point where everyone would have confidence and the system could work.

3.28 pm

**Bill Esterson** (Sefton Central) (Lab): It is a pleasure to serve under your chairmanship, Mr McCabe, as it was to see Sir David in the Chair earlier. I congratulate

the hon. Members who applied to the Backbench Business Committee on securing this afternoon's debate. It has been an excellent debate, and I want to mention the hon. Member for Leeds North West (Greg Mulholland) in particular. It is nearly 30 years since I attempted the Otley run, much of which is in his constituency. I was a Leeds student then, and cannot remember it very well. We can all guess some of the reasons why my memory is not what it was.

I value the country's pubs, whether they are in Leeds North West or my constituency. Members of Parliament have a duty to look after them as much as possible, particularly the ones that are run by pub tenants, because this is about a fairer deal at our locals. At a time when pubs are closing at a rate that has not been seen in more than 100 years, there is an urgency about doing what we can to support the great British institution of the local pub. A fairer market would help local communities and economies as well.

The prearranged monopoly, which is what beer ties amount to, locks microbrewers out of almost a third of the market. The Society of Independent Brewers showed a 25% increase in the choice of cask beer available in the UK between 2012 and 2015. That is 4,000 cask ales—a huge industry with incredible potential for many small and micro businesses. Imagine the potential for sales and jobs in the industry if the market grew by up to 50%, and yet microbrewers are denied access to a third of pubs because of their ownership structures. I have three excellent new microbrewers in my constituency alone: Red Star, Neptune and Rock The Boat. Members will be able to sample some Red Star ale when it is on sale in the Strangers Bar in the week commencing 8 June. I encourage you to sample some as well, Mr McCabe.

**Mr Bailey:** Can I clarify whether my hon. Friend is offering to treat us?

**Bill Esterson:** I am not sure what the ethics of such a proposal would be, so I shall move on, but I would be happy to share a pint with my hon. Friend in that week.

There is real consumer appetite for quality, locally-produced real ale. The monopoly on beer sales for pub companies and the breweries they own really does not reflect what consumers want to buy. The landlords of pubs in my constituency, including the Corner Post, Stamps and the Freshfield, are seeing booming custom and will back me up because they are serving some of the beer that I mentioned from the breweries that have recently started up. We have heard many stories, not only today but over the years, about how pub tenants have been ruined or promises of investment have not materialised because of the actions of the pub-owning companies. That is why it is so important that we get this absolutely right.

Market rent-only is only an option. If the pub companies and brewers run a robust and positive business model, they have nothing to fear from the alternative. If pub companies feel that they are giving tied tenants the best option, they should be willing to put the options for their tenants on the table and convince them that beer ties are a sensible business decision.

We await the publication of the pubs code. When she responds, I hope the Minister will tell us when it is going to be published. It needs to be published soon, so that

the industry has the time to analyse it properly and to address the weaknesses we have heard described today—I will come to some of those later—before it goes live on 1 June. Suspicion has often been raised about how the code has been handled and we need to see the final version to allay those concerns. Let us remember that it took an amendment tabled by the hon. Member for Leeds North West for the market rent-only option to be included in the Small Business, Enterprise and Employment Act 2015. That amendment received wide, cross-party support. To their credit, the Government accepted the will of MPs and peers and made the commitment to include market rent-only options and parallel rent assessment to go alongside them.

Parallel rent assessment matters because it offers a side-by-side comparison, so that pub tenants can determine whether to remain tied or to go free of tie. Pub tenants need parallel rent assessment so that they can make an informed decision, so having market rent-only without parallel rent assessment simply made no sense. That is why there was so much concern when the initial consultation that was published in autumn 2015 appeared to exclude parallel rent assessment. But, after a lot of fuss, including during exchanges with the Minister on the Floor of the House at BIS questions, the mistakes in the consultation were rectified. The Minister deserves some credit for her response on that occasion.

What a great pity, then, that doubts still remain about the effectiveness of the pubs code so close to its implementation. The Government say that the market rent-only options will be offered to landlords at rent review or lease renewal. They also say that the trigger will be the rent review or lease renewal itself, rather than, as seemed likely at one point, only in the event of an increase in rent. However, there are two interpretations as far as tied tenants are concerned. One is that the effective date for rent review is the date of implementation; the other is that it is the date on which the notice is issued and when the review process starts, which is six months earlier.

The market rent-only option will be enforceable only from 1 June this year. Only rent reviews or lease renewals made after that date will entitle a tied tenant to a market rent-only option. When she responds, will the Minister clarify whether renewal notices issued before 1 June will allow pub companies to avoid offering the market rent-only option, even when the reviews are agreed after 1 June?

Then there is the pubs code itself and the concerns raised by the British Pub Confederation and others. The draft code appears to allow pub companies to force tenants to surrender a long lease for a much shorter one in exchange for the market rent-only option. The problem with that is that a tenant who takes a short lease will face uncertainty about what will happen at the end of it. Running a business of any kind requires certainty, and when the building itself is so crucial to the business—in fact, in this case the building is the business—not knowing whether a lease will be renewed dramatically reduces the attractiveness of market rent-only. This approach certainly appears to be the very opposite of creating the level playing field that I think we are all trying to achieve.

The draft code also suggests a waiver of the right to the market rent-only option for prospective new tenants, so pub companies could decide to let pubs only to

[*Bill Esterson*]

tenants who waive their rights. Our concern about the loopholes that have been discussed today is that the combined effect of the two proposals in the draft code could mean business as usual for the pub companies, because tenants who want the market rent-only option will not have their tenancies renewed, while only those who accept the tie will be allowed to take on leases. Will the Minister clear this up and say whether those provisions will be included and whether the loopholes will be removed from the final version of the code? If they are not, pub tenants might start to think that the pubs code is not actually going to change very much at all.

All that brings me to the appointment of the Pubs Code Adjudicator. Like other Members, I think the hon. Member for Peterborough (Mr Jackson) made an excellent speech. I agree with pretty much everything he said. He made the points that, for a free market to operate effectively, it needs to be a fair market—I agree wholeheartedly with that—and that unless the code is drafted correctly, it will be unworkable. He also talked about conflicts of interest, which I will come to shortly.

In a number of our exchanges, not least when my hon. Friend the Member for West Bromwich West (Mr Bailey) was on his feet, the point was raised about whether the newly appointed adjudicator, Mr Newby, had been involved in the drafting. I think the Minister was trying to clear that up. Mr Newby may well have been involved in setting up his office, which of course is entirely proper; the problem is that the Business Secretary's letter to the British Pub Confederation says that

“he shared his professional insights”

when the draft pubs code was discussed with him. I do not know whether that counts as setting up his office or as helping to draft the pubs code, but there seems to be some blurring between where setting up an office ends and helping to draft a code begins. In the end, I am not sure we are much further forward on what his role has been so far.

On the point about conflicts of interest, the Fair Pint campaign's submission to the Small Business, Enterprise and Employment Bill Committee was clear: do not appoint a surveyor to the post. Any surveyor with experience of the field will have potential conflicts of interest. They will have acted for the big pub-owning companies and will not be seen to be impartial in arbitrating as the adjudicator between pub companies and tenants.

**Anna Soubry:** My right hon. Friend the Secretary of State for the Department for Business, Innovation and Skills said in his letter:

“I can confirm that Mr Newby has not been involved in the drafting of any part of the Pubs Code. My officials met Mr Newby after his appointment to provide him with a high level briefing on Part 4 of the Act and some areas of the draft Pubs Code in order to familiarise him with the key aspects ahead of him taking up this important role. During the course of this briefing there was a discussion of some technical aspects of the MRO arbitration process—for example, the length of time it takes to appoint an independent expert—where he shared his professional insights.”

Does the hon. Gentleman agree that that is a correct reading of the full paragraph, which, I would suggest, he slightly misquoted?

**Bill Esterson:** I used the end of the quotation, which states that

“he shared his professional insights.”

I think it goes further than what the Minister said earlier about the work he carried out, because to me, if he is being asked to provide feedback on the code in a professional manner, that is very close to sounding like he is being involved in drafting the code.

**Anna Soubry:** To remind the hon. Gentleman:

“Mr Newby has not been involved in the drafting of any part of the Pubs Code...During the course of this briefing there was a discussion of some technical aspects of the MRO arbitration process—for example, the length of time it takes to appoint an independent expert—where he shared his professional insights.”

**Bill Esterson:** It seems to me that if he is sharing his professional insights, he is giving observations and helping to draft the code. We can split hairs over this all afternoon, but I am sure others will draw their own conclusions about what his involvement has been in preparing for his office.

**Greg Mulholland:** As has just been demonstrated, the Minister has contradicted herself. She suggested that Mr Newby's only involvement was in setting up the office, but then she read from a departmental letter or memo, which clearly stated that it was more than that. Does the hon. Gentleman agree with me and many tenants that it is because of precisely this kind of confusion that people simply do not have confidence in the Pubs Code Adjudicator and, frankly, in the Department?

**Bill Esterson:** The hon. Gentleman described it earlier as a cock-up. Unfortunately, as with so many other aspects of the way the pubs code was drawn up and the way the level playing field was supposedly being created, the Government have not handled it well. There is clearly a contradiction between setting up an office and what the paragraph that the Minister read out states. As I said, others will make their own judgments about that.

I was talking about the Fair Pint campaign's submission, which, by the way, was made before Mr Newby's appointment was announced. It said that surveyors will have acted for the big pub-owning companies and will not be seen to be impartial in arbitrating as the adjudicator between pub companies and tenants. What is more, it also points out that Royal Institution of Chartered Surveyors members who deal with pub valuations depend on pub companies for a large portion of their fee income. That is a clear conflict of interest. That warning was made before the adjudicator's appointment was announced by the Minister and her boss the Business Secretary.

In RICS's response to the consultation on the adjudicator in 2013, it said:

“We also have concerns in relation to how the Adjudicator process might work on a practical level...It is likely that many such specialists will have a conflict of interest having advised one of the parties on a range of matters or as an Independent Expert or Arbitrator.”

So RICS made the same point, well in advance of the appointment, that a surveyor is almost certainly going to be conflicted. Si Clarke from the Fair Pint campaign told the Minister when he met her that appointing a surveyor would be “catastrophic”. As he told me this

morning, having an independent adjudicator can only mean not appointing a surveyor. He and others made that point extremely clearly to officials and Ministers throughout.

It is important to stress that the concerns about the adjudicator's appointment are not a reflection on one individual. Nobody is suggesting that surveyors act in anything other than a professional way, with the utmost integrity. The concerns about the appointment of Paul Newby are not about Mr Newby. His integrity is not in question in any way. That has been confirmed throughout our discussions today and previously, and the hon. Member for Peterborough (Mr Jackson) made that point extremely well.

**Mr Jackson:** The hon. Gentleman is making a powerful point. It is unfortunate that the Minister has to defend this situation, which is, as much as anything else, about governance in her Department—indeed, in all Departments. In the absence of a confirmation hearing, the decision to go by statutory instrument rather than Standing Order and therefore to restrict the level of oversight and scrutiny by Parliament is regrettable. I gently say that the Government should reflect on the fact that we will continue to have instances when people say, “Is it cock-up or conspiracy?” and question individuals if the system sets its face against proper scrutiny.

**Bill Esterson:** I agree and echo the hon. Gentleman's call for such appointments to be subject to Select Committee appointment hearings. That is the right way to go. The way he phrased it is a good way of emphasising that this is not about any individual. We are not questioning anybody's integrity. I am glad he made that point, because it is important that we continue to stress it.

The problem is the conflict between Mr Newby's work for Fleurets and his representation of the big pub companies over many years, and his ability to gain the trust of pub tenants. It is no good to say, as the Minister did, that he acted for pub tenants. As RICS pointed out, having advised either a pub company or a pub tenant could be perceived to lead to a conflict of interest. In any case, in examining the claim about Mr Newby's having represented pub tenants, it is important to understand what that really means. Mr Newby's CV, dated 10 February 2012, shows that he acted for the following pub tenants, among others: Enterprise Inns, Marstons and Punch Taverns. In other words, the same large companies can be pub owners and pub tenants, which raises questions about why his more recent CVs omit such detail.

We have not been able to get an answer to how many pub tenants whom Mr Newby or Fleurets has represented are the tied tenants of a single pub or the small number of pubs that they run. After all, with fees of £300 an hour or more for a firm such as Fleurets, it is rather doubtful whether any tied pub tenant with an annual income of £15,000 or less—or those with no income or those making a loss—would be able to afford such services.

When the Minister wrote to me, she told me that the appointment panel had satisfied itself that Mr Newby had no conflicts of interest. That is rather odd, given the RICS assessment of the same topic. I suggest to the Minister that had she said to me that the panel had

found conflicts of interest, but had decided that they would not affect Mr Newby's ability to do the job, that might have been a rather better case for her to make.

The point about conflicts of interest is that, by definition, they have the ability to undermine impartiality, to influence and to create doubt among those involved. The example of the Groceries Code Adjudicator's conflicts of interest policy was mentioned earlier by the hon. Member for Leeds North West. The policy comments in some detail, recommending a two-year period before conflicts of interest start to diminish. It also states that they have the potential to be a “disqualifying interest”. When setting up the pubs code, why was a similar approach not adopted from the outset? Why are such rules not already in place? The pubs code conduct policy will be developed in time, but it would have made more sense to have it in place earlier. Had it followed the same approach as that of the Groceries Code Adjudicator, I suggest that it would have ruled out the appointment of surveyors, including Mr Newby.

Another thing that did not help was that the Minister chose to announce Mr Newby's appointment during an intervention in a speech being made by the hon. Member for Leeds North West in the Third Reading debate on the Enterprise Bill. The way in which that was done, I am afraid, raised suspicions that not all might be well. She could have made the announcement in a statement to the House—she was forced to come back the next day anyway, to answer an urgent question—or in the Enterprise Bill Committee. Why did the Secretary of State not make the announcement during his speech on Third Reading? Why in an intervention, of all things? That was an odd thing to do and it raised suspicions.

Given the way the pubs code was drawn up—with the exclusion of parallel rent assessment from the consultation; with the need, in the last Parliament, for amendments to the Small Business, Enterprise and Employment Bill to protect pub tenants; with real, ongoing concerns about the way MRO could be avoided; and with the appointment of a surveyor with clear conflicts of interest, despite the advice not to appoint a surveyor—it is no surprise that pub tenants and the members of the British Pub Confederation are still deeply concerned about what is going to happen when the pubs code is implemented. In reality, as things stand, there is a strong possibility that the lack of a level playing field will remain and that tied pub tenants will continue to be denied a fair deal.

The Minister needs to get a grip, to ensure that the loopholes in the pubs code are slammed shut, and to go away and take a long hard look at the appointment of the adjudicator. I believe the Minister wants a fair market in pubs and beer, but she has a lot of work to do to get there and little time in which to do it before the 1 June deadline. The hon. Member for Leeds North West made a point in his opening speech about the need for confidence in the pubs code and the adjudicator. I ask the Minister: please listen to what has been said by Members today and by pub tenants, to ensure that the new pubs code delivers.

3.54 pm

**The Minister for Small Business, Industry and Enterprise (Anna Soubry):** I congratulate the hon. Member for Leeds North West (Greg Mulholland) on securing the debate, I thank everyone who has contributed to it and I

[*Anna Soubry*]

pay tribute not only to the hon. Gentleman, but to other hon. Members who have for many years been campaigning to ensure that the great British pub has a genuine, sustainable future.

I have to put on record a number of things. One of the things that has annoyed me all my life is any form of stereotyping. I object to it, so I object to anyone who thinks that because I am a woman I do not like pubs or ale—although I am not suggesting that anyone present has said any such thing. Throughout my life, I have enjoyed drinking ale in great pubs. By way of example, I name the Crown Inn in Beeston, the Horse and Jockey in Stapleford and the Nelson and Railway—a particularly exceptional pub—in Kimberley, all of which are in my constituency.

I confess that I started enjoying pubs at the age of 16 and I well remember, with great fondness, the many happy bonds with my school friends that were forged in the Old Ship Inn in Worksop and that have continued all the way through my life. As for so many people, those bonds were formed in pubs. We could also go on to debate all that pubs bring to our communities and to individuals, and the role that they play in the lives of so many people, which they have done for many centuries.

We all agree that we want to ensure that our great British pubs have a genuine, sustainable future. We want to ensure a fair deal for tenants, and for too long they have not had that fair deal in too many instances. Equally, we want a sustainable industry. Unlike some, I do not want pubcos to go out of business. I want them to invest in the future and I want them to act responsibly. It is a question of balance.

If there is one thing that I have learned since being appointed last May—the hon. Member for West Bromwich West (Mr Bailey) mentioned this, and he has been at it longer than I have, if I may say so—it is that there is a lot of noise and aggravation, distrust and, in some instances, anger about this. Sometimes there is also a lot of unpleasantness, but unfortunately that is a feature of modern political life. I have been the subject of abuse on Twitter from some tenants groups and tenants, and it all gets a bit tedious. However, we have to try and calm everything down and work together, so that we get the right balance and fairness to secure a proper future for our great British pubs. That is what I seek to do.

I mentioned stereotyping, and I also get a little—some might say overly—excited about the notion that, as a Minister, I am not fully aware of my duties in making appointments, or in all matters, of course. I have served in a number of Departments as a Minister, so I have made a number of appointments in my time. My duty is to ensure that I get the right candidate—to go through the proper process, with rigour and fairness, to get the right person into the job. I object to any suggestion that I appointed Mr Newby because I thought he was a lovely man.

I took my decision with great care. Three candidates were placed before me, all of them eminently appointable. I took the view that Mr Newby was the best of the three. Those other two people are real human beings, and they were exceptionally good candidates, but he shone out. The idea that I did not consider whether his appointment might please some more than others is frankly rather patronising. I wanted to appoint someone

who I believed had the skills, ability and, most importantly, integrity to ensure that there was a level playing field and fairness—in particular, if I may say so, for tenants. If anyone suggests otherwise, I will take a very robust view with them.

**Mr Jackson:** For all I know, Mr Newby might be a lovely man. It is important to put that on the record.

May I also correct the record? I erroneously stated that the appointment was made under the auspices of a statutory instrument. I now know that that is not the case.

I think it is quite reasonable for key stakeholders to say that for a new group of Ministers and civil servants dealing with a complex, dense, difficult and contentious area, to err is human and there may have been genuine mistakes. I do not think that anyone is impugning the Minister's integrity.

**Anna Soubry:** I am very grateful to my hon. Friend for his wise words. I take objection to the idea that the civil servants, in the most difficult of circumstances—they really are up against the clock—have not acted with total integrity. They have done a great job. I think that we sometimes forget that civil servants are professionals and human beings. With few exceptions, they serve us extremely well and do a good job.

Make no mistake: I do not have any complaints about the rigour of this place's questioning and probing, and I am grateful to my hon. Friend for his comments. I hope he knows that I always act with complete integrity and would weigh up all the matters in favour of and against the appointment of anyone to ensure that we get the right person. I do not know whether Mr Newby is a lovely person, but I do know that he brings the requisite skills, ability and experience, and I am confident that he will act with integrity and do a good and fair job.

As I made clear on 10 March, Mr Newby is an excellent candidate. He was appointed in accordance with the code of practice for ministerial appointments to public bodies. As I did then, I take exception to any allegation that I or, indeed, anyone else has acted improperly or with complicity, and I have no doubt that he has all the necessary skills and experience of the pubs trade.

**Bill Esterson:** Will the Minister give way?

**Christian Matheson:** Will the Minister give way?

**Anna Soubry:** I will in a minute. There has been a very positive response to the appointment of Paul Newby as the Pubs Code Adjudicator. I am grateful for the briefing supplied by the House of Commons Library and the comments on 16 March from the Royal Institution of Chartered Surveyors, which we have heard a lot about and heard some quotes from. Its statement regarding the appointment of Paul Newby as Pubs Code Adjudicator went as follows:

“By the very nature of the role, the adjudicator's office will need someone with past experience in this field of valuation and Paul's professional history has seen him represent both pubcos and tenants at various junctures in his career. As Paul Newby will no longer continue in his role with Fleurets, there should not be a risk of this posing a conflict of interest in his execution of his new post.



An RICS spokesman has said: ‘Chartered Surveyors are expected to demonstrate the highest professional standards and act within the RICS Code of Conduct at all times. We have no reason to believe that Paul Newby is failing to meet these standards. On the evidence that we have seen to date, this does not appear to be an issue of conflict.’”

**Bill Esterson:** Will the Minister give way?

**Greg Mulholland:** Will the Minister give way?

**Anna Soubry:** I will continue with these comments by people who have paid tribute to Mr Newby, and then I will give way.

The British Institute of Innkeeping’s licensee of the year, Mr Keith Marsden, has said that Mr Newby has “fantastic integrity” and will be “both feared and respected” by pub companies. Others have also welcomed his appointment, highlighting that he has worked on both sides of the industry. I support the view of Ed Beddington, editor of the *Publican’s Morning Advertiser*, who said that Mr Newby should be “judged on his actions”. Punch Taverns has written that as well as acting for it on a couple of occasions, Mr Newby has

“acted against Punch on one occasion, on behalf of a tenant acting against us...To our mind, this gives him good experience from all angles of what will be a challenging role.”

**Greg Mulholland:** It is rather extraordinary that the Minister is giving an endorsement from Punch Taverns—one of the companies that Paul Newby is supposed to regulate—as if that is a good thing. But on the RICS point, I have seen that same correspondence to a RICS surveyor and I must point out that the RICS statement was only on the evidence seen “to date”. That was then challenged, and the fact is that it had not had any submissions before the one it had from the RICS surveyor who has complained. So I am afraid that is far from a RICS endorsement, and its own clear guidance shows that Paul Newby’s appointment is inappropriate. If we need to write to RICS further, then we will.

**Anna Soubry:** I shall continue.

**Bill Esterson** *rose*—

**Anna Soubry:** Does the hon. Member for Sefton Central (Bill Esterson) want to intervene? Let me say a few words and then I will take an intervention.

As the Pubs Code Adjudicator, Mr Newby has a duty to set out arrangements to deal with any specific conflicts of interest. He will do so in the normal way and, as part of that, he will publish a register of interests. Contrary to the British Pub Confederation’s campaign, he has a wealth of experience on rents, rent reviews, lease renewals and landlord and tenant issues. It was that experience that I found particularly attractive in his CV and then when I met and interviewed him, as I did all three of the final candidates.

Mr Newby has also been involved in dispute resolution in those areas as an expert witness, arbitrator and independent expert for many years. In one case he represented a tenant who had significantly overpaid rent to a large pub company. That required sustained effort by Mr Newby to recover the overpaid rent. That is just an example of his work for tenants, certainly not of being in the pocket of large pub companies.

We have had reference to my former profession as a barrister. I do not want to fall out with the hon. Member for Leeds North West, but I do not think he quite remembered what was said. I was trying to make a point about professionals. The hon. Gentleman for—I have forgotten his constituency in Scotland; that is very rude of me.

**Richard Arkless:** Dumfries and Galloway.

**Anna Soubry:** Dumfries and Galloway. Excellent—I know exactly where he represents: Kirkcudbright. He made that point about when he was a solicitor. I do not know what work he did, but the point I was trying make was that certainly at the English Bar, and I think it is the same in Scotland with the advocacy system north of the border, a barrister may act for someone—I will be frank: I have acted for people who have been exceptionally unpleasant, usually because they had been accused of vile offences against children—and put forward their case, but that is not to endorse it in any way. Actually, the barrister might think they are some of the most despicable human beings.

Of course, that is not the position that Mr Newby will have as the Pubs Code Adjudicator. The clue is in the title: he will adjudicate, based on his experience and particularly because he has been able to see both sides of arguments. He brings great skills to the role. He will take up his appointment on 2 May to enforce the pubs code with independence and impartiality.

In answer to the proper comments made by a number of hon. Members, as it happens, on 10 May he will appear at 9.30 am in front of the Business, Innovation and Skills Committee. There is a good debate to be had as to whether public appointees should effectively have their appointments endorsed by Select Committees. I know that some are and some are not, but I do not think this is the time for that debate and I truly do not think that would have made any difference to Mr Newby’s appointment. He will also meet representatives from both sides of the industry in May and I hope that the hon. Member for Leeds North West will be pleased to know that Mr Newby is keen to meet him and representatives of the British Pub Confederation in his first weeks as the Pubs Code Adjudicator.

Today—very soon, I hope—I will place the Government’s response in the Library and lay the pubs code regulations. Time is of the essence, because we now know when the House will prorogue, so to get the pubs code up and running on 27 May we will lay the regulations today.

**Greg Mulholland** *rose*—

**Anna Soubry:** I have some very good news for hon. Members, but if the hon. Gentleman wants to intervene, I will give way.

**Bill Esterson:** I thank the Minister for answering the question about when the regulations will be laid, but it would have been extremely helpful to have them in advance of the debate, so that we could discuss them today. Earlier, she said at least twice that serious allegations had been made about her having a conflict of interest in Mr Newby’s appointment. Will she say who made those allegations and what they have been? Using parliamentary privilege, she can name the person right here and now.

**Anna Soubry:** I get the impression that somehow I have acted with impropriety in appointing Mr Newby, and I want to make it clear that I have not.

I want to talk about the regulations we have laid today. There is some bad news: I have not agreed to the pub companies' request for a six-month transition. The pub companies saw our draft regulations late last year. The requirement to provide a rent assessment is not new for them. We have staggered the points at which they have to provide MRO, to allow at least two months' preparation. I know that they are, to put it mildly, less than pleased at that decision, but I take the firm view that they are able to implement the pubs code. They have had long notice of the code coming in, and frankly I just want to get on with it and get the code up and running, so that we can do the right thing by tenants.

I am grateful to everyone who responded to the consultation on the pubs code. I understand the frustration of the hon. Member for Leeds North West that we were unable to discuss his two amendments, but I will tell him about the view I have taken. I want to put it on the record that these are decisions I make. I often frustrate my officials because I do not always agree with the advice they give. I am not some sop who goes along blindly with the officials, as they would often testify. I did not need any persuading on this, because a series of options was put to me.

This is my decision. I can confirm that the pubs code will include transitional measures, which means tied tenants can access their MRO rights at rent review in the first six months. I can also confirm that the right to MRO at renewal of a tenancy will exist from the day the code is enforced. From that date, once a tenant or a pub company issues notices related to the renewal, the tenant will have the right to request MRO. The pubs code will set out that when a tenant chooses MRO, the MRO-compliant tenancy should be at least as long as the previous tied tenancy; that is important.

This is really important, and I am pleased that I might actually get a thank you from the hon. Gentleman. We listened to all that was said. I know that the British Pub Confederation has been briefing MPs that the pubs code will contain an investment waiver—actually, we are calling it an investment exception—that reduces MRO rights before a tenant signs on to a pub. I can confirm that that is not the case. The investment exception will not apply to investments made in empty pubs.

I agree that pub company gaming, which my hon. Friend the Member for Peterborough (Mr Jackson) mentioned, could be an issue, where a tenant's rights to MRO are avoided, perhaps via an investment. The best insurance is to get the pubs code in place. The Government accepted an amendment to the Enterprise Bill that places a duty on the adjudicator to report cases of unfair business practices that are aimed at avoiding the code. It will open to the adjudicator to make recommendations to the Secretary of State to address any unfair business practices. I know I have upset the pubcos; I will be up front about that because I know I have not given them what they wanted. I have, I hope, satisfied the proper concerns communicated by tenants, and we are going to work on that.

In response to the hon. Gentleman's point about previous ministerial commitments, the pubs code and regulations will honour the commitments made in Parliament. My guiding message to my officials—I have

probably driven them mad—is that we have just got to be true to what we said we would do when the Small Business, Enterprise and Employment Act 2015 went through Parliament. Those commitments were on key issues such as the right to consider a tied tenant in parallel to an MRO offer; the extension of code protections in the event of a sale of a pub to a non-code company; an exemption for pub franchise agreements from the MRO and rent provisions in the code; and deferral of the MRO option of up to seven years in return for significant investment by the pub-owning business. On significant investment, I will probably upset the pubcos and some of the tenants' groups by saying that the proposal of CAMRA—which is a cracking organisation—of 200% of dry rent is the right one.

My aim is to strike the right balance and to ensure we get a fair deal for both sides in what should not be an argument. We are moving in the right direction. I hope the hon. Gentleman will join me in welcoming the fact that we are very close now to having the pubs code in force. It will provide fairness to more than 12,000 tied tenants, which I know he and many others have wanted for some time.

As I draw my remarks to a conclusion, I am helpfully told that the regulations have been laid. I want to put on record my thanks to the officials. The clock has been ticking against us, and they have worked exceptionally hard to comply with the requirement to get the regulations laid in time for 27 May. At one point today, we thought that that might not happen; I will not trouble Members with the reason why. We were determined to get the code into practice. I have full confidence that Paul Newby will be an excellent adjudicator. The regulations are not in the Vote Office yet for Members to pick up after the debate, but a version should go online within the hour.

I very much hope that that will please the hon. Gentleman, although I have an awful feeling that I will never be able to please him. My hon. Friend the Member for Peterborough made a good point: if we get this right from the beginning, we will not have to keep going backwards and forwards. The regulations setting out the pubs code are subject to parliamentary scrutiny at any time, so we can amend them, but he is right that we must get them right from the outset. The legislation also provides for a review every three years.

I always say to everyone involved that my door is open. My door has not been always open in all of this, because it has been imperative that we do the right thing for both sides of the argument. I hope that everyone will welcome the pubs code and that our pubs can now have a new age and a new dawn, so that they continue to be wonderful, uniquely British places, so that we have an element of fairness for the tenants, who are very important, and so that we get the right investment and have a sustainable pub industry in our country.

4.17 pm

**Greg Mulholland:** It is a pleasure to serve under your leadership, Mr McCabe. It has been an excellent debate and I say a huge thank you to all right hon. and hon. Members who have taken part and stayed here on a Thursday, which at this juncture is not always an easy thing to do, with other commitments.

We heard some fantastic contributions today. It was fascinating to hear the passion of the hon. Member for Peterborough (Mr Jackson) who, rightly as a proud Conservative, said that crony capitalism is wrong—it is an abuse of capitalism, and a failed market does not work for anyone. He was then followed by the hon. Member for Easington (Grahame M. Morris), someone from the other end of the spectrum, representing Unite and standing up for people and social justice. This issue encompasses all those positions.

There was a powerful contribution, of course, from the hon. Member for West Bromwich West (Mr Bailey), who did such a fantastic job. Let me thank him for all the work that he did, which was absolutely instrumental; he is regarded as a real pub hero by licensees and campaigners. It was great to have such strong contributions from representatives of two of the finest cities in the country—our walled cities of York and Chester—the hon. Member for City of Chester (Christian Matheson) and the hon. Member for York Central (Rachael Maskell).

Every single voice was in accord. The hon. Member for Dumfries and Galloway (Richard Arkless) provided some absolutely insightful legal perspectives on conflict of interest, which I really do not think can be argued with. Just so that he knows, I visited Fergus Ewing, a Minister in the Scottish Government, to discuss this issue, because the next stage of this campaign will be to get a pubs code and adjudicator in Scotland and that, of course, will be the job of the next Scottish Government. I hope that we can work with him and whoever is in government in Scotland after the election, and I look forward to doing so.

I thank both the Minister and her Parliamentary Private Secretary. It has been good to have that line of communication with the hon. Member for Rugby (Mark Pawsey), who is a cross-code colleague of both games of rugby. It is always a pleasure to work with him, and it has been very helpful. I thank the Minister for the announcements that she has made today. Whether they were going to happen today anyway, or whether she made those announcements specially in response to this debate, does not matter; I very much appreciate what she has said.

It is excellent news that the Minister has clearly accepted the points about the loopholes. I warmly thank her and the team for listening on that. The market rent-only option is the one we voted for, and she and the team have ensured that people will not have to make the sacrifice of accepting a shorter lease for it. On the investment, our priority clearly was that it would not be for new tenants, so, if that is the case, we are delighted that she and the team have listened on the code, and that will be the view of other organisations.

However, having thanked the Minister warmly and sincerely—I mean that, and she will similarly be warmly thanked for those changes by licensee groups and by the British Pub Confederation; we will write to her to thank officials for listening—I have to say that the issue of the pubs adjudicator remains. Although she has listened on the pubs code, she did not listen on the issue of the pubs adjudicator. I also say gently, because of the nature of her speech and the announcement, that she has contradicted herself twice in today's debate. First, she contradicted herself about whether or not Mr Newby has been

helping with the code or with dealing with BIS officials. Secondly, in responding to the urgent question, she said:

“Paul Newby is a good man”—[*Official Report*, 10 March 2016; Vol. 607, c. 430.]

I quote from *Hansard*—yet today she said she does not know if he is a good man. I gently say that these are the kinds of things that are leading to concern. We do need to get clarity. After this debate, we still need clarity as to precisely what he has been doing since his appointment in December. We only found out about it through an intervention, so what was happening during that period? Why were none of us told?

Finally, I turn to the absolutely key issue. With respect, we should consider the factual evidence in respect of the Groceries Code Adjudicator and the reality of Fleurets. Mr Newby is a director and shareholder who will retain his shares in a company that makes the majority of its money from both acting for pubcos and flogging off pubs for pubcos. It is quite absurd to think that somehow there is not a conflict of interest. It was extraordinary that the Minister's written answer yesterday to the parliamentary question finished by stating:

“The Panel was satisfied there were no conflicts of interest, and put this advice to ministers.”

The fact is that there are conflicts of interest—that is a fact. The question is, are they disqualifying ones? It is not, are there conflicts of interest—they are there, even if she has decided they are not. So that parliamentary written answer yesterday is wrong. It is plainly, clearly, legalistically wrong. There are clear conflicts of interest and I believe that I have laid out today that they are prejudicial and disqualifying.

If the Minister is still not going to listen on that, I have to say to her that Justice for Licensees, the Fair Pint campaign, the Federation of Small Businesses, the Forum of Private Business, the Guild of Master Victuallers, GMB and Unite: two of the largest trade unions in the country, Licensees Supporting Licensees, the Pubs Advisory Service, the Punch Tenant Network, and all bar one genuine tenant-representing organisations—supported, incidentally, by the Scottish Licensed Trade Association, even though this will not apply to its tenants yet—are saying very simply that they will not accept Mr Newby. They will not have him act on any of their cases. Tenants will not accept him; they should not accept him.

The Minister has clearly listened, and there has been consultation. In conclusion, I gently ask her to look at what I have said today. We will supply further information. I firmly believe that, as the hon. Member for Peterborough said, this was a mistake. There is no question in my mind about the Minister's integrity. She certainly is not a sop and I do not think anyone would ever accuse her of being so, but I think she has to accept that when we look at the evidence, we can see that this was a mistake and that the pubs adjudicator cannot be any pub surveyor.

So I would gently say, could she, and the hon. Member for Rugby, and her diligent officials, who do work hard and do a good job, but on this occasion have erred, look at this again? Can they look at the evidence? Because simply to ignore it, as is currently happening, and appoint someone to such an important role, considering the whole history of this matter, would undermine

*[Greg Mulholland]*

everything that she and her Department are trying to do on this issue. I urge her: please look closely; please listen. Mr Newby must stand aside. I echo the comments of the hon. Member for City of Chester, who said that Mr Newby must consider his position. If he does not—and he will not—command the confidence of so many tied licensees, as a good man and a man of integrity he must realise that, and he must stand aside.

*Question put and agreed to.*

*Resolved,*

That this House has considered the Pubs Code and the Adjudicator.

4.25 pm

*Sitting adjourned.*





# Written Statements

Thursday 14 April 2016

## CABINET OFFICE

### UK Cyber Security Strategy: Annual Report

**The Minister for the Cabinet Office and Paymaster General (Matthew Hancock):** In 2010, the national security strategy identified cyber as a tier 1 threat to the UK. In November 2011, we published the UK national cyber security strategy.

From 2011 to 2016, the Government funded a £860 million national cyber security programme to deliver the strategy's vision of "a vibrant, resilient and secure cyberspace". The objectives of this programme aimed to:

Make the UK one of the most secure places in the world to do business in cyberspace.

Make the UK more resilient to cyber-attack and better able to protect our interests in cyberspace.

Help shape an open, vibrant and stable cyberspace that supports open societies.

Build the UK's cyber-security knowledge, skills and capability.

We have presented regular reports to Parliament on progress against the strategy's objectives. Today I am publishing the final report for the programme.

The report summarises progress during 2015-16 against the strategy's objectives, reviews the impact of the programme since it was established, and looks ahead to the new 2016 national cyber security strategy and programme.

There has been significant progress towards reaching these goals. As a result of programme initiatives:

We have enhanced national capabilities to protect and defend ourselves against those who would do us harm.

Businesses of all sizes and sectors are now better protected.

We have a greater share of the international cyber security market.

Our online Government services are increasingly secure.

We are actively tackling cyber-crime.

We are playing a leading role in international cyber security.

We are actively building our cyber skills and knowledge.

In partnership with business, the academic community and international partners, we have built a solid foundation for the future. We are grateful to partners for their collaboration and efforts. The Government cannot deliver these goals on their own.

Against a backdrop of increased threats we have improved the UK's effort to enhance cyber security. But there is more to do. The 2015 national security strategy confirmed that cyber remains a tier 1 threat to the UK's economic and national security. As a result, the Government will publish a new national cyber security strategy this year, which will define our vision and ambition for the future. The Government will further increase investment in cyber security to £1.9 billion over the next five years.

We will continue to report progress to Parliament.

[HCWS672]

## FOREIGN AND COMMONWEALTH OFFICE

### European Union: Rights and Obligations of Membership

**The Secretary of State for Foreign and Commonwealth Affairs (Mr Philip Hammond):** I have today laid before both Houses a paper on the rights and obligations arising under EU law as a result of UK membership of the EU. This paper represents the second and final part of the report that the Government have published to meet the requirement of section 7(1) of the European Union Referendum Act 2015. The first part, "Alternatives to membership: possible models for the United Kingdom outside the European Union", was published on 2 March 2016. Both parts of the report are now available to read together on the gov.uk website.

[HCWS673]

### Foreign Affairs Council and Foreign Affairs Council (Defence)

**The Minister for Europe (Mr David Lidington):** My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs will attend the Foreign Affairs Council on 18 April. My right hon. Friend the Secretary of State for Defence will attend the Foreign Affairs Council (defence) on 19 April. The Foreign Affairs Council and Foreign Affairs Council (defence) will be chaired by the High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini. The meetings will be held in Luxembourg.

#### FOREIGN AFFAIRS COUNCIL

The agenda for the Foreign Affairs Council (FAC) is expected to include Colombia, migration, Eastern Partners and the EU regional strategy for Syria/Iraq/Daesh. An informal lunch will take place with the UN High Commissioner for Refugees (UNHCR), Filippo Grandi, and a joint dinner between Foreign Ministers and Defence Ministers will cover Libya.

#### Colombia

Ministers will have an informal session with Colombia's High Commissioner for Peace, Sergio Jaramillo. This is an opportunity for an update on the Colombia peace process, progress on negotiations, and Colombian plans for post conflict implementation. The UK has been a strong supporter of the peace process and recently steered a resolution through the UN Security Council, securing unanimous approval for a UN role in monitoring and verification.

#### External aspects of migration

Ministers will exchange views on the external aspects of migration, as part of the EU's ongoing efforts to reduce irregular migration into Europe. This is in line with the March European Council's commitment to tackle the migration crisis through a comprehensive strategy.

#### Lunch with UNHCR, Filippo Grandi

The lunch will focus on the global refugee crisis. Given Grandi's remit, and the proximity of the FAC to the World Humanitarian summit (23-24 May), there is likely to be some discussion of the summit, and reform of the global humanitarian system more broadly.

#### EU regional strategy for Syria/Iraq/Daesh

We expect the FAC to include an update from Mogherini on progress towards reviewing the EU's regional strategy for Syria, Iraq and Daesh, which was adopted by the

FAC in March 2015. The recent attacks in Brussels and Paris demonstrate Daesh's resolve to attack Europe within our own borders. EU Interior Ministers have agreed measures to combat terrorism, especially the threat from Daesh. The EU must also do all it can to defeat and degrade Daesh in its heartland in Iraq and Syria, which includes political transition in Syria.

#### *Eastern Partners*

Ministers are expected to exchange views on recent developments in the six Eastern Partnership states: Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova, and Ukraine.

#### *Libya*

The EU will play an important role in providing immediate support to a Government of National Accord (GNA). We will encourage the EU to develop its options for support based on the needs of the GNA in co-ordination with the UN. The FAC will also cover options for a possible common security and defence policy (CSDP) mission to support the Libyan GNA.

#### FOREIGN AFFAIRS COUNCIL (DEFENCE)

The Foreign Affairs Council (defence) will be preceded by the European Defence Agency (EDA) steering board and will meet in ministerial format. There will be no political decisions made on the EDA budget at this meeting; this will be addressed at the autumn steering board. The agenda will cover the implementation of key taskings and next steps, which includes: the policy framework for defence co-operation; hybrid warfare and the preparatory action for CSDP-related research.

The FAC(D) will receive an update on the development of capacity building for security and development (CBSD). Ministers will discuss the joint EEAS/Commission communication "Countering Hybrid Threats" and look at how to implement the actions proposed, including how to enhance work with NATO in this area. Ministers will also be asked to agree Council decisions on the revised EUTM Mali mandate and the establishment of a new EUTM in the Central African Republic.

[HCWS674]



# Petition

Thursday 14 April 2016

## OBSERVATIONS

### EDUCATION

#### Transatlantic Trade and Investment Partnership

*The petition of residents of the UK,*

Declares that the EU and the US should stop negotiating the Transatlantic Trade and Investment Partnership; further that the Comprehensive Economic Trade Agreement between the EU and Canada should not be ratified; and further that an online petition on this matter was signed by 330 residents of Harborough.

The petitioners therefore request that the House of Commons urges the Government to put pressure on the EU and its Member States to stop negotiations on the Transatlantic Trade and Investment Partnership and not ratify the Comprehensive Economic Trade Agreement.

And the petitioners remain, etc.—[Presented by Sir Edward Garnier, *Official Report*, 26 January 2016; Vol. 605, c. 240.]

[P001670]

*Observations from the Minister for Small Business, Industry and Enterprise (Anna Soubry):*

*The importance of free trade*

The Government support trade liberalisation and continue to encourage EU efforts to negotiate a number of bilateral free trade agreements, including the EU-Canada Comprehensive Economic and Trade Agreement (CETA) which was agreed last year and EU-US Transatlantic Trade and Investment Partnership (TTIP) which is still under negotiation.

Increased trade and investment are two of the main drivers for growth, which is the best way to ensure British workers can enjoy better living standards. Businesses which export are more productive, resilient and pay higher wages.

### CETA

CETA is an important step in delivering our trade agenda. It will deliver jobs and growth for the UK, with independent analysis suggesting the deal could be worth up to £1.3 billion per year to the UK economy. The negotiations for CETA have now ended. The European Commission recently announced the completion of the CETA legal review, and the text of the agreement is currently undergoing translation into all EU languages. More information about CETA, including the text of the agreement, is available on the Commission's website: <http://ec.europa.eu/trade/policy/in-focus/ceta/>.

### TTIP

A trade and investment agreement between the EU and US is an opportunity to create the largest free trade area in the world. It would bring huge economic benefits on both sides of the Atlantic, increasing trade and investment, creating jobs, reducing prices and increasing choice for consumers. Independent analysis shows that an ambitious agreement could give an annual boost to the UK economy of as much as £10 billion each year. This translates to additional disposable income of about £400 per year for an average UK household. That is why we are pushing for a broad agreement that eliminates the vast majority of tariffs on trade between the two markets and reduces other unnecessary barriers to trade such as duplicate regulatory tests and customs delays.

There continues to be extensive consultation on TTIP. The European Commission has run four online public consultations to get stakeholder views on various elements of the deal. The Commission is holding regular meetings with an advisory group, as well as civil society groups throughout the negotiations.

The Department for Business, Innovation and Skills (BIS) also holds regular meetings with organisations representing those with a particular interest in TTIP. These meetings help to inform the Government's approach to the negotiations and include representatives from business representative bodies, the Trades Union Congress and non-governmental organisations such as War on Want and Friends of the Earth.

Further information about the TTIP negotiations is available on the gov.uk website: [www.gov.uk/bis/ttip](http://www.gov.uk/bis/ttip) and the European Commission's website: <http://ec.europa.eu/trade/policy/in-focus/ttip/>.



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Thursday 21 April 2016**

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