

Thursday
15 September 2016

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Thursday 15 September 2016

House of Commons

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Mr Speaker: On the front page of today's Order Paper, it is noted:

On 15 September 1916, Lieutenant-Colonel The Honourable Guy Victor Baring, 1st Battalion The Coldstream Guards, Member for Winchester, was killed in action during the Battle of the Somme, France.

On 15 September 1916, Lieutenant-Colonel Charles William Reginald Duncombe, Viscount Helmsley, 21st Battalion King's Royal Rifle Corps (Yeoman Rifles), Member for Thirsk and Malton from 1906 to 1915, was killed in action at Courcellette during the Battle of the Somme, France.

On 25 September 1916, Lieutenant Gerald Archibald Arbuthnot, 1st Battalion The Grenadier Guards, Member for Burnley in 1910, was killed in action during the Battle of the Somme, France.

We remember them today.

BUSINESS BEFORE QUESTIONS

NEW WRIT

Ordered,

That the Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Member to serve in this present Parliament for the Borough constituency of Batley and Spen in the room of Helen Joanne Cox, deceased.—(*Dame Rosie Winterton.*)

NEW WRIT

Ordered,

That the Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Member to serve in this present Parliament for the County constituency of Witney in the room of the right honourable David William Donald Cameron, who since his election for the said County constituency has been appointed to the Office of Steward and Bailiff of Her Majesty's Manor of Northstead in the County of York.—(*Gavin Williamson.*)

Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

Transport Infrastructure and Economic Growth

1. **Victoria Atkins** (Louth and Horncastle) (Con): What assessment he has made of the effect of investment in transport infrastructure on economic growth.

[906355]

The Minister of State, Department for Transport (Mr John Hayes): An assessment of the impact on the economy is a routine part of transport investment decisions. The Department uses an internationally respected analytical framework for assessing schemes, which includes the impact on jobs, growth and regeneration.

Victoria Atkins: May I welcome the Minister to his place and say how pleased I am that the Department will have the benefit of the experience and wisdom of my Lincolnshire colleague? I say that not just because I would like his help with the roads! Every day this summer, my constituents, tourists and I had to wait up to 45 minutes to pass through the traffic lights at the Bull Ring in Horncastle, where the very busy A153 crosses the even busier A158. The single carriageway road cannot cope with the volume of traffic between the city of Lincoln, the market town of Louth and the east coast. Will my right hon. Friend meet me and local councillors to discuss what can be done to get rid of these bottlenecks to help local residents and businesses and to encourage even more tourism at the wonderful Lincolnshire coast?

Mr Hayes: My hon. Friend is a doughty and articulate campaigner for her constituents' interests. She will know that all counties of our great country are dear to my heart, but none more so than my own county of Lincolnshire. I am familiar with this part of the county and I understand the pressures on the roads there. I would be more than happy to meet my hon. Friend and local councillors to discuss the situation. Indeed, I want to go further, because that alone is just not good enough. I want to hold a round-table meeting with all concerned parties in my Department and to ask my officials to look specifically at what my hon. Friend has said. If I may say so, her complimentary words were most welcome. She could have added, for future reference, dexterity, determination and, in the light of recent events, durability!

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Will the Minister give a firm commitment to ensure that High Speed 2 goes ahead with a clear timetable, and will he accelerate work on trans-Pennine links from Liverpool to Hull so that the United Kingdom's economy can be supported and its rebalancing can be assisted throughout the UK?

Mr Hayes: At a meeting earlier this week, the hon. Lady and I discussed a range of issues in the light of a report from the Institute for Public Policy Research, including the significance of the trans-Pennine connection. It is important for us to see all our transport needs in terms of not just north-south but east-west links. I know that that will be recognised by many Members who represent constituencies in the east of England, as I do, and in the west of England, as the hon. Lady does.

I am more than happy to look at all the options to which the hon. Lady has referred. As she will know, we are considering a range of ways of making those links real. In her role as Select Committee Chairman, she will want to test me further when she, no doubt, calls me to appear before her.

Sir Alan Haselhurst (Saffron Walden) (Con): Will my right hon. Friend have particular regard to the reports from the Great Eastern and West Anglian taskforces,

chaired by two of his colleagues, about the contribution that they can make to the future prosperity of the Anglian region, so that there can be a reliable rail structure on which the splendid new trains that are to come can run more efficiently?

Mr Hayes: As you know, Mr Speaker, I have a deep regard for the past, and my relatively recent past reminds me that the right hon. Gentleman tested me on these matters at the time of my last incarnation in the Department for Transport, when he advanced similar arguments about the importance of the links to which he has referred today. I look forward to receiving and studying that report, and when I do so, I shall be more than happy to have further discussions with him on its contents, but no one could argue that he has not made his case powerfully and repeatedly.

Mr Speaker: I hope that the right hon. Member for Saffron Walden (Sir Alan Haselhurst) realises how lucky he is to have the prospect of further conversations with the Minister of State. Not all of us are in that category.

Ruth Smeeth (Stoke-on-Trent North) (Lab): Infrastructure is vital to economic growth, which is why it is so unfortunate that the Highways Agency has, without consultation, announced the closure of the A34 at Talke junction. That stretch of road is the main access route to Freeport shopping centre. The works are much needed, but they are due to start next week and continue until 23 December, which will affect Christmas shopping at the centre. Will the Minister endeavour to work with me and with the Highways Agency, so that it can see the error of its ways?

Mr Hayes: With your indulgence, Mr Speaker, I shall make a general point and then a specific one. The general point is this. On my first day in this job, I met representatives of Highways England, as it is now called, and made it very clear that one of the things they had to do better was give proper notice of their plans, communicate with all interested parties—including Members of Parliament—and be very precise about the time that decisions and their implications would take. Obviously, the case in point is apposite.

As for the specific point, I was not aware of the situation that the hon. Lady has described, but this is what I am going to do. I will meet representatives of Highways England today, I will raise that particular issue, and by tomorrow I will speak to the hon. Lady about it.

Mr Edward Vaizey (Wantage) (Con): My right hon. Friend is dexterous, determined and durable, as well as being extremely distinguished. The A34 is one of the most important roads for our economy, taking freight from the south coast to the midlands, but it is becoming increasingly dangerous: two recent crashes caused fatalities. Now that I have recorded that he is dexterous, determined and durable, will my right hon. Friend hold a round table with me and other Oxfordshire Members to discuss how to improve safety and the free running of the A34?

Mr Hayes: My table grows ever more round. I am none the worse for it, by the way.

I am familiar with that road. As my right hon. Friend will know, a number of suggestions have been made for the improvement of the scheme. There are always demands relating to different roads, and different ideas about how those demands should be met. We study these matters carefully, and part of that process involves the kind of consultation that my right hon. Friend has recommended. I am always delighted to speak to him about any matter that he raises in the House, including the one that he has raised today.

Graham Jones (Hyndburn) (Lab): The Government talk about rebalancing the economy, and it is interesting that the Minister just talked about improving east-west links in the north, but may I make one suggestion that I hope he will take forward? Can we extend the M65 all the way to Scotch Corner? That needs to be done. Millions of people in the north-east need to be connected directly to millions of people in the north-west and the Manchester region. That vital east-west infrastructure link would rebalance that economy.

Mr Hayes: The hon. Gentleman is known for making the case for links that would further boost his local economy. There have been scurrilous suggestions that the northern powerhouse has in some way faltered. Let me tell the House that the northern powerhouse is not only alive and well, but will thrive under this Government. That will include the kind of infrastructure investment necessary not only to provide transport links, but to boost economic growth, build skills and spread opportunity. That is the kind of Government we are: a Government with big ideas who put them into action for the benefit of our people.

Midland Main Line (Electrification)

2. **Lilian Greenwood** (Nottingham South) (Lab): What recent progress has been made on the plan to electrify the midland main line. [906356]

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): Following the un-pausing of electrification, Network Rail has re-mobilised its team and is working towards a final design for the enhancement programme, as set out in the Hendy review last year. Work to increase capacity on the route has already started.

Lilian Greenwood: The east midlands has had the lowest level of rail spending per head in every one of the past six years. We have discovered that the pausing and un-pausing of the electrification of the midland main line wasted almost £40 million and cost countless jobs in the supply chain, and now there are rumours that it could be cancelled or deferred again. Will the Minister take this opportunity to confirm that the line will be electrified all the way to Nottingham and Sheffield by 2023, and will he commit to real action to ensure that there are no further delays or broken promises?

Paul Maynard: I congratulate the hon. Lady on assiduously carrying out her former brief—who knows when she might return to the Front Bench to continue in that role? She makes an important point about the importance of the line to the east midlands. In my view, the supply chain in the east midlands does not just depend on this one project; the investment in Bombardier's

660 trains for East Anglia is just one way of safeguarding that particular supply chain. On her wider point about the work on that line, it is worth bearing in mind that we have already completed 10 km of new line in that stretch; nearly 9 km of existing line has been improved; over 3,000 new piles have been put into place; and there is 10 km of new earthworks, strengthening of key bridges, and new viaducts, particularly at Harpers Brook. Work on this line is ongoing and we are looking to improve capacity through the franchising arrangements.

Fiona Bruce (Congleton) (Con): I am delighted to hear that the northern powerhouse is alive and well. Does the Minister agree that if it is to have real effect, it is important that investment is made in connectivity not just between the cities of the north, but between the towns? I thank Ministers for the initial investment in the Middlewich bypass, but will they also look at the business case for the reopening of the Middlewich railway station?

Paul Maynard: As someone born and bred in a town very close to Middlewich, I am well aware in my 40 years of the importance of the town's connectivity at the heart of Cheshire. I know that there are good plans for Middlewich's new station and look forward to working with my hon. Friend on progressing the business case.

Mr Clive Betts (Sheffield South East) (Lab): Before the pause, electrification was due to be completed by 2020, which is also the date when all trains have to comply with new disability legislation. What will the Government do between 2020 and 2023, when the old HST trains on the line, with their slam doors, will not comply with disability legislation? Will they abandon the legislation or put in temporary rolling stock?

Paul Maynard: We take accessibility issues on our railways extremely seriously. The hon. Gentleman is right to point out the commitments we have made. We are currently examining how best to increase capacity on this line, particularly at peak hours, when there is a risk of standing on some stretches. We are looking carefully at how we can deliver on that.

Nigel Mills (Amber Valley) (Con): Will the Minister ensure that the branch line that runs through Langley Mill and Alfreton stations in my constituency is added to the plans to re-energise electrification, having been unaccountably missed out of the original plans?

Paul Maynard: I am not familiar with that branch line at this stage but I shall certainly look into the matter, discuss it with my officials and write to my hon. Friend.

Mr Philip Hollobone (Kettering) (Con): With the faster line speeds that electrification will bring, will the Minister look to reinstate the half-hourly service northwards from Kettering, which was cut to an hourly service under the last Labour Government?

Paul Maynard: A number of timetabling and scheduling opportunities always come about through any reprofiling of a line and indeed any change in the rolling stock on the line. We will of course feed that into all the consultations on how best to make use of the reprofiling of that line.

Aviation Safety: Drones

3. **Kevin Brennan** (Cardiff West) (Lab): What recent assessment he has made of the effect on aviation safety of the use of drones. [906357]

The Minister of State, Department for Transport (Mr John Hayes): The safety of the public is our top priority. We are working closely with the Civil Aviation Authority and industry to understand and address the safe use of drones. We are continuing to adapt and strengthen the regulations as the use of drones evolves. The current regulatory framework balances clear rules on safety and strong penalties for misuse, with a commercial permissions system that ensures responsible use of this emerging technology.

Kevin Brennan: But I asked the Minister what assessment he had made of the effect on aviation safety. How real is the risk? I know that he knows that it was discussed this week at the Trades Union Congress conference and that there is great concern about the matter. We need to know what the risk is and what steps the Government are taking, before we end up with the inevitable ministerial statement about lessons learned.

Mr Hayes: The hon. Gentleman is right about the TUC discussing the issue yesterday. We had a word about that earlier. The TUC is right to raise it because it is an emerging technology and the risk is dynamic. We constantly need to have analysis in place about the risk that poses. It is not just irresponsible use; it could be malevolent use that poses risk. Drones could be used by all kinds of agents to do all kinds of things. The assurance I give him is that I will ensure that my Department is continuing that analysis and makes sure that the regulatory framework is fit for purpose having done that analysis. The best thing to do is for me to come back to the House to give regular reports on how that is going. He always takes a diligent interest in the affairs of the House. He has raised an important issue, which I think is entirely bi-partisan and which we need to take seriously.

Michael Fabricant (Lichfield) (Con): My constituent Lesley Smith administers Tutbury castle and she tells me that drones are not only a danger to aircraft; they also affect privacy. They affect copyright law. They are also a danger to people who may be visiting the castle: the drone may run out of power and fall on to their heads. When will we see tighter instructions and education about how to use drones? Incidentally, Mr Speaker, intellectual property rights was the phrase I was searching for.

Mr Speaker: And you found it.

Mr Hayes: To be absolutely clear, we take drones very seriously, as I said in answer to the previous question. Anyone who "recklessly or negligently" causes or permits their drone to endanger any person or property can face a fine of up to £5,000 or two years' imprisonment, so we are not taking the matter lightly. The point that my hon. Friend and the hon. Member for Cardiff West (Kevin Brennan) make is that, because the technology is evolving, it is important that we do proper work to look at the scale and type of danger we face, and then the regulatory framework can be fit for purpose.

Tom Elliott (Fermanagh and South Tyrone) (UUP): I wonder whether there has been co-operation between the Department and the Ministry of Defence in relation to security and the threat that drones pose to the security of the nation.

Mr Hayes: Indeed. I have recently arrived back at the Department for Transport from the Home Office, where I was Minister for Security, and I can tell the hon. Gentleman that the Ministry of Defence and the Home Office take this matter very seriously. He can be absolutely sure that, across the Government, we are looking at this issue. As I said earlier, it is not just about irresponsible use; it might also be about malevolent use of the kind that he has described.

Airport Expansion

4. **Margaret Ferrier** (Rutherghlen and Hamilton West) (SNP): What plans he has to expand airport capacity. [906358]

7. **Dr Rupa Huq** (Ealing Central and Acton) (Lab): When he plans to announce his policy on airport expansion in the south-east. [906362]

The Secretary of State for Transport (Chris Grayling): The Government are committed to delivering the important infrastructure projects that the country needs, including delivering runway capacity in the south-east on the timetable set out by the Airports Commission. We are currently undertaking further work, including assurance of the Airports Commission's evidence and on air quality, and the decision will be made shortly.

Margaret Ferrier: The new Transport Secretary, a fierce advocate of the UK exiting the EU, has already done more than enough to wreak economic havoc. Perhaps he would care to use his new position to mitigate some of that damage by putting an end to this third runway debacle. If not, will he apologise to businesses and commuters in Scotland for putting their economic interests on the line?

Chris Grayling: First, I would simply remind the hon. Lady that some of the things that were said about our economy have not proved to be the case, and that under this Government our economy continues to do well. I would also say to her that this Government retain, and will always retain, a commitment to the economy and the people of Scotland, as part of one United Kingdom. The decision that we seek to take on runway capacity in the south-east, whatever it may be, will be designed to benefit the whole of the United Kingdom by improving our connectivity to the world.

Dr Huq: When the previous Prime Minister was reminded of his words "no ifs, no buts" that there would be no third runway at Heathrow, he said that a decision would be made this summer. The current Government position is that the decision will be announced in October, and the current Prime Minister seems to be erasing all evidence of her previous opposition to the proposal. After the Davies debacle and the expenditure of £20 million, it looks as though there is going to be a

free vote. Can the Secretary of State confirm or deny that? To my constituents, this looks like a protracted fudge.

Mr Speaker: Order. We need shorter questions.

Chris Grayling: I am afraid that the hon. Lady is going to have to wait for us to set out our plans. I have said today that we are committed to making our decision shortly. I regard this as an important decision for our nation, and it is one that we need to get on with. We have of course seen a significant change in the Administration across the summer, and it is right and proper that the Prime Minister and I should be sufficiently prepared to make the decision. We will make sure that that is the case.

Sir Simon Burns (Chelmsford) (Con): Does my right hon. Friend agree that, if we want to keep London as the hub airport for western Europe, it is crucial that we deal with the capacity problems that currently affect Heathrow in particular? This saga has been going on for so long, and I want him to ensure that we have no further delays in reaching a conclusion on the Davies recommendations. May I also tell him that there is only one obvious answer, and that it is Heathrow?

Chris Grayling: As you know, Mr Speaker, there are differing opinions on this across the House, and it is right and proper that the Government should look in a dispassionate way at all three options recommended to us by the Davies commission, assess the strengths and weaknesses of what is being offered and take the right decision in the interests of our nation. I assure the House that that is what we will do.

Sir Roger Gale (North Thanet) (Con): As Britain leaves the European Union, we are going to have to develop more markets in Asia and the far east. That will mean more passenger traffic and, in particular, more freight traffic. Is it not therefore essential for the national interest that RiverOak's plans for a freight hub at Manston should be allowed to proceed and to be successful, and that we should preserve Manston as an airport?

Chris Grayling: I absolutely understand how strongly people in Thanet feel about the future of Manston. I know how controversial it is, and has been. I can simply say to my hon. Friend that this Government would be perfectly supportive of proposals to develop a freight hub at Manston, but I am afraid that that has to be a matter for the local community, the owners and the local authority, and I hope that they reach the right decision in the interest of the nation.

Nic Dakin (Scunthorpe) (Lab): The expansion will use 370,000 tonnes of steel and Heathrow has committed to using UK steel. Whatever the decision on airport infrastructure, what will the Secretary of State do to ensure that UK steel is used in any expansion?

Chris Grayling: I am an unashamed champion of this country's businesses and of what we do as a nation to give them the best possible opportunities. While we are an outward-facing nation and will always do business with companies from around the world, it is right and proper that we champion organisations that deliver in

this country, such as our steelmakers. I am proud that our railways use almost entirely British steel and want British steel to be used in all our major infrastructure projects.

Dr Tania Mathias (Twickenham) (Con): Although residents would agree that there is a need for airport expansion, does the Secretary of State share the concerns of the three quarters of a million people who live under Heathrow's flight path about the new plan, about the change to the tunnelling of the M25 and about the lifting of a cap on the limit of aircraft movement? Does he agree with residents that Heathrow cannot be trusted not to go for a fourth runway and not to have night flights?

Chris Grayling: I am well aware of how strongly people in west London feel. I am also aware of how strongly people around Gatwick feel, albeit they are smaller in number than those around Heathrow. My hon. Friend is passionate about such issues and I can only assure her that the Government will have in mind the impact on noise and air quality and how that is dealt with as we reach a view on the Davies commission's recommendations.

Andy McDonald (Middlesbrough) (Lab): As a veteran of almost 12 weeks in post, I congratulate the right hon. Gentleman on his appointment. He is the second Secretary of State I have had the pleasure of shadowing. I welcome him and his new Ministers to their places and look forward to many discussions about transport in the months ahead.

A decision on airport expansion in the south-east is long overdue and has been made only more urgent by the vote to leave the European Union and the consequent need to demonstrate that the UK is open for business. Already twice delayed to avoid party political bickering inside the Tory party, there are now rumours that Ministers will be given a free vote. This is neither a constitutional issue nor a matter of conscience; it is a nationally critical infrastructure project. Will the Secretary of State tell the House the exact date on which he will confirm that the decision, whatever it is, will have the backing of the full Cabinet?

Chris Grayling: I am grateful for the hon. Gentleman's words of welcome. He is underemployed in comparison with my previous shadow, who held two shadow Cabinet roles, so perhaps there will also be an opportunity for him to have additional responsibilities. I look forward to sparring across the Dispatch Box with somebody so much more experienced than I am in this role.

The decision is important for our nation's strategic interests. I am new to this job, as the hon. Gentleman points out, and the Prime Minister is new to hers, so we want to ensure that we have done the necessary work and are properly informed before we take a decision. I did a lot over the summer to ensure that that was the case, including visiting the sites of all three proposals. I have carefully considered the issues and the Prime Minister is doing the same. We will reach a view shortly and will bring it to the House. It is right and proper that everyone in the House will be able to have a say in this important matter.

Airport Expansion: EU Referendum

5. **Mrs Cheryl Gillan** (Chesham and Amersham) (Con): What assessment he has made of the effect of the result of the EU referendum on the timetable for a decision on Heathrow expansion. [906359]

8. **Stephen Kinnock** (Aberavon) (Lab): What assessment he has made of the effect of the result of the EU referendum on the timetable for a decision on Heathrow expansion. [906363]

The Secretary of State for Transport (Chris Grayling): The Prime Minister will begin the negotiation for Britain's future relationship with the EU and will also take the decision about when to trigger article 50 and start the formal process of leaving the EU. As I said a moment ago, as we move into the new world beyond our membership of the European Union, it is important that we are an outward-facing nation with strong business ties around the world. The decision on runway capacity is an important part of that, and it is important that we get it right. We will take that decision and move ahead with our plans, ensuring that we have the right links for the future.

Mrs Gillan: I am sure that the Secretary of State shares my enthusiasm about the referendum result giving us vast opportunities to forge new links around the world. The Airports Commission estimated that the economic benefit of expanding Heathrow would be up to £23.6 billion for the south-east, as opposed to £12.4 billion if Gatwick is expanded. Expansion at Heathrow would greatly benefit Buckinghamshire. Will my right hon. Friend think about putting a date on this and letting us know when he will make a decision? Will he commit to an integrated transport strategy that benefits the people of Bucks—unlike HS2?

Chris Grayling: I will not give an exact date today, but I assure the House that we intend to take the decision soon. It is important that we move ahead with these plans. I hear what my right hon. Friend says about Heathrow. I have seen three effective, well-crafted proposals for the Government and this House to consider. We will reach a view shortly about what recommendation we will seek to make.

Stephen Kinnock: The Prime Minister has claimed that she wishes to govern in the interests of the whole country. The expansion of Heathrow would deliver more than 8,000 jobs for Wales and contribute more than £6 billion to the growth of our economy. Does the Secretary of State agree that the expansion of Heathrow is the only right answer for the economy of Wales?

Chris Grayling: I hear what the hon. Gentleman says, and he clearly has a strong view on this matter. As he will have seen, strong views are held on both sides of the House and on all three sides of this argument. I note what he says about the importance of proper air links for Wales. This Government will always focus on the best way we have at our disposal to help Wales, but we have to take a decision about the interests of our collective United Kingdom and which option is better, and that is the decision we will take.

Steve Double (St Austell and Newquay) (Con): Does my right hon. Friend agree that, now that the British people have decided to leave the EU and free our country from the interference and over-regulation it brought, the Government have new opportunities to support regional connectivity? Will he look closely at the opportunities that a decision on Heathrow would bring?

Chris Grayling: It is worth saying that whatever decision we take about airport expansion, it is important that we have in mind the need to make sure that we have good connectivity around the UK, and I assure my hon. Friend that that will be a priority in our considerations.

Ruth Cadbury (Brentford and Isleworth) (Lab): Will the Secretary of State reassure me that he will not be diverted by claims about the difference Brexit makes to airport expansion and will address the costs to the taxpayer of road and rail infrastructure that would be required for a third runway? Will he also look at the comparative costs for other alternatives, such as Gatwick?

Chris Grayling: It is clearly important that we take our decision in the interests of the nation and that we foster ties around the world and within Europe. We are not leaving Europe; we are leaving the European Union. We want to retain good, strong economic ties with our neighbours in Europe. It is important that we take the right decision for the whole of our nation, and that is what we will do.

Tolls: Roads and Bridges

6. **Maria Eagle** (Garston and Halewood) (Lab): What his policy is on tolls for roads and bridges. [906360]

The Minister of State, Department for Transport (Mr John Hayes): Successive Governments have taken the view that tolling is justified on certain infrastructure, such as significant river crossings.

Maria Eagle: I thank the Minister for the reply. Before the general election, the former Chancellor promised motorists in Cheshire West, Warrington and Chester discounts on the tolls that are to be introduced in 2017 on the new Mersey Gateway bridge and the old Silver Jubilee bridge. I have no objection to the Government's paying for discounts for motorists, but my constituents in Liverpool and in Knowsley live closer to those bridges and rely on them just as much as people who live in Chester and Warrington. So will the Minister have a word with the new Chancellor and ask him to provide some money to pay for those discounts to be extended to my constituents?

Mr Hayes: I imagined that the hon. Lady would ask that question, because she has tabled a number of written questions in a similar vein. She rightly says that a local discount scheme will operate on the Mersey Gateway bridge. The Government have said that they were looking to extend those discounts, as she also said. Let me be clear: officials are currently working through the character and effect of that extension, and no decision has been made upon it. Of course, I will give full consideration to the arguments she has made on behalf of her constituents and others.

Mr David Nuttall (Bury North) (Con): Is a toll being considered for the proposed cross-Pennine road link?

Mr Hayes: I did say at the outset that successive Governments have taken the view that tolling is justified on major infrastructure schemes. My hon. Friend will know that those matters are, as I said earlier, also being considered in the round. No decisions have been made to the effect that he describes.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The M4 is the main supply route into the Welsh economy and hence there is cross-party support in the National Assembly for devolving ownership of the Severn bridges once they return to public ownership. Will the right hon. Gentleman update the House on what discussions he has had with the Welsh Government on this issue?

Mr Hayes: I am always happy to have discussions with the Welsh Government, and I have done so in a variety of ministerial roles. My view is very clear, and I think that we have been plain about the toll on that important crossing. It is this Government who, when the current regime comes to its conclusion in 2018, will halve the toll. The hon. Gentleman must welcome that, as he knows how good it will be for his constituents, so I hope that after today's questions he will put out a press release, congratulating the Government on their decision.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): On behalf of the Scottish National party, may I welcome the Secretary of State and his new Ministers to their places?

Was the Minister aware that the very first act of the SNP Scottish Government was to introduce the Abolition of Bridge Tolls (Scotland) Act 2008, which means that, in Scotland, there is no need for discounts? Tolls are gone, saving commuters around Scotland hundreds of pounds a year and boosting tourism and the economy. Has he studied that model for his own use?

Mr Hayes: I will give a mercifully short answer: Scottish independence would mean that the SNP Government could not afford that anymore.

Drew Hendry: Of course, there will be no tolls either on the new £3 billion dual carriageway of the A9. On the subject of the A9, will the Minister congratulate the Scottish Government on the safety cameras on the non-dualled section between Perth and Inverness, which was unbelievably opposed by one of the Minister's former colleagues, Sir Daniel Alexander? Those cameras have seen speeding drop from 43% to 10% since 2012, thereby reducing death and injuries. Will the Minister consider that matter?

Mr Hayes: Of course we always give consideration to those kind of matters and it is important that we give credit where credit is due. When I have worked out, following the hon. Gentleman's rather long question, whether credit is due, I will decide whether or not to give it.

Taxis and Private Hire Vehicles

9. **Jo Stevens** (Cardiff Central) (Lab): What recent assessment he has made of the adequacy of existing legislation for the taxi and private hire vehicle industries. [906364]

15. **Louise Haigh** (Sheffield, Heeley) (Lab): What assessment he has made of the effectiveness of the provisions of the Deregulation Act 2015 relating to taxi licensing on the ability of licensing authorities to regulate taxi trade. [906371]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): Local councils have the powers to provide effective licensing arrangements in their area, but legislation is in the House to strengthen the current framework. We will consult on new statutory guidance for local licensing authorities once the parliamentary process is complete.

Jo Stevens: I thank the Minister for his reply. Internet and smartphone use has revolutionised private hire vehicle services. Does he believe that current legislation, which is now several decades old, is adequately regulating this technology?

Andrew Jones: The legislation that governs this sector goes back many, many more decades, to the age of the horse and carriage. That is why the Government asked the Law Commission to take a comprehensive review of taxi and private hire regulation in England and Wales. Obviously, it is a devolved matter in Scotland and Northern Ireland. We will be responding to the Law Commission's report in due course.

Louise Haigh: Sheffield City Council believes that its tough policy on child sexual exploitation is basically useless because other taxi operators can license themselves outside Sheffield and then operate in Sheffield. Will the Minister meet me and other colleagues from Sheffield city region to discuss taxi licensing in relation to CSE?

Andrew Jones: I will be happy to meet the hon. Lady. I just point out that whatever licensing area a company is operating in, it has to ensure that a fit and proper person test is carried out, but I will be very happy to meet her.

Daniel Zeichner (Cambridge) (Lab): May I also welcome the Secretary of State. He knows my city of Cambridge very well. We look forward to him coming to open the new railway station, which is long overdue. He also knows that Cambridge is full of people who think that prisoners should read books and that Britain should be in the European Union. I suggest that he brings a very hard hat with him when he comes.

We heard in an Adjournment debate raised by my hon. Friend the Member for Denton and Reddish (Andrew Gwynne) about the problems in the taxi trade and the procrastination and inaction over two years since the Law Commission report. Some months ago, the Minister told us that he was about to act, and yet in a written question to me a few days ago, he said that the Government have no plans to bring forward legislation in the current Session. How much longer will we have to wait?

Andrew Jones: That is a complex matter and we are working on it and through it, but we are already taking action on the key issue of child sexual exploitation in the taxi and private car sector by putting the guidance on to a statutory basis. We hope to be consulting on that as soon as the Policing and Crime Bill has reached Royal Assent.

Daniel Zeichner: What a striking contrast with the new Mayor of London, who has done more in a few weeks than his predecessor did in eight years, and more than that lot have done in six years. Does the Minister recognise the problem with cross-border licensing? As we have heard, there are councils in this country handing out licences like confetti. These vehicles are clogging up the streets of London and adding to congestion. How much longer will we have to wait until he takes the problem seriously?

Andrew Jones: The Government are clearly taking the issue seriously. I am aware of the actions taken by the new Mayor of London, but it is worth making sure that one gets those actions right; I understand that one of the operators has already won the right to a judicial review.

Several hon. Members *rose*—

Mr Speaker: Order. We started late because of the preliminary announcements, so we can run on slightly, but we must have much shorter questions from now on. To be honest, questions today have been simply far too long.

Crossrail

10. **Bob Blackman** (Harrow East) (Con): What plans he has for expansion of the proposed Crossrail network. [906365]

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): There are no current plans to extend the Crossrail route. Any proposed extension would require a strong business case, and would need to be in the best interests of rail passengers.

Bob Blackman: Crossrail is on budget and on time, and will dramatically reduce journey times across London. The one area of the capital that does not benefit from it is north-west London, and Harrow and Wealdstone in particular. Will my hon. Friend look at the business case for expanding the network so that all Londoners can benefit from Crossrail?

Paul Maynard: My hon. Friend is right to point out the connectivity benefits of Crossrail. I know that it has looked at the possibility of an extension through Harrow and Wealdstone, which he has been campaigning for, and into Hertfordshire, to join the west coast main line there. That was found by Crossrail, Transport for London and Network Rail to offer poor value for money, so we are not taking it forward at this time, but of course we always keep the issue under review.

Heidi Alexander (Lewisham East) (Lab): As much as I would like my constituents to benefit from an expanded Crossrail network, geography makes that unlikely, so can the Minister with responsibility for rail tell me his assessment of Southeastern's submission for additional rolling stock?

Paul Maynard: We always want to make sure that commuters in London, which is one of the most burdened parts of the network, have the best possible chance of having a reliable, predictable, punctual service, with a

good chance of getting a seat. That is why we, contrary to what happened in the 13 years of Labour Government, are investing so many billions of pounds in new carriages across London and the south-east.

High Speed 2

11. **Luciana Berger** (Liverpool, Wavertree) (Lab/Co-op): What assessment he has made of the advantages and disadvantages of the proposed High Speed 2 route. [906366]

The Secretary of State for Transport (Chris Grayling): To be absolutely clear, the Government are firmly committed to HS2, which will become the backbone of our national rail network and help us to build an economy that works for everyone. I have spent a lot of time this summer looking at the full extent of the route, so I fully understand all the issues around it.

Luciana Berger: In Liverpool, there are many concerns that we will not be properly connected to HS2, which will be challenging not only for passengers, but for transporting the freight that comes into the new super-port; that will throw into question the notion of a genuine northern powerhouse. Will the Secretary of State please confirm that the provision of a junction allowing a future line to Liverpool from the Golborne link of HS2 will be announced in the autumn statement?

Chris Grayling: I cannot pre-announce the autumn statement, but I can say this: the hon. Lady knows that I am a regular visitor to Liverpool—I was there during the summer—and I am well aware of the transport challenges around the city. I am also proud that we are spending something like £350 million today on rail improvements. We need to make sure that Liverpool is well served in future.

Martin Vickers (Cleethorpes) (Con): Does my right hon. Friend agree that the biggest disadvantage of the HS2 route is that it does not go to Cleethorpes? As he knows, we are urgently in need of a direct service to King's Cross. Will he continue to work with me to try to deliver a direct service to Cleethorpes?

Chris Grayling: I am always delighted to work with my hon. Friend on improving the rail service and transport system in Cleethorpes. I fear that I probably will not be able to deliver on getting HS2 to go there.

Andy McDonald (Middlesbrough) (Lab): HS2 is intended to be a jewel in the crown of British infrastructure, but as was revealed in the Public Accounts Committee's report, it is losing some of its lustre. To be at this stage and still not know how much HS2 will cost, what the route will be and when it will open is unacceptable. The Government are quite clearly losing their grip on the project. Will the Secretary of State take this opportunity to say why his Department has failed to set a workable, realistic timetable for HS2 Ltd, and will he give a guarantee to deliver an entire high-speed railway?

Chris Grayling: I do not want to start my relationship with the hon. Gentleman on a bad note, but I have to say that that is a lot of nonsense. We have a proposal for an innovative railway line that is completing its journey

as a hybrid Bill through the Lords, and we will start work next year. We aim to deliver the first stage, as planned, in the middle of the next decade, and later this autumn, we will set out the remaining route in detail. I am proud to do that for this important project for our nation.

Driving Licence Withdrawals

12. **Sir Desmond Swayne** (New Forest West) (Con): Whether he is taking steps to expedite the processing of requests to return driving licences which were withdrawn for medical reasons. [906367]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): The Driver and Vehicle Licensing Agency deals with around 600,000 medical cases each year. The vast majority of cases, 90%, are dealt with quickly and efficiently, but the other 10% are complex, often requiring consultation with several medical professionals. As each case is taken on its merits, that can take time, but we are aware of the importance of the issue. The DVLA has taken on more than 100 extra staff and additional medical advisers to handle cases.

Sir Desmond Swayne: If someone is cleared of their medical condition, it is very frustrating to have to wait a long time for the processing to be completed, so I am grateful for whatever the Minister can do.

Andrew Jones: I am acutely aware of how important this is for people. If some people lose their licence, they may also be losing their means to continue their careers. The DVLA is working on the matter by bringing in extra personnel and so far it has been successful: the average processing time last year was 53 days, and so far this year it is 38 days and we are working to reduce that even further.

Mr Speaker: The Minister felt a compelling need to read out part B of the brief, but we are grateful and we are better informed.

Rail Services: Overcrowding

13. **Diana Johnson** (Kingston upon Hull North) (Lab): What steps he is taking to reduce overcrowding on passenger rail services. [906369]

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): This Government are making the biggest investment in our railways since the Victorian era, enabling more trains and longer trains to operate on many of our busiest routes. More than 563 new carriages are planned to enter service by the end of 2020.¹

Diana Johnson: The Minister is right that investment is the key to tackling overcrowding, so why has his Department waited two years before even making a decision on the private finance available to electrify the line to Hull?

Paul Maynard: In the interests of brevity, I will not have a theological debate with the hon. Lady about whether that is privately or publicly financed, but it is publicly financed. I recognise that she has been a doughty campaigner for improved services to Hull. Connectivity to Hull is very important and I look forward to giving her good news as soon as we can.

1. [Official Report, 10 October 2016, Vol. 615, c. 1MC.]

Amanda Milling (Cannock Chase) (Con): Electrification of the Chase line will help to address overcrowding. However, I am aware that there may be delays in getting electric trains on the line. Will my hon. Friend review the position and do everything in his power to ensure that we get electric trains as soon as possible?

Paul Maynard: We had a very productive meeting with my hon. Friend last week. She is a doughty campaigner on behalf of that line and I will continue to press for further advances on the issue, as she asks.

Andy McDonald (Middlesbrough) (Lab): The service on Southern is officially the worst in the country, and passengers have endured appalling overcrowding for far too long. Removing hundreds of services a day has served only to exacerbate overcrowding on the services that survive. When will the Secretary of State bring to an end the misery of long-suffering passengers and intervene, or does he agree with the former Rail Minister, who effectively said that there are no circumstances that would warrant Govia Thameslink Railway being stripped of this franchise?

Paul Maynard: I am sure the hon. Gentleman will welcome the fact that more than two thirds of the services that were taken out of the timetable have now been put back in again. Our focus is on restoring normality to the service and putting the interests of passengers first. The service is improving on a regular basis, with more services returning to the full timetable, and I will focus on that to make sure that we get back to the full timetable.¹

Topical Questions

T1. [906379] **Mr Philip Hollobone** (Kettering) (Con): Will he make a statement on his departmental responsibilities.

The Secretary of State for Transport (Chris Grayling): First, I thank the Scottish National party and others for their kind words of welcome to me and the new team. It is great to be back in the transport brief after a decade. I am very proud that my first actions as Secretary of State were to give the go-ahead for the expansion of London City airport and to visit the Bombardier factory in Derby to announce a £1 billion new train order for a service that is essential to this country. I am grateful to all the people throughout our transport network who are making it a success across most of the country.

Mr Hollobone: As they do not know, will the Government count the mileage of residential roads that remain unadopted by local highways authorities, including a large and growing number in Kettering, and ensure that no residential road remains unadopted after 10 years?

Chris Grayling: That is an issue that I have experienced in my own constituency. It is not acceptable. I will happily meet my hon. Friend to talk about the situation in Kettering and how we address it.

Daniel Zeichner (Cambridge) (Lab): The Minister will be aware of the calls in national newspapers today, including the *Daily Mirror*, for action on the increasing number of drivers who put other people's lives at risk by

using mobile phones while driving. In the past couple of years the RAC has found that more people think that is okay. That has happened on this Government's watch. Will he work with us, the *Mirror* and others to clamp down on this dangerous practice?

Chris Grayling: Let us be clear. Labour was in power for 13 years and did not tackle the issue. I am very clear that this is an unacceptable practice, and we intend to unveil tough action on it shortly.

T2. [906380] **Maria Caulfield** (Lewes) (Con): Do Ministers agree that the Brighton main line 2 rail line, which will reopen the Lewes to Uckfield line and has a feasibility study ongoing at the moment, is the only realistic long-term solution that will increase rail capacity to the Sussex coast?

Chris Grayling: I am very interested in this as a proposal, and it is being looked at very carefully. What I would say to my hon. Friend, to every Member on the Southern route and to all the passengers on the Southern route is that I recognise that the issues over the last few months have been unacceptable. I am working hard with all those involved, and I have unveiled a number of changes in recent weeks, which I believe will help to get this situation resolved as quickly as possible. It has not been acceptable; it has to be dealt with, and we are working as hard as we can to ensure that it is.

T5. [906383] **Louise Haigh** (Sheffield, Heeley) (Lab): Clause 21 of the Bus Services Bill bans local authorities from forming their own bus companies. This policy went unmentioned in bus reform workshop documents and in any prior announcements. Will the Minister explain how this clause can possibly be reconciled with the Government's so-called devolution revolution?

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): It is simply because the Government are giving more powers to local authorities to franchise services, and we were anxious that the powers to commission and provide were separated.

T4. [906382] **Michael Fabricant** (Lichfield) (Con): Two out of three platforms at Lichfield Trent Valley railway station, which is on the west coast main line, are completely inaccessible to disabled people. First there was a plan to make them accessible; then we were told it was delayed. People in Lichfield—and, in particular, the Member of Parliament for Lichfield—are getting rather irritated about this. What is happening?

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): Like me, my hon. Friend is a passionate advocate of improved accessibility on our rail network. As he will know, some of the Access for All funding was re-prioritised under the Hendy recommendations. I am hoping to announce very shortly which stations will be prioritised again. I stop in Lichfield Trent Valley often myself—largely in the dark, I must confess—and I am sure there is a great need for improved accessibility there. I look forward to meeting my hon. Friend to further discuss that.

Mr Speaker: I call Stephen Kinnock. What has happened? The hon. Gentleman has bunked off.

1. [Official Report, 10 October 2016, Vol. 615, c. 2MC.]

Liz McInnes (Heywood and Middleton) (Lab): Rail passengers in the north, including on the Calder Valley line, which serves my constituency, are frequently packed on to ageing trains, including Pacers. It is encouraging to see that Arriva Rail North has signed a deal to deliver hundreds of new carriages from October 2018, but what assurances can the Minister give my constituents that Eversholt's financing of new rolling stock will not lead to delays, sharp fare increases or de-staffing?

Paul Maynard: As a fellow north-west MP, I am sure the hon. Lady shares my interest in seeing the back of our inefficient and unpleasant Pacers, and she will welcome the fact they will be disappearing by December 2019. I hope she will also welcome the improvement on the Calder Valley line, which will occur in two phases: Calder Valley East in December 2018 and Calder Valley West completing this year—a full upgrade to signalling and speed on the line.

T8. [906386] **Mr Stewart Jackson** (Peterborough) (Con): The public consultation on the 2018 Great Northern timetable launches today, but I understand that the platform 5 turn-back facility at Stevenage may not be completed on schedule, jeopardising the promise of additional semi-fast trains to Peterborough. Can the Minister intervene and persuade Hertfordshire local enterprise partnership and Network Rail to sort this problem out as a matter of urgency?

Chris Grayling: I have recently been made aware of this situation. I do not want to see the timetable held back, and I will be engaging with all those involved to see how we address the issue.

T7. [906385] **Mr Stephen Hepburn** (Jarrow) (Lab): A constituent has complained to me that his Virgin Trains East Coast commuter rail fare back and forward to work has been increased from last week by 35%. Does the Minister agree that that should not be done without consultation and, furthermore, that it should be against the law?

Paul Maynard: I always recognise customers' concerns about the amount they pay on fares. I have been very clear with the rail industry so far in my dealings with it that it has to put the passengers first in all the decisions that it takes, and the convenience of the industry must be a subsidiary concern.

T9. [906387] **Dr Tania Mathias** (Twickenham) (Con): Current noise levels from Heathrow flights are breaching medically safe guidelines for my residents. Will the Secretary of State meet me to discuss how his Department can help us to address this very serious concern?

Chris Grayling: I will be delighted to meet my hon. Friend. I am obviously aware of the noise issues. I am pleased to see that the latest generation of aircraft are bringing down noise levels, but I recognise there is still a big challenge for residents close not just to Heathrow but other airports around the United Kingdom. I will be very happy to talk to her.

T10. [906388] **Dr Rupa Huq** (Ealing Central and Acton) (Lab): Is the Secretary of State able to offer any reassurance to my local residents and businesses on HS2 compensation? We have heard about the Public Accounts Committee

report. HS2's chief executive resigned this week. People's lives have been blighted and they see the scheme as a white elephant.

Chris Grayling: As the hon. Lady knows, there is a substantial compensation scheme in place for those affected by HS2. HS2 will bring greater prosperity across the United Kingdom. I hope that she and her party would recognise that and support it, notwithstanding local challenges.

Zac Goldsmith (Richmond Park) (Con): It is likely that in a few weeks' time this House will be asked to decide if it wants a new runway at Heathrow or Gatwick. One of the core considerations will be deliverability of those schemes. All the evidence suggests that even if the Government give a green light to Heathrow, it cannot happen. To that end, will my right hon. Friend commit to providing this House, before any vote, with a clear risk assessment looking at environmental risk, planning risk, legal risk and financial risk so that it can take a properly informed decision on the deliverability of those schemes?

Chris Grayling: I can assure my hon. Friend that when the time comes to bring these matters to the House, we will place before it the detailed information on which the Government have formed their view. That is right is proper. He will know that there are differing opinions and strong views across this House. There are three strong proposals for us to consider. We will take the best possible decision in the interests of the nation, and I am sure that subsequently this House will do the same.

Michelle Thomson (Edinburgh West) (Ind): A constituent of mine has raised concerns about the number of road accidents involving young people. The most recent research from Swansea University supports his case that young drivers aged between 17 and 21 are five times more likely to crash than drivers over 70. With this in mind, will the Minister agree to look at policies such as a graduated driver licensing scheme?

Andrew Jones: We want to strike the right balance between safety and freedom for young drivers, many of whom rely on their cars to get to work or to college. We are focusing on efforts to encourage learner drivers to be better prepared for the wonderful freedom that a licence provides, through the reform package on changes to the driving test. The consultation on that closed only a few days ago. I hope that the hon. Lady participated in it.

Alec Shelbrooke (Elmet and Rothwell) (Con): Can my right hon. Friend confirm that the new proposals for the HS2 route to Leeds will still be published this autumn?

Chris Grayling: It is definitely my intention to publish details of the proposed northern part of the route—the right-hand side of the Y on the last leg to Manchester—later this autumn.

Jessica Morden (Newport East) (Lab): What is the Minister's current assessment of when the Severn bridge's concession will end, given the extra traffic when the

Severn tunnel is closed for electrification work? Are the Government on top of this, given that we have not yet had a date for the public consultation?

The Minister of State, Department for Transport (Mr John Hayes): It is right that we should have that confidence. I am more than happy to commit to doing the work necessary to reassure the hon. Lady about that. It needs to be safe, it needs to be secure, and it needs to be right which is why I am more than happy to make that commitment.

Mr Speaker: I call Parliament's grassroots sports champion of the year, Mr Tom Pursglove.

Tom Pursglove (Corby) (Con): Thank you, Mr Speaker. People in Corby would like to see a greater number of rail services, both northbound and southbound. Will Ministers commit to factoring that into any future discussions that they have on this?

Paul Maynard: I am always happy to take suggestions from all parts of the House as to how we can improve rail services across the country. I look forward to hearing more from my hon. Friend about what he perceives in Corby.

Mark Durkan (Foyle) (SDLP): Given his earlier line on regional connectivity, will the Secretary of State ensure that the aviation Minister and officials give positive and prompt consideration to the submission by City of Derry airport for at least PSO—public service obligation—support for a twice daily service to London?

Chris Grayling: Yes. This is on my desk right now and I recognise its importance. I am very pleased that over the summer the link to north America was kept in place. Good connectivity in Northern Ireland is, remains, and always will be very important.

Robert Neill (Bromley and Chislehurst) (Con): On 16 July I wrote to the rail Minister requesting a meeting to discuss the daily failings that my constituents have at the hands of Southeastern Trains and Network Rail. Will he say yes to that meeting today?

Paul Maynard: Yes.

Mr John Spellar (Warley) (Lab): As we are seeing a bonfire of the vanity projects associated with the former Chancellor and Prime Minister, would it not be sensible not to be seduced by “grands projets” and to add to that list, heeding the sage advice of Rod Eddington in his 2006 study, binning HS2 and focusing on local capacity to benefit, much sooner, passengers and regions?

Chris Grayling: The trick is to do both. I can assure the right hon. Gentleman that he, as a Birmingham Member of Parliament, is absolutely not speaking the same language as his city council and many of those involved in the business community in Birmingham, who are looking forward to the improvements that HS2 will bring to that city.

Antoinette Sandbach (Eddisbury) (Con): Will my right hon. Friend commit that if there are any further delays in phase 2b of HS2, which affects my constituency, compensation will be given to my residents whose properties are blighted?

Chris Grayling: I will happily talk to my hon. Friend about that, but it is not my desire that we delay announcing routes any further. As I have said, I intend to set out our plans later this autumn.

Stewart Malcolm McDonald (Glasgow South) (SNP): What discussions is the Minister having with Vauxhall concerning its Zafira models that have been catching fire—over 300 of them in the UK alone—and will he agree to meet me and affected drivers later in the year?

Andrew Jones: The Driver and Vehicle Standards Agency is leading on this issue, on which it has met, corresponded with and continues to liaise with Vauxhall. There have been two safety recalls. I am very happy to meet the hon. Gentleman, but significant progress is being made on the issue.

Mims Davies (Eastleigh) (Con): Missing for 25 years, the Chickenhall Lane link road is a vital piece of infrastructure for my constituency. It is backed by the Solent local enterprise partnership and the local council, and it was in July's Budget book. Will the Minister meet me at a rectangular, round or square table to discussing bringing it forward?

Andrew Jones: Yes.

Clive Efford (Eltham) (Lab): Will the Minister agree to invite all Members whose constituencies are served by Southeastern trains to the meeting with the hon. Member for Bromley and Chislehurst (Robert Neill)? Our constituents are suffering daily disruption to their lives, as a result of the poor performance of Network Rail and Southeastern, and we would welcome a meeting with him to bring that to his attention.

Paul Maynard: I very much recognise that there are issues involving Southeastern. I am happy to meet Members from all parts of the House.

Sir Alan Haselhurst (Saffron Walden) (Con): As the Government have committed to the development of Crossrail 2, will my hon. Friend give equal support to the construction of four-tracking on the West Anglia line, which is an integral part of it?

Paul Maynard: If that is a key part of my right hon. Friend's forthcoming report, I look forward to reading all about it and discussing it with him.

Christian Matheson (City of Chester) (Lab): My constituents who work at Liverpool airport face paying an extra £1,000 a year in tolls when the new Mersey crossing is opened. Will Ministers try to find some mechanism for existing employees so that they are not hit with what is essentially a retrospective charge for going to work?

Mr John Hayes: Yes. The answer is that that sounds like a very good idea to me. I will obviously need to look at the detail, but I am very happy to do so. My open mind is well known.

Mr Speaker: I always thought, having known him for 30 years, that it was the defining characteristic of the right hon. Gentleman.

Jim Shannon (Strangford) (DUP): Insurance for young drivers has become very expensive. One method that some insurance companies have put forward is the black box system, whereby they monitor people's driving and reduce their costs. What steps have been taken with insurance companies to ensure that young drivers can take advantage of that system?

Andrew Jones: Such a system is already built into some companies' pricing, because people get cheaper premiums if they accept some of the benefits that technology can provide. I have met the insurance industry, and will meet it again shortly, when I will raise the hon. Gentleman's concerns.

Mr Ben Bradshaw (Exeter) (Lab): Further to the Secretary of State's inadequate reply to my hon. Friend the Member for Cambridge (Daniel Zeichner) on the deadly menace of mobile phone use, may I ask him whether he heard an expert say on the radio this morning that the use of mobile phones impairs drivers' ability more seriously than drinking? Does he accept that a £50 increase in the already paltry fine is a totally inadequate response to this deadly menace on our roads?

Chris Grayling: I am sorry if the right hon. Gentleman thought that. I will be announcing tough plans on this matter shortly, in response to sensible pressure from a wide variety of outside groups. The hon. Member for Cambridge mentioned one national newspaper group. In fact, the campaign is coming from both sides of the spectrum, because the *Daily Mail* is running the same campaign. Those newspapers are right to do so, and the truth is that, in my view, this requires strong action. It is happening far too often.

Hannah Bardell (Livingston) (SNP): The Secretary of State may be aware that I secured a debate earlier in the year on the establishment of an independent aviation

noise authority. Given his warm words today and the concerns of my constituents about noise pollution from aircraft, will he commit to supporting the establishment of an independent aviation noise authority?

Chris Grayling: Given the impending decision on runways, I am not going to set out any plans today. All I will say is that I have taken note of what the hon. Lady has said. Noise is of course a major issue for us.

Matthew Pennycook (Greenwich and Woolwich) (Lab): Will the Secretary of State confirm that he supports his predecessor's welcome announcement earlier in the year allowing Transport for London to take over Southeastern services when its franchise lapses in 2018?

Chris Grayling: My policy and the Government's policy is that devolution should happen where it will make a difference, not simply for its own sake. I need to see the Mayor's proposals about how he thinks he can enhance services in London—I am looking forward to seeing them—before I consider any changes.

Alan Brown (Kilmarnock and Loudoun) (SNP): Given that the Secretary of State has today confirmed his commitments to Scotland and to investment in infrastructure, will he have a word with the Chancellor about reversing the 25% cut that Scotland has suffered in its capital budget to allow further investment in roads and rail in Scotland?

Chris Grayling: Scotland benefits enormously from the funding support that is provided to it as part of the United Kingdom. That will continue, unless people seek to change the situation and put Scotland in a position where it would be far worse off and far less able to invest for its future.

ROYAL ASSENT

Mr Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts:

Finance Act 2016

Haberdashers' Aske's Charity Act 2016.

Business of the House

10.40 am

Paul Flynn (Newport West) (Lab): Will the Leader of the House give us the business for the week following this unnecessarily protracted recess?

The Leader of the House of Commons (Mr David Lidington): The business for the week commencing 10 October is as follows:

MONDAY 10 OCTOBER—Motion to approve the Second Report 2016-17 from the Committee of Privileges, followed by Second Reading of the Neighbourhood Planning Bill.

TUESDAY 11 OCTOBER—Second Reading of the Small Charitable Donations and Childcare Payments Bill.

WEDNESDAY 12 OCTOBER—Opposition day (8th allotted day). There will be a debate on an Opposition motion. Subject to be announced.

THURSDAY 13 OCTOBER—General debate on baby loss, followed by debate on a motion on the inquiry into hormone pregnancy tests. The subjects for these debates were determined by the Backbench Business Committee.

FRIDAY 14 OCTOBER—The House will not be sitting.

The provisional business for the week commencing 17 October will include:

MONDAY 17 OCTOBER—Second Reading of the Savings (Government Contributions) Bill.

I should also like to inform the House that the business in Westminster Hall for Thursday 20 October will be:

THURSDAY 20 OCTOBER—Debate on the Education Committee reports on mental health and wellbeing of looked after children and on social work reform, followed by general debate on national arthritis week 2016 as recommended by the Liaison Committee and Backbench Business Committee.

Colleagues will wish to know that, subject to the progress of business, the House will rise for the February recess at the end of business on Thursday 9 February and return on Monday 20 February.

Paul Flynn: I thank the Leader of the House for giving us the business.

May we deal with the new Select Committees and the date for the election of Chairs? Will the Leader of the House confirm that the Business, Innovation and Skills Committee will be renamed and continue with a Labour Chairman; that the new International Trade Committee will be chaired by a Member of the Scottish National party; and that the new Brexit Committee will be chaired by a Labour MP?

We join you, Mr Speaker, in sending our best wishes to the retiring Speaker's counsel, Michael Carpenter, and in welcoming Saira Salimi, who has been appointed to the role.

Today is the International Day of Democracy. Democracy was invented in Greece two and a half thousand years ago and has come to these islands in instalments. We are the only country in the world, other than Lesotho, that still has hereditary chieftains in its

[Paul Flynn]

legislature. David Cameron's final awards have been described in the *Daily Mail* and *The Guardian*—at both ends of the political spectrum—as “devalued”, “debased”, “discredited”, “egregious”, “grubby”, “tawdry”, “tainted” and “tarnished”, but otherwise okay. At the heart of our democracy is this rotten system with, as the Lord Speaker said, 200 unnecessary people prancing around in ermine down the other end of the corridor. The changes introduced by the former Prime Minister over the years involve £34 million of spending. This is a wanton waste of public money at a time when his justification for the massive disruption to elected Members by the boundary changes was that it would save peanuts. Will the Leader of the House add some new lustre to his parliamentary halo and not be just a leader who is here today and nowhere tomorrow, but take on real reforms?

I also strongly recommend that the Leader of the House takes up this report I have with me, published this week by distinguished Members of all parties. For 25 years, parties of all colours have failed to respond to the appeals from the seriously ill who have suffered agonies of pain when they ask for relief that is provided by the only medicine that works for them, which is cannabis. Because of the prejudice-rich, cowardly, knowledge-free policies of both Governments, we have continued with a system that has criminalised seriously ill people. Now there is a clear call from distinguished and knowledgeable Members here and in the other place to end this barbarous practice whereby we criminalise people for using cannabis but allow heroin to be prescribed. Other countries throughout the world are doing this; there is no excuse for continuing with this practice.

Michael Fabricant (Lichfield) (Con): Hear, hear!

Paul Flynn: I am grateful for the hon. Gentleman's warm support on this matter, which I have enjoyed over the years.

How does today's decision on Hinkley fit into the parliamentary timetable? It has never been properly debated here, and any new proposals have certainly not been debated here. This could be the greatest financial and technological catastrophe for 50 years. The price is a rip-off and the technology does not work. Finland was promised that nuclear power from the EPR would be working by 2009, but it is still not working and no date has been offered for when it will, while Flamanville is in a mess because of a technical problem. Yet the Government are going to blunder ahead because they do not have the courage to examine the scheme again. They are going ahead because of political inertia. My party's policy will be spelled out later by my hon. Friend the Member for Brent North (Barry Gardiner), but in the meantime we have to tell the Leader of the House that he must gain parliamentary approval, because this is going ahead without any parliamentary imprimatur at all. As the years and decades go by, and as the futility of this operation continues, this will be seen not as a parliamentary disaster or a parliamentary error, but as a Tory error.

Mr Lidington: Let me first agree with and join the hon. Gentleman in wishing a successful retirement to Speaker's counsel, who has served this House and you in particular, Mr Speaker, with distinction over many

years. I can confirm the arrangements that the hon. Gentleman mentioned with respect to the Chairs of the Select Committees.

On the hon. Gentleman's point about the use of cannabis in medical treatment, it is of course perfectly possible for medicines derived from cannabis—medicines that include cannabinoids—to go through the normal process of medical licensing and approval. I am not attracted to the idea that, without that sort of analysis, checking and approval by the National Institute for Health and Care Excellence, we should simply agree to particular drugs being made available to patients who might be suffering from all kinds of different and sensitive conditions.

On the hon. Gentleman's points about Hinkley, I have to say that I gained the impression that this was, for him, a therapeutic experience rather than a quest for truth. He will have the opportunity in a relatively short space of time to put questions on this subject directly to my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy, so I urge him to contain his impatience that little bit longer.

The hon. Gentleman also asked about the International Day of Democracy, which I think members of all parties would wish to celebrate today.

As the hon. Gentleman knows, my own voting record on House of Lords reform is recorded in *Hansard*. The fact is, however, that the House of Commons had an opportunity very recently to vote for reform, and this House—this elected House—voted down every option that was available. Whatever views one holds about the second Chamber, I do not think it right to denigrate the very hard work of scrutiny and review that is put in by members of all political parties, and Cross-Benchers, in that Chamber in order to play their part in the legislative process.

I find it a bit rum that the hon. Gentleman should denounce the House of Lords in such florid terms when so many of his former right hon. and hon. Friends have been in a rush to go and serve there. Only earlier this week, a new life peer, sent there by the Leader of the Opposition, took her seat. I think that the hon. Gentleman needs to have some words with his own leader about his views.

Several hon. Members *rose*—

Mr Speaker: Order. As colleagues know, ordinarily it is my practice to call everyone in this set of exchanges, and I should like to do so again today, but I am very conscious that there are two statements to follow, and then two debates under the auspices of the Backbench Business Committee, of which the first is notably well subscribed. There is, therefore, a premium on brevity, which I know will be exemplified by Sir Edward Leigh.

Sir Edward Leigh (Gainsborough) (Con): The Leader of the House has on his desk a report on the full decant of Parliament. Will he take his time over bringing the decision back to the House, and ensure that a full consultation takes place? Given that 1 million people visit this place every year, including 100,000 children, the issue is extraordinarily serious, and many of us are deeply concerned about the vacation of an historic Palace for five or more years. Many of us think that we should get on with the work now, abolish the September sittings, and start repairing the building in good time.

Mr Lidington: This is, of course, a report from a Joint Committee to the House as a whole. It is not just on my desk; it is on the desk of every Member of this House, because it is this House and the other place that will have to make a decision about the future of the Palace of Westminster. I hope that every Member will read the report and consider it carefully, and I hope to arrange a time for a proper debate on the subject later in the autumn.

Pete Wishart (Perth and North Perthshire) (SNP): I, too, pay tribute to Speaker's counsel, who has been such an assiduous servant of the House for all these years. I also thank the Leader of the House for announcing the business following our return.

It is 12 weeks since the European Union referendum, and in that time there has not been a single debate in Government time on the consequences of that vote. Our constituents demand to know the Government's intention in regard to Brexit. They want to know whether we will be members of the single market, they want to know what sort of immigration systems will be in place—for goodness' sake, they just want to know whether visas will be required for European travel in the future. This was supposed to be about taking control, but we seem to have handed control to a bunch of clueless Brexit Tories who are determined to keep all this in a shroud of secrecy. The House should demand better than that, so when will we hear from the Leader of the House when we can have a detailed debate about our European Union Brexit plans?

As you said, Mr Speaker, two important statements will follow business questions—*[Interruption.]* I will take as much time as is required. I remind the right hon. Member for New Forest West (Sir Desmond Swayne) that ours is the third party in the House.

I woke this morning to hear all the details of the Hinkley Point C announcement. What happened to the convention that Secretaries of State should make important announcements to this House first, rather than having them discussed in the media? I support the shadow Leader of the House's call for a full debate on the plans, because it is appalling that we have not debated them thus far.

The House is only just back from recess, but in about five hours' time we will once again go into what is charmingly called the conference recess. It does indeed cover the conferences of some of the big parties in this House, but curiously not that of the Scottish National party, although we are breaking today to accommodate the Liberal Democrats, who I believe are meeting in a pub near Portsmouth, if they can find the necessary number of members. Our constituents are simply baffled as to why the House is rising while important matters remain to be discussed, such as the details of Brexit, and just because voluntary organisations—that is what parties are—are meeting. I think that we should consider abandoning the conference recess, and I hope that the Leader of the House will support that.

One thing that the recess will resolve is the most vicious party civil war in history—its bitterness is matched only by its destructiveness. Perhaps the Leader of the House and I should offer to work as peacekeepers as Labour Members try to bring back their broken party once again.

Mr Lidington: On the hon. Gentleman's last point, I fear that matters may now be pretty much beyond repair. On Hinkley Point C, my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy will be at the Dispatch Box within an hour and all Members will have the opportunity to put questions to him.

On the consequences of the EU referendum, the fact remains—my views were well known at the time—that the people of the United Kingdom voted by a relatively small but none the less decisive majority to leave the European Union. As the Prime Minister said the other day, we cannot have a running commentary on the preparation or articulation of our negotiating position. One does not, in diplomacy, business or any other walk of life, set out one's negotiating position in detail so that those with whom one is negotiating know all the details. The hon. Gentleman and his colleagues will have the opportunity to put oral questions to the Foreign Secretary on 18 October and to the Exiting the EU Secretary on 20 October, so there will be further opportunities for debate then, just as my right hon. Friend the Secretary of State for Exiting the EU has been appearing before Select Committees of this House and the other place to answer questions on the Government's policy.

Mr Peter Bone (Wellingborough) (Con): Very briefly, the Leader of the House did mention the Select Committee chairmanships, but he forgot to say whether those motions have been laid before the House. I understand that at the moment they have not been, so perhaps he could comment on that. My main question is about the boundary changes. When the House debated the changes, we did not know that we would be leaving the EU. With 75% of our laws made in the EU, and with the abolition of all those hard-working MEPs, why are we now reducing the number of MPs? Perhaps the Prime Minister should look at this again. May we have a statement next week?

Mr Lidington: The House took that decision when it passed the primary legislation setting out the proposed reduction in the number of MPs and the framework within which the parliamentary Boundary Commission would operate. On my hon. Friend's other point, we intend to lay the relevant motions and changes to the Standing Orders as rapidly as possible. There are still a few technical discussions, and if we can we will hammer those out today, but it is certainly our intention that there should be no unavoidable delay before the motions are tabled.

Clive Efford (Eltham) (Lab): Greenwich clinical commissioning group has granted a £73 million contract to Circle Group plc to provide musculoskeletal services. Circle employs no clinicians who can deliver those services and so will rely on contracting existing service providers to provide NHS services. That is complete madness and it is leading to chaos in our local NHS. It is a totally unnecessary tier of bureaucracy in Circle, which will suck out its profits at the expense of patients. May we have a debate on the performance of private companies in the NHS so that we can expose the poor performance of Circle and others?

Mr Lidington: The hon. Gentleman may wish to seek an Adjournment debate on the matter. These are rightly decisions for the local NHS, and the decisions may vary

[Mr Lidington]

from area to area, but this Government, like the previous Labour Government, recognise that the NHS can sometimes usefully make use of the private and charitable sectors to deliver NHS services free to their users.

Amanda Milling (Cannock Chase) (Con): Residents in Rugeley and, depending on the wind direction, other parts of Cannock Chase are suffering from the smoke from a fire at a farm in Slitting Mill that has been burning for over a week and a half. Can we have a debate in Government time about the illegal dumping of waste and the enforcement action and the penalties applied in such situations?

Mr Lidington: I was concerned to hear about the plight of my hon. Friend's constituents. I urge her to liaise with the Environment Agency, which has an important role in trying to sort this out. I will draw her comments to the attention of the relevant Minister at the Department for Environment, Food and Rural Affairs, so that there can be a Government response to her concerns.

Ian Mearns (Gateshead) (Lab): I thank the Leader of the House for the announcement of the business for the week beginning 10 October and for the two important debates on Thursday 13 October. One is on baby loss, infant mortality and stillbirth. The other is on the current inquiry into hormone pregnancy tests and the use of the drug Primodos, which has led to much damage among many in the population. During this morning's exchanges, he will undoubtedly suggest to right hon. and hon. Members that they go to the Backbench Business Committee to air their issues, but we already have a significant queue of outstanding and unheard debates, so may I ask that he be particularly generous after the conference recess in allocating time to the Committee?

Mr Lidington: We shall try always to be as generous as possible to the hon. Gentleman and his Committee, within the limits that are laid down on the allocation of days. Just as I and my fellow business managers sometimes have to say no to Ministers who want to bring in legislation, so there is a question of priorities for the Committee.

Chris White (Warwick and Leamington) (Con): The New Inn in Norton Lindsey in my constituency has recently closed. Local residents, under the banner of the New Inn Salvation Squad, are campaigning hard to try to save the pub for the village. Can we have a debate on how we can support that community and other villages throughout the country to save their local pubs?

Mr Lidington: This sounds to me a perfect subject for an Adjournment debate. I can point to cases in my own constituency where the local community has rallied and saved the local pub as a community asset. Changes to the law by this Government have made that possible.

Valerie Vaz (Walsall South) (Lab): May we have a debate on the NHS? I agree with my hon. Friend the Member for Eltham (Clive Efford). NHS Walsall clinical commissioning group, my local CCG, has had to find savings of £22 million. That is going to have a direct

effect on Walsall Manor hospital and on social services. They need extra money, rather than to have to make cuts, so may we have that debate?

Mr Lidington: The Government have delivered in full and up front the additional money that the chief executive of the NHS said that he needed to deliver the NHS's plan. The NHS plan involves looking at how health services in different parts of the country need to change and evolve to become the kind of services that we will need in future. Those are rightly decisions for the local NHS because the needs of urban and rural areas, and of one part of the country and another, may differ significantly.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): Two Government consultations have recommended increasing the rates of interest paid on late payments of compensation to people who are subject to compulsory orders. The Chief Secretary to the Treasury has indicated that those measures are unlikely to be introduced until after the construction of HS2 is due to start. Following years of mismanagement and failure, I have little faith HS2 Ltd will pay compensation on time and fairly to my constituents, but I understand that the measures can be introduced via a statutory instrument. Will the Leader of the House arrange for a statutory instrument to be brought before the House as soon as possible and certainly well in advance of the construction of HS2?

Mr Lidington: Mr Speaker, as my right hon. Friend knows, you and I will both have been following her question very closely. I will talk to the Chief Secretary to the Treasury to understand better the current position, and I am sure that he will want to write to my right hon. Friend to set out his views.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): May we have a statement from the Department for Environment, Food and Rural Affairs detailing what sanctions or incentives it has to ensure that developers comply with the national policy statement on ports in respect of shore-side electricity connection, particularly in areas identified as having poor air quality, such as London?

Mr Lidington: I am sorry if the hon. Gentleman was unable to put that question to Transport Ministers in the oral Question Time that we have just had. I would advise him either to write to Transport Ministers or to seek an Adjournment debate at which he can seek a more detailed response from the relevant Minister.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): Given that the number of MPs might be reduced by 50, the problem that we would then face is that this House would have to do all the stuff it does anyway with an inadequate budget. Will the Leader of the House either make a statement or allow time for a debate in the House on the staffing budget for the smaller number of MPs, who will still have to do the same amount of work across the House?

Mr Lidington: As my hon. Friend knows, that is a matter for the Independent Parliamentary Standards Authority, and I hope that he and other colleagues who are concerned will make representations to IPSA. When I meet the chairman and chief executive of IPSA in a few weeks' time, I will make sure that I have his concerns on my agenda.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Two weeks ago, Paawan Purba, a 20-year-old student from Heston, died of meningitis within 48 hours of contracting what appeared to be normal flu. She had no other obvious symptoms. Her parents, her sister Isha and the rest of her family have described to me how they knew little about how the disease could strike, or that any strand of it was potentially fatal. That level of knowledge has been reflected by almost everyone they have met, as well as by people I know. The family are calling for much more to be done to prevent more people from falling victim to the disease. Cases of meningitis W are on the rise, and Public Health England has called for more young people to be vaccinated. May we have a debate on the take-up rate for meningitis vaccination, on how to increase awareness and better join up the messages and understanding across our communities and on how we can undertake more research, to see an end to this horrific disease?

Mr Lidington: May I first express my sincere sympathy to the family and friends of the hon. Lady's constituent? That must be an unbearable experience for any family to endure. I think many of us will have had comparable examples in the areas that we represent. I agree with her about the importance of highlighting this matter, and I am sure that Members in all parts of the House will support her endeavours. It strikes me that this is the sort of thing that a debate in Westminster Hall, which would allow a number of Members to participate, might be the best way in which to highlight the matter.

Dr Julian Lewis (New Forest East) (Con): Since the second world war, the BBC monitoring service at Caversham Park has performed a vital service in providing open source intelligence, and the Secretary of State for Defence confirmed at Defence questions on Monday that it is of vital interest to his Department. Today, an important letter on the same subject from Lord Campbell, the former Liberal Democrat leader, comes to the same conclusion. May we therefore have a statement or a debate as soon as Parliament returns on the swingeing cuts that the BBC is proposing to make to the service? Does my right hon. Friend agree that it would be disgraceful if any irrevocable steps were taken before the House returns, given that the BBC has been informed that at least one and probably two Select Committees want to hold inquiries into this matter urgently?

Mr Lidington: I appreciate my right hon. Friend's concern. He has taken a close interest in these issues for many years. I note that there will be a statement from the Secretary of State for Culture, Media and Sport about the BBC later today, and my right hon. Friend might be able to contrive to ask her a question that is in order at that point.

Mr Speaker: The right hon. Member for New Forest East (Dr Lewis) would certainly be able to do that, but whether that would meet the needs of his case is a matter for him to judge.

Alex Salmond (Gordon) (SNP): The Leader of the House is a keen listener, and probably a wannabe contributor, to my Wednesday afternoon radio phone-in show on LBC, in which I declare an interest. We had a vigorous debate yesterday on Hinkley Point before the announcement today because of Downing Street briefings.

Why does he allow that to happen? Why does he not allow a vote, so that those who vote for this monstrous, mind-boggling financial folly can be named and shamed to their constituents for generations to come?

Mr Lidington: This is not a new policy. I do not want to pre-empt the statement, but a decision was made by the previous Government and it was put on hold by the Prime Minister, so that, quite reasonably, she could re-examine the evidence in detail before deciding whether to commit the United Kingdom to such a major project. The Secretary of State for Business, Energy and Industrial Strategy will set out in detail the Government's decision and the reasoning behind it, and the right hon. Gentleman will have ample opportunity to put his case to the Secretary of State then.

Mike Freer (Finchley and Golders Green) (Con): One of my constituents, Naba Pandey, has been battling for many months for the return of money he invested in StratX Markets. StratX Markets—I want to stress the firm's name—has refused to engage with my constituent or me, and the money has not been returned. Binary options trading remains an unregulated, almost cowboy market, and the Treasury remains impotent. Will the Leader of the House arrange for a debate about regulation of the market?

Mr Lidington: My hon. Friend will understand that I cannot comment in detail on that constituency case, but binary option operators that hold remote gambling equipment in Great Britain are regulated by the Gambling Commission. Such operators must hold a licence to sell binary options lawfully to consumers. To do so without a licence is an offence. The Gambling Commission can and does take action against unlicensed operators. I advise my hon. Friend to take the case to the Gambling Commission. If his constituent believes that fraudulent activity has happened, he should take the case to Action Fraud.

Ruth Smeeth (Stoke-on-Trent North) (Lab): Children across the country returned to school last week. Research from the Association of Teachers and Lecturers trade union suggests that a quarter of them were potentially malnourished because free schools meals were not available during the school holidays. That is heart-breaking, but we still do not know the scale of the problem because no proper research has been carried out. May we have a debate in Government time to establish what can be done about child food poverty?

Mr Lidington: The hon. Lady is right to draw the House's attention to the matter, and I will ensure that her concerns are passed on to the relevant Minister at the Department for Education. It may be that this is a matter for the Backbench Business Committee or for a debate in Westminster Hall, to thoroughly explore the issues and to get an answer from a Minister.

Oliver Dowden (Hertsmere) (Con): My right hon. Friend will be aware of the situation in east Asia, with North Korean nuclear tests and rising tensions in the South China sea. Does he agree that in this time of Brexit our allies across the region, Japan in particular, will be looking to this House and this Government to see whether we remain engaged in the region? Will he find time for the House to debate the matter?

Mr Lidington: My hon. Friend is right to highlight the grave significance of the recent North Korean nuclear test. This Government will certainly remain active in world affairs. When the Prime Minister and the Foreign Secretary go to the UN Assembly, they will have the opportunity to talk to leaders from around the world about, among other subjects, the risks of nuclear proliferation. The Government remain utterly opposed to the North Korean nuclear programme and sanctions are in place. A lot hinges upon the Chinese Government's approach, as they are the power with the most direct influence over Pyongyang. My hon. Friend will have a further opportunity to ask about the matter at FCO questions on Tuesday 18 October.

Sue Hayman (Workington) (Lab): I found out this week that the suicide rate is rising faster in Cumbria than in any other part of the country. A mental health nurse has told me her worries about the stresses on services, but she is particularly concerned about the extra pressure that followed the devastating floods of last year. May we have a debate to look not only at what needs to be done to improve support for our mental health services, but at what extra support needs to be put in place when constituencies suffer a crisis?

Mr Lidington: As I hope the hon. Lady knows, the Health Secretary has made it clear that his policy is to ensure that mental health is treated not as a Cinderella service but on a par with physical health in planning the future of the NHS. I take note of her point about the problems that have affected Cumbria. It seems to me that in the first place this is matter for the local NHS, working with the many charitable and benevolent organisations that can often provide preventive support and help for people who are badly affected by floods or another disaster, and for them then to seek help from the NHS nationally if they feel that they need something extra for a period of time.

Jeremy Lefroy (Stafford) (Con): My constituent Michelle Evans, who is severely disabled, and her full-time carer and partner, John Turner, received a letter headed, "Your disability living allowance is ending". It then gave less than a month's notice to apply for the personal independence payment, followed by a curt text. May we have a debate on the way in which severely disabled people who have been on DLA for many years are communicated with and treated in the transfer to PIP?

Mr Lidington: I am concerned to hear about that case. If my hon. Friend would like to write to me with the details, I will ensure that they are passed on to the relevant Minister.

Maria Eagle (Garston and Halewood) (Lab): My constituent, Maria Hill, who has cleaned Her Majesty's Revenue and Customs offices in Liverpool for 20 years was expecting a modest pay rise when the national living wage came in. Instead, Government contractors ISS cut her hours unilaterally and, as a consequence, she lost her tax credits and was £50 a week worse off. May we have a debate in Government time to discuss how the Government are making sure that their contractors comply with not only the law, but the spirit of the law?

Mr Lidington: On the HMRC case that the hon. Lady mentioned, I should point out that there are Treasury questions on 25 October, but I will have a look into the question that she raises more generally.

Henry Smith (Crawley) (Con): Last Friday, I was honoured to speak at the 80th anniversary celebrations of Vent-Axia in my constituency. I appreciate that we have yet to have a decision of both Houses on the refurbishment of the Palace of Westminster, but can we ensure that companies such as Vent-Axia and others in constituencies across the UK will be the preferred suppliers for that work? Perhaps this will even be enhanced in a post-EU procurement world, too.

Mr Lidington: If Parliament approves the restoration and renewal programme, there will be a need for skills and expertise in construction and renovation of all kinds. Indeed, the Joint Committee report says in terms that we need to make sure that there would be opportunities for specialist firms and for small businesses in this country to get a share of that work.

Mary Glendon (North Tyneside) (Lab): In the past week, two reports have been published on the tragic problem of drug-related deaths, as well as a report on the medical use of cannabis, which my hon. Friend the shadow Leader of the House has referred to so eloquently. Given the absence of the Government's long-awaited drugs strategy, may we have a full debate on developing a relevant and realistic drugs policy?

Mr Lidington: Obviously, we have a new team of Ministers and it is reasonable for them to consider what drugs strategy they want to publish. The opportunities here lie with the Backbench Business Committee or perhaps with a 90-minute Westminster Hall debate to give that subject a proper airing.

Bob Blackman (Harrow East) (Con): We are fast approaching the anniversary of the Iran nuclear deal. At the same time, the opponents of the Iranian regime are executed, religious minorities are persecuted, the Iranian regime has enhanced its ballistic missile capability and there is serious doubt that Iran is keeping to the nuclear deal. May we have a statement in Government time on what steps the UK Government are going to take to ensure that this regime is halted?

Mr Lidington: My hon. Friend is right to point to the frankly appalling human rights record of the Iranian Government. I also take the view that, generally, it is sensible, even where we have the most profound disagreements with the Government of another country, to have diplomatic channels so that there is a means by which to communicate with that Government. The Secretary of State for Foreign and Commonwealth Affairs is determined to ensure that human rights remain a key element in the United Kingdom's foreign policy. There will be an opportunity to ask about Iran on 18 October.

Jo Stevens (Cardiff Central) (Lab): Today, postal workers across the UK are taking industrial action to protect their jobs, their pensions and our post offices. The Post Office has received £2 billion of public money over the past seven years. May we have a debate about

why that money has not been spent on new services, securing the future of our post offices and protecting decent jobs?

Mr Lidington: I regret the fact that there is industrial action, because all that will do is inconvenience customers and make it more likely that those customers will look elsewhere for the delivery of parcels and for communicating messages, rather than using Post Office services. The Post Office has indeed been given taxpayers' money to enable it to make the difficult transformation to a world that relies increasingly on electronic and digital communications and in which there are other competitors for things such as parcel delivery. In general, this has to be a matter of commercial judgment for the Post Office management.

Tom Pursglove (Corby) (Con): What a summer of sport we have had: Andy Murray winning at Wimbledon, scores of Olympic golds, Paralympic success at the moment, and, perhaps most significantly, Northamptonshire winning the T20 Blast. When the House returns in the autumn, may we have a debate about the stunning summer of sporting success?

Mr Lidington: I cannot promise a debate, but I know that everyone in the House will want to congratulate not only the Olympians and Paralympians, but Northamptonshire on their T20 triumph. I am sure that my hon. Friend will be doing his best to arrange the Corby ticker-tape parade as soon as possible.

Matthew Pennycook (Greenwich and Woolwich) (Lab): May we have a debate on whether London councils such as Greenwich, which want to resettle vulnerable Syrian refugees, are receiving adequate support from the Government, particularly to cover the higher costs of accommodation in the capital?

Mr Lidington: There are ongoing discussions between the Government and local authorities about the pressure on a number of local authorities that would, in principle, be willing to take refugees, but that judge that, at the moment, there is too much pressure from a growing population on the housing market in their own areas. Ministers want to see those discussions brought to a successful conclusion as well, so I hope that we can take the matter forward to a satisfactory agreement.

Chris Davies (Brecon and Radnorshire) (Con): Following the announcement by Celtic Energy to mothball the opencast mine at Nant Helen, Coelbren, with the loss of more than 100 jobs in my constituency, may we have a debate on the coal industry in Wales in order to support an industry that has done so much for the British economy over the centuries?

Mr Lidington: My hon. Friend is a very strong champion of his constituents, and I completely understand his concern. As he knows, this is a commercial decision taken by the company. I will draw his concern to the attention of Ministers at both the Department for Business, Energy and Industrial Strategy and the Wales Office, so that they can consider whether it is possible for the Government to help constituents who will need to look for other employment following the decision.

Martyn Day (Linlithgow and East Falkirk) (SNP): The House will be aware that, earlier this summer, we saw the collapse of Bathgate-based Dunne Group, which had some 600 direct employees and around 1,200 sub-contractors. Almost two months on, the adverse knock-on effect from that closure on other firms within the supply chain is now fully apparent, and is typified by Beattie Contracts Ltd from Grangemouth, which has lost £280,000. Many other businesses have been affected by this and other closures. May we have a ministerial statement, or a debate in Government time, on what steps the Government are taking to ensure better payment standards for contractors?

Mr Lidington: The Government have a strong record of insisting on tight schedules of repayment by contractors, and we have introduced new rules that try to make sure that small and medium-sized enterprises in particular are paid on time. If the hon. Gentleman would like to send me details of his constituency case, I will draw them to the attention of the Minister directly responsible.

Mr David Nuttall (Bury North) (Con): May we have a statement on what the Government are doing to stop convicted killers absconding from prison? This week, yet another murderer has disappeared, this time from Sudbury. Ministry of Justice figures show that prisoners convicted of murder have been absconding at the rate of one a month for years, putting the public at risk, so it is time that we really got a grip.

Mr Lidington: As my hon. Friend knows, my right hon. Friend the Justice Secretary is preparing legislation on prisons reform, and I am sure that she will want to take account of my hon. Friend's concerns as she develops her policy further.

Diana Johnson (Kingston upon Hull North) (Lab): In the light of the Brexit vote, may we please have a debate in Government time on whether the previous Parliament's decision to reduce the number of parliamentary constituencies by 50 still commands the support of the House of Commons, and on whether the Government will reduce the number of Ministers if there is a reduction in the number of Members of Parliament?

Mr Lidington: I have to say that quite a number of Members of this House have, for some years, been representing a significantly larger number of constituents than the quota proposed by the boundary commissions. The central principle behind the new law and the boundary commissions' recent proposals is that the electorates in each constituency should be the same, so that everybody's vote counts equally. That seems a democratically just principle.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The Wales Bill, which concluded its proceedings in this House on Monday evening, includes provisions to devolve an element of income tax powers to Wales. For those powers to work properly, they must be supported by a fair fiscal framework. May we therefore have an oral statement from the Treasury on this issue before the Bill reaches the National Assembly for Wales for the legislative consent motion process?

Mr Lidington: I cannot promise the hon. Gentleman a statement, but there will be Treasury questions on 25 October when he can make that point directly to Ministers.

Melanie Onn (Great Grimsby) (Lab): This week, the Victorian Society released its list of top 10 endangered buildings in the country. Tellingly, none was in London or the south-east. The grade-II-listed Victoria mill in Great Grimsby was on that list, and it was pictured covered in scaffolding, paid for by the local council following years of neglect by the private owners. May we have a debate, in Government time, on the responsibilities of private companies to preserve heritage assets around the country for the benefit of local communities?

Mr Lidington: As the hon. Lady hinted, there are already legal obligations on owners to keep buildings in a proper state of repair, particularly if the buildings are listed in any way, and there are sanctions available against those who choose not to do that, so there should be a remedy for her local authority. Often, the community rallying around can help to restore a historical building and convert it to new use successfully.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): May we have a debate about delays to the approval of a report by the Committees on Arms Export Controls on the supply of weapons to Saudi, as there is compelling evidence that UK arms are being used to kill women and children in Yemen? Can the Leader of the House advise us on whether the Government Whips had any role whatever in Committee members breaking the quorum during two Committee meetings, thus leaving the report as yet unapproved?

Mr Lidington: I am afraid that what goes on in Committees is certainly not a matter for me. On the broader point, there was a statement on this and related matters quite recently by the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Bournemouth East (Mr Ellwood). The best thing I can do is point the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) towards Foreign and Commonwealth Office questions, which will be in the week after we get back.

Kevin Brennan (Cardiff West) (Lab): If the Leader of the House will not listen to the will of the current House, which is against the reduction from 650 Members to 600, may I suggest a debate on reducing the numbers in the Lords? Could we take a lesson from sport and introduce a squad system, whereby each party could nominate active peers, including Cross Benchers, thereby reducing the numbers voting in the Lords and ending the ridiculous situation where there are far more peers than elected MPs?

Mr Lidington: My regret is that when this House had the opportunity to vote for thoroughgoing House of Lords reform, this House chose not to do so.

Chris Stephens (Glasgow South West) (SNP): Can the Leader of the House confirm that the Government will shortly issue a statement on the impact of employment tribunal fees? Does the right hon. Gentleman agree that

given that claims of sex discrimination are down by 91%, employment tribunal fees discriminate against women workers?

Mr Lidington: I shall draw the hon. Gentleman's concerns to the attention of the relevant Minister. I do not know exactly when the report is likely to be published, but I shall find out and make sure that he is informed, as far as we are able to do so in advance.

Mrs Madeleine Moon (Bridgend) (Lab): May we have a debate on the all-party parliamentary group on social work's excellent report on adult mental health in England, especially section 2 on meeting the needs of diverse and marginalised groups, including ex-military personnel with dual diagnosis of mental health problems, substance misuse and complex needs? Veterans are a unique group whose lives have been shattered by service to their country and too many of them are ending up in prison because of mental health problems.

Mr Lidington: The hon. Lady makes a powerful point. Many of us in our constituency surgeries have experience of individual cases of the kind that she describes. It sounds to me like the right kind of subject for a Westminster Hall debate. In my experience, it is often the military and service charities working with the NHS services that are best able to reach out to and communicate with the ex-service people concerned.

Nick Smith (Blaenau Gwent) (Lab): The Charlie Taylor report into the youth justice system will be wide ranging and important. It is critical that we improve the life chances of young people in danger of a life of crime, so may we please have a statement and publication of the report as soon as we return here after the party conference season?

Mr Lidington: I will draw that request to the attention of the Ministers concerned.

Steven Paterson (Stirling) (SNP): Last month I wrote to the Chancellor of the Exchequer seeking clarification about future funding for projects in the Stirling area that are currently funded by EU funding streams. The response that I received from the Treasury indicated that information on that would be published before the autumn statement. Does this imply that the Government have the beginnings of a plan about how to exit the EU? When will we be able to debate it?

Mr Lidington: The Chancellor of the Exchequer has said that he will guarantee the funding currently supplied by the EU up till 2020 on projected levels, and that he has also agreed to guarantee to fund various regional agricultural and fisheries projects which will have been signed and sealed by the time of the autumn statement, even if the lifetime of those deals goes beyond the likely date of exit. I hope that that will have given the hon. Gentleman the reassurance he seeks. If it does not and if he would like to write to me about his particular concerns, I will take that to Treasury Ministers.

Jessica Morden (Newport East) (Lab): May we please have a statement on the progress of the Government's help to buy ISA? A number of constituents have been in touch over the summer. They are saving for their first

home and are concerned about reports that they cannot use that for the all-important exchange deposit. May we have clarification as these people need information urgently?

Mr Lidington: I refer back to the business statement. We will be dealing with the Savings (Government Contributions) Bill on 17 October, and the hon. Lady will be able to explore those matters in detail then.

Dr Rupa Huq (Ealing Central and Acton) (Lab): The plight of displaced Syrians has moved us all. One of them came to my surgery last week. She is rebuilding her life as a third-year UCL PhD student and is now, unexpectedly, stuck with a bill of more than £30,000 for fees, as a result of the bar on funds coming in or out of Syria. May we have a Government statement to clarify the status of Syrian students? Her counterparts at Heriot-Watt, Edinburgh and Newcastle universities had their fees waived, and she faces an uncertain future here through no fault of her own.

Mr Lidington: The hon. Lady has just pointed to a disparity between the apparent practice in different cases. If she would like to write to me with details of her constituency case, I will take this up with the relevant Department.

Louise Haigh (Sheffield, Heeley) (Lab): Following the welcome news that Her Majesty's Revenue and Customs will not be renewing its contract with Concentrix, whose performance the Leader of the House last week described as completely unacceptable, may we have a debate in Government time on the payment-by-results model in our welfare system?

Mr Lidington: There was a good opportunity to question the Financial Secretary when she made the statement about Concentrix earlier this week. I know that my right hon. Friends at the Treasury and the Department for Work and Pensions will be doing all they possibly can to ensure that appropriate lessons are learned and that we get the decent standard from contractors that constituents are entitled to expect.

Jim Shannon (Strangford) (DUP): On 16 December 2015, Vietnamese human rights lawyer Nguyen Van Dai and his colleague Le Thu Ha were arrested by police in Hanoi for providing training to religious communities throughout Vietnam and charged with conducting propaganda against the state, and they could face a sentence of 20 years. Would Ministers agree to make a statement on the release of these two prisoners, and indeed all prisoners of conscience, and to encourage Vietnam to repeal laws and decrees that infringe on fundamental human rights?

Mr Lidington: I agree with the hon. Gentleman that it should be regarded as a fundamental right for people to express and to proselytise on behalf of the religion to which they themselves adhere, so I was dismayed to hear about that particular case. Foreign and Commonwealth Office questions on 18 October may provide him with the opportunity he is seeking.

Mr Speaker: I am grateful to the Leader of the House and to colleagues.

Personal Statement

11.35 am

Justin Tomlinson (North Swindon) (Con): Mr Speaker, with your permission, I would like to make a personal statement. In response to the report published by the Privileges Committee today and the report published by the Parliamentary Commissioner for Standards, I wanted to take this opportunity to make a full and unreserved apology to you and to the House.

In 2013, I breached the rules of conduct by sharing a draft report by the Committee of Public Accounts regarding the regulation of consumer credit. An investigation by the Parliamentary Commissioner for Standards was initiated in 2015, following a complaint made by Wonga. I completely accept the findings of the report published today by the Privileges Committee and the report submitted by the Commissioner for Standards. I accept that my actions in sharing the report constitute an interference in the work of the Committee of Public Accounts, and for this I am truly sorry. This was never my intention.

These actions came as a result of my own naiveté, driven by a desire to strengthen regulations on payday lenders and protect vulnerable consumers. The Commissioner for Standards confirmed this as my motivation, based on evidence that I have worked on cross-party campaigns to protect consumers and that I had long argued for tighter regulation of the payday lending industry. I welcome the report's conclusion that my actions were not motivated by financial gain, and the report states that I did not act in the way I did for financial gain, nor with the intention of reflecting the views of the company concerned. I also appreciate the acknowledgment that the national newspaper story following the start of the investigation was unsubstantiated.

I have accepted full responsibility since the very beginning of this process and, as acknowledged in the report, I have provided an unreserved acceptance of the findings of the commissioner and have co-operated fully throughout three different inquiries. I would like to add my thanks to the Privileges Committee, the Clerk of that Committee and the Commissioner for Standards for their diligent work throughout this process.

I reiterate my apology today, Mr Speaker, and I am very grateful that the House has allowed me to make this apology at the earliest opportunity.

Mr Speaker: I thank the hon. Gentleman for what he has said and, indeed, for the way in which he has said it.

BBC

11.38 am

The Secretary of State for Culture, Media and Sport (Karen Bradley): With permission, Mr Speaker, I should like to make a statement. Today I am laying before Parliament a draft of the royal charter for the continuance of the BBC, together with the accompanying draft framework agreement between the Government and the BBC. The latter sets out the detail behind the charter, including out how the BBC will operate in the new charter period.

These drafts set out the policies contained in the White Paper, “A BBC for the future: a broadcaster of distinction”, which was published in May. This White Paper was the culmination of one of the largest public consultations ever. More than 190,000 members of the public, as well as industry stakeholders and experts, gave their views on how the Government could enable the BBC to continue to deliver world-class content and services over the next 11 years. The consultation served as a reminder that the BBC matters deeply to this country, as it does to people right across the world. Far from diminishing the BBC, our changes strengthen it.

I am very grateful to my predecessor, my right hon. Friend the Member for Maldon (Mr Whittingdale), for all his brilliant work on the BBC. My Department has worked very closely with both the BBC and Ofcom, which has taken on the job of being the BBC’s first independent regulator, to develop and agree these draft documents. I am a huge fan of the BBC. At its best, it is peerless. Our aim is to ensure that a strong, distinctive, independent BBC will continue to thrive for years to come—and also to improve the BBC where we can. I extend my personal thanks to Tony Hall and Rona Fairhead, and their teams, for their commitment to making this work.

The new charter and agreement will enable a number of improvements. They enhance the distinctiveness of BBC content, and the BBC’s mission and public purposes have been reformed to reflect this requirement. The governance and regulation of the BBC will also be reformed. The new BBC Board will be responsible for governing the BBC, and Ofcom will take on the regulation of the BBC. The charter and agreement sets out functions and obligations that the BBC and Ofcom must follow in order to deliver this. The charter explicitly recognises the need for the BBC to be independent, particularly in editorial matters, and the BBC will appoint a majority of the members of the new board, with strict rules to ensure all appointments are made fairly and openly. The charter also provides financial stability for the BBC by making it clear that the licence fee will remain the key source of funding for the BBC for the next charter period.

Obligations for the BBC to consider both the negative and positive market impacts of its activities are set out in the charter. Ofcom must always keep these in mind when reviewing new and changed services. The BBC is obliged to work closely with others and to share its knowledge, research and expertise for wider public benefit. The Government want a BBC that is as open and transparent as possible. The charter sets out new obligations in this regard, including publishing the salaries of those employees and talent who earn more than £150,000.

The BBC serves all nations and regions. It needs to be more reflective of the whole of the United Kingdom, and the new charter requires this through the mission and public purposes. This will be supported by specific board representation, including the appointment of nation members, which, for the first time, will be agreed with the Administrations of Northern Ireland and Wales, as well as Scotland, as is currently the case. Provision for the nations will be regulated by Ofcom through a new operating licence regime, which will include continuing the approach of production targets for making programmes outside London. One of the BBC’s many responsibilities is to bring people together, supporting and encouraging greater cohesion, not least among the nations of the United Kingdom.

We have made considerable progress since the publication of the White Paper and resolved a number of important areas with the BBC, allowing us to go further in the key areas of transparency, fairness, and securing independence for the BBC. In addition to the principle of a mix of public and BBC-made appointments, all made in line with best practice, I can confirm that the charter sets out that the BBC will appoint nine board members, including five non-executive directors, and that an additional five will be public appointments. This means that the BBC will appoint the majority of members to its new board, which will ensure that the BBC Board is independent and that each nation of the UK will have a voice. This will strengthen the BBC’s independence, compared with when all the BBC trustees were appointed by the Government.

The National Audit Office will become the BBC’s financial auditor. In addition, the charter will enhance the NAO’s role and access, and allow it to conduct value-for-money studies of the BBC’s commercial subsidiaries. Such money subsidises the licence fee, so the public has every right to expect value for money.

There will also be greater transparency, with a full, fair and open competition for the post of chair of the new BBC Board. This is in line with the Culture, Media and Sport Committee’s recommendation. It is a significant new post, and transparency and fairness in making the appointment is vital, not least so that the industry and the public have confidence in it. I am grateful to Rona Fairhead, who has decided not to be a candidate for this new post, for the work she has done as chair of the BBC Trust, and in particular for her help in reforming the governance of the BBC.

The fundamental reforms set out in the draft charter will take time to implement, given the complexity of the changes, the need for a smooth transition and the importance of consulting on some elements of the new regulatory structure. There will be a short period of transition before the BBC Board and Ofcom take on their new governance and regulatory roles on 3 April next year. The BBC will continue to operate under current arrangements during the transitional period. Further details about the transition will be confirmed in the coming months, as we work closely with the BBC and Ofcom to ensure that all the elements of transition are managed as smoothly as possible, including the process by which the new BBC Board will be established.

Members of both Houses will now have a chance to consider the proposals in detail. To aid them in that endeavour, I have today deposited a series of information sheets in the Libraries of both Houses. I have also sent the draft documents to the devolved Administrations so

that the devolved legislatures can debate them over the coming weeks. My Culture, Media and Sport ministerial colleagues and I look forward to parliamentary debates on the draft charter and agreement in due course. Following those debates, the Government will present the charter to the Privy Council in order that the new charter is in place by the end of the year.

The BBC is one of this country's greatest achievements and greatest treasures. These reforms ensure that it will continue to be cherished at home and abroad for many years to come. I commend this statement to the House.

11.47 am

Kelvin Hopkins (Luton North) (Lab): I thank the Secretary of State for prior sight of her statement this morning. As she rightly says, the BBC is one of Britain's greatest achievements and greatest treasures. It is indeed the broadcaster against which other broadcasters across the world are judged, and the quality of its programmes is second to none. The BBC must be protected and sustained both in its independence and its funding. Does the Secretary of State accept that both of these are under some degree of threat?

Will not the charter sustain a degree of Government pressure given that the BBC will have Government appointees on its new board? More significantly, does the Secretary of State accept that the introduction of mid-term reviews of the charter in the 10-year renewal cycle will put pressure on the BBC to look over its shoulder and seek to avoid upsetting the Government of the day, when it should be genuinely independent and free to comment without fear or favour on what Governments do and when Governments get things wrong? How will viewers and listeners be assured that the five-year health check will not put undue pressure on the BBC, or be interpreted as a de facto charter review? The fact that the new board has a number of Government appointees—including the chair and deputy chair with responsibility for editorial decision making—could weaken the BBC's editorial independence. What guarantees will she give that undue Government pressure will not affect BBC independence?

On funding, what answers does the Secretary of State have for Lord Patten—the former chairman of the BBC and Conservative Cabinet Minister—about whether the BBC's financial security will be affected, now that the cost of TV licences for the over-75s has been foisted on it in what he described as a “heist”? The Opposition take the view that welfare benefits, such as free TV licences, should be decided on and paid for by Government, not squeezed out of the BBC's staff and programming budgets, other licence fee payers and, as will probably happen, some of the pensioners too. What answer does she have to that fair and logical case?

The Government have suggested that the BBC should have “distinctiveness”, in a departure from the Reithian view that the BBC should “inform, educate and entertain”. Channel 4 was created to bring distinctiveness to our viewing, but as a direct effect of the squeeze on BBC funding, great BBC entertainment programmes are being transferred to Channel 4. Is there not a risk that more of the BBC's brilliant programmes will follow?

Even more worryingly, the BBC's funding might be further top-sliced in the future. Will the Secretary of State guarantee that that will not happen? Will she look again at Government policy, and its relationship with

the BBC, and guarantee that the charter will not diminish the scope and effectiveness of the BBC? Does she accept that the changes being brought forward by the Government will damage the BBC, in respect of its crucial independence and, most significantly, its ability to put on the finest of programmes, because of the impact on its funding? The BBC should be able to continue to put on the finest programmes across the whole range of its broadcasting. What assurances will the Government give that when the regulation of the BBC is transferred to Ofcom, it will retain its editorial independence? Above all, what assurances can the Secretary of State give that the BBC will be able to continue making the programmes we all enjoy? Finally, will the draft charter be subject to the most rigorous parliamentary scrutiny by both Houses and the devolved Administrations?

Karen Bradley: I thank the hon. Gentleman for his comments. I agree that the BBC must be protected and sustained. The work we have done on this charter will ensure that the BBC can not just survive, but flourish in a new era. This is not the world where everybody sat down and watched the same programme at the same time; people are accessing TV programmes in entirely different ways, and we want to make sure that the charter gives the BBC the sustainable footing it needs.

For the first time, we have made it an 11-year charter in order that it does not coincide with the electoral cycle and there cannot be seen to be political influence on the charter renewal. In addition, we want to make sure that this is the longest charter ever. Therefore, a mid-term review to ensure that the BBC is still delivering what licence fee payers, which we all are, want to see is a very important part of our proposals.¹

I must pick the hon. Gentleman up on his point about the deputy chair. There is no longer a deputy chair within the board's structure. There are a chair and four nation members who will be Government appointments—public appointments. It is important that we have a member for each of the nations on the board and that they are full public appointments, and that the chair is an open and transparent public appointment. We are not appointing a deputy chair; it will be for the board to determine who the senior independent director should be.

The hon. Gentleman spoke about ensuring that there is distinctiveness. The words on distinctiveness are taken from the White Paper, which was the result of the consultation to which we had 190,000 responses—the largest consultation of its kind. I accept his point about making sure that there is a difference between Channel 4 and the BBC, but the distinctiveness of the BBC is what makes it so great for licence fee payers and for us as a nation. It is the thing that makes the BBC something that we can sell across the world. I doubt that any of us who went abroad over the summer did not come into contact with some form of BBC content, programming or original idea that was being shown or talked about locally.

The hon. Gentleman spoke about editorial independence. The charter sets out that there is editorial independence and ensures that the BBC is entirely independent. Although the public appointments will go through the full public appointments process, once they are board members, they will be BBC Board members who work towards ensuring that the BBC is the greatest it can be.

1. [Official Report, 11 October 2016, Vol. 615, c. 3MC.]

[Karen Bradley]

Finally, on funding and the over-75s' TV licences, the director-general, Tony Hall, said in July 2015:

"The government's decision here to put the cost of the over-75s on us has been more than matched by the deal coming back for the BBC."

Several hon. Members *rose*—

Mr Speaker: Order. As I mentioned to the House earlier, there is another statement to follow and then two debates to take place under the auspices of the Backbench Business Committee, to which the first is notably well subscribed, so there is a premium upon brevity. May I appeal to colleagues, even distinguished and cerebral Back-Bench Members, to avoid discursive commentary or lengthy preamble and instead just to get to a pithy inquiry, to which I know there will be a pithy reply from the Secretary of State?

Mr John Whittingdale (Maldon) (Con): Will my right hon. Friend the Secretary of State confirm that the draft charter is not, as some have said, either a damp squib or the brainchild of Rupert Murdoch? Does she agree that the charter makes significant changes—including the new governance structure, the new requirements for diversity, distinctiveness and impartiality, the opening up of the schedule to 100% competition, and full access to the National Audit Office—and that those changes will ensure that the BBC continues to be the best broadcaster in the world?

Karen Bradley: I have a suitably pithy response, Mr Speaker: yes, I agree with my right hon. Friend, to whom we owe a great debt for where we are with the charter today.

John Nicolson (East Dunbartonshire) (SNP): May I thank the Secretary of State for advance sight of the statement?

Scottish National party Members are great champions of public service broadcasting and we welcome a number of the Secretary of State's announcements, including the commitments to equality and diversity and to transparency and openness. That is something that we have not always seen at the BBC, not least with the appointment of Rona Fairhead. As we discovered during the Culture, Media and Sport Committee hearings, Ms Fairhead was reappointed after, apparently, a cosy private chat with the then Prime Minister. That is not how such significant appointments should be made, so the Secretary of State is entirely right to throw open the appointment to public competition.

We also welcome the adoption of another of the Committee's recommendations on talent pay. Does the Secretary of State agree that the BBC argument that this will be a charter to poach talent is, quite simply, nonsense? If an agent is worth his or her salt, they will know exactly how much their client and all their competition are paid. I know that from bitter experience. Perhaps the Secretary of State will agree that the danger for the BBC is that it will be forced to reveal the salaries of many of its more mediocre but overpaid employees, and that there may be some national teeth-gnashing as a result, when people discover exactly what goes on behind closed doors.

We welcome the recognition of Gaelic, but will the Secretary of State go a little further and say whether she thinks it should have parity with Welsh? May I also address the Secretary of State's rather strange statement that one of the BBC's many responsibilities is to bring—

Mr Speaker: Order. The hon. Gentleman is out of his time, but I am sure he is finishing his sentence. It needs to be a very short sentence.

John Nicolson: Thank you, Mr Speaker. Does the Secretary of State agree that the matter of a separate "Scottish Six" is entirely the responsibility of the BBC and its right to continue its pilots?

Karen Bradley: I detected significant personal feeling in the hon. Gentleman's comments on pay—I will not comment further.

The position of chair of the new BBC Board is an entirely new role; it is not a continuation of the role of the chair of the BBC Trust. I pay tribute to Rona Fairhead for the work she has done as chair of the BBC Trust, but this is a brand-new role and, as such, we took the decision that it needed to be open to a full recruitment process, to ensure that we get the right person for the job. I am grateful to Rona for the work she has done, including on the charter, and I accept that she has decided not to put herself forward for the role.

On regional broadcasting, the hon. Gentleman will appreciate that BBC Alba is part of the BBC, whereas S4C is a separate, independent business. There may appear to be a difference in treatment, but that is to reflect the fact that BBC Alba is a wholly owned part of the BBC. I am sure the hon. Gentleman would agree that we have considerably beefed up the role of BBC Alba in the charter.

Finally, on the point about the "Scottish Six", let me be clear that the BBC is the nation's broadcaster, so I expect the BBC to reflect the national mood and the national news that is important across the whole nation. The hon. Gentleman is right that it is for the BBC, which has operational independence in this matter, to determine how exactly it makes that happen.

Mr Edward Vaizey (Wantage) (Con): I echo the Secretary of State's praise for my right hon. Friend the Member for Maldon (Mr Whittingdale). I hope he will not take it amiss if I say that the "Maldon charter" has been considerably enhanced by the "Moorlands amendments", particularly on transparency of pay and open competition for the BBC chairman. Will the Secretary of State confirm that diversity remains an important part of the charter and that she will work with the BBC to ensure that we see greater diversity—not just on the screen, but particularly behind it?

Karen Bradley: I thank my right hon. Friend for his comments and pay tribute to him for the role he carried out as, I think, the longest-serving Culture Minister we have ever seen. I agree with him on diversity and I can confirm that what he said is the case.

Mr Ben Bradshaw (Exeter) (Lab): Given where we could have ended up, may I warmly welcome today's statement, and particularly the fact that the Government have backed down on the composition of the board?

Given that Rona Fairhead was appointed specifically, in effect, to abolish her own organisation—she has done so—and to oversee a smooth transfer to the new unitary board, has her treatment not been a little rough?

Karen Bradley: I do not accept that there has been a backdown about the board; it is about considering what is an appropriate, balanced board which is the most effective way of helping the BBC to deliver on its charter requirements. I do not agree about Ms Fairhead. The proposal is no reflection on her or her ability to perform the role; it is merely a brand-new role.

Damian Collins (Folkestone and Hythe) (Con): I welcome the Secretary of State's decision to accept the Select Committee's recommendation that there should be an open and fair process for the appointment of the chairman of the new BBC unitary board. When does she expect or hope that that appointment will be made and the new unitary board will assume its responsibilities?

Karen Bradley: As acting Chair of the Select Committee, my hon. Friend has done sterling work. The Select Committee's report very much influenced the work we did on the charter over the summer. As I said in my statement, I expect the new board to be in place and all the regulators working by 3 April next year. I expect the new chair of the board to be appointed before that date.

Ian Paisley (North Antrim) (DUP): Does the Secretary of State accept and acknowledge that many of us do not share the doe-eyed sentimentality often expressed about the BBC, especially when they have borne the brunt of its bias over several years? On the issue of transparency, why has the publication of expenses or salaries been limited of amounts over £150,000? Why can it not be brought into line with MPs' expenses of £75,000 and include all other expenses, including travel and accommodation?

Karen Bradley: The hon. Gentleman has, I know, had long-term issues—that might be the best way of putting it—with the BBC and a view of bias, but I am sure he would agree that he enjoys many BBC programmes on radio and television. We should cherish and really want to protect that. When it is at its best, it is Britain at its best. The Rio Olympics was a prime example of when the whole of Britain came together. The proposals are in line with civil service obligations on pay transparency, but the first disclosures will across bigger bands than we have in the civil service.

Philip Davies (Shipley) (Con): If the BBC is so universally wonderful and popular as we have heard, why does it need the criminal law in place to coerce people to pay for it? Does my right hon. Friend agree with me that if the BBC wants to take public money, it should be transparent and that if it does not want to be transparent, it should not take public money?

Karen Bradley: My hon. Friend knows that we carried out the Perry review on decriminalisation, which found that there was a need for a criminal sanction under the system. This is one of the issues that will continue to be looked at. The BBC, of course, needs to be transparent to show that it is producing value for money for the licence payer.

Ian Murray (Edinburgh South) (Lab): I thank the Secretary of State for what she said about the importance of the BBC; any organisation that can turn Ed Balls into Fred Astaire is truly remarkable. Will she emphasise that this charter renewal does not undermine the flexibility of BBC Scotland's news programming, and underline how important it is for audiences, not politicians, to choose programming?

Karen Bradley: I agree with the hon. Gentleman: it is for the BBC and the viewing public to make that determination. They will watch the programmes they want to watch, and the BBC can take editorial decisions around that. I am not sure that the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) is that keen now to be married to Fred Astaire.

David Morris (Morecambe and Lunesdale) (Con): Just for absolute clarity, may I ask the Secretary of State why there is no provision in the statement for Scotland's very own six o'clock news?

Karen Bradley: That is a matter of editorial independence at the BBC, and it is for it to make that decision.

Deidre Brock (Edinburgh North and Leith) (SNP): When appearing before the Education and Culture Committee of the Scottish Parliament, lead officials from the BBC eventually admitted after hard questioning from the Convener that ultimately decisions over commissioning would rest with London executives. Does the Secretary of State feel that the new charter will genuinely satisfy the desire of many in Scotland for greater autonomy on editorial and commissioning decisions lying where it should, with commissioners in Scotland?

Karen Bradley: The hon. Lady will have seen a letter from the director-general setting out his view of how the BBC ensures that that happens, and as an independent BBC, it is for the BBC to make sure that happens.

Simon Hoare (North Dorset) (Con): I welcome my right hon. Friend's statement, in particular in relation to the involvement of the National Audit Office and the value-for-money assessments it will make. Does my right hon. Friend agree that that should deliver confidence, transparency, accountability and financial rigour?

Karen Bradley: I do.

Graham Jones (Hyndburn) (Lab): The BBC is increasingly unable to afford sports events and programmes such as "The Great British Bake-Off", which has now gone to Channel 4, and we are now seeing pressures on BBC services and a merger of news channels. Is it not the case that this Government keep top-slicing and undermining? We see the BBC asked to fund the World Service, local TV, and now the £600 million for over-75s' TV licences. This Government do not care about the BBC.

Karen Bradley: I totally disagree, and I will quote again the director-general:

"Far from being a cut, the way this financial settlement is shaped gives us, effectively, flat licence fee income across the first five years of the next charter."

Sir Desmond Swayne (New Forest West) (Con): Will the Secretary of State ensure that no decisions are taken about the monitoring service at Caversham Park before important Select Committee inquiries are held next month? And can I just say that I do not share this unhealthy obsession with what other people earn? I was always told that it was rude to ask.

Karen Bradley: I will write to my right hon. Friend on that matter.

Diana Johnson (Kingston upon Hull North) (Lab): The Secretary of State talked a lot in her statement about the nations, but will she say how the charter will impact on regional news programmes and local radio such as BBC Humberside?

Karen Bradley: The decisions about news programming are editorial matters for the BBC and it has editorial independence as set out in the charter, but I strongly agree that we need strong regional programming across the whole of the UK, and that is what is clear in this charter.

Martin Vickers (Cleethorpes) (Con): Following the previous question, the Secretary of State will be aware that the English regions feel that their voice is not heard loudly enough. She refers specifically to Scotland, Wales and Northern Ireland; what board representation will there be from the English regions?

Karen Bradley: I can assure my hon. Friend that there will be an English board member—a public appointment—and I will do everything I can to make sure that that board member represents the regions of England.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): In its latest annual report on BBC Wales output, Audience Council Wales said that the corporation needs to be more accountable to Welsh audiences. How will this be achieved following implementation of the charter and can the Secretary of State commit to a Wales member sitting permanently on the board of Ofcom now that it has assumed the role of external regulator?

Karen Bradley: I think the hon. Gentleman is confusing the new unitary board with Ofcom; they are separate bodies. Ofcom is the regulator; the new unitary board will have governance over the BBC.

Mr Stewart Jackson (Peterborough) (Con): The Secretary of State will be aware of the epic battle that took place during the last Parliament between the Public Accounts Committee—of which I was a member—and the BBC over the issue of redundancy payments for senior managers and their reappointment. Part of that involved the discrepancy between the legal resources of the Committee and those of the BBC. While I welcome the involvement of the National Audit Office, will the Secretary of State undertake to ensure that the Committee has the appropriate resources and powers to hold the BBC to account?

Karen Bradley: I can give my hon. Friend that assurance. I can also tell him that we are imposing a cap of £95,000 on redundancy payments.

Mr Jim Cunningham (Coventry South) (Lab): Will the Secretary of State tell us what limit has been placed on the commissioning of programmes? A 100% commissioning rate could constitute privatisation by the back door.

Karen Bradley: Obviously the BBC needs to produce original content, but the fact that it does so by commissioning through independent production companies means that we have a thriving independent production sector which can then sell to the rest of the world. I encourage the BBC to do that, to ensure that we have those creative clusters. An amazing amount of activity and a number of new businesses have resulted from the BBC's presence in Manchester, and its commissioning of programmes there.

Nigel Huddleston (Mid Worcestershire) (Con): Does the Secretary of State share my hope, and that expressed by Clare Balding, that the revealing of “talent” salaries will not reveal a gender pay gap?

Karen Bradley: That is a good point.

Alison Thewliss (Glasgow Central) (SNP): I am glad to see that some progress is being made on this issue, as about 850 BBC staff are based at Pacific Quay in my constituency. BBC Alba is currently struggling with a 73% repeat rate of programmes—including, over Christmas, my beloved children's programme “Dotaman”, which was first broadcast in 1985. Will the Secretary of State grant MG Alba's request for the BBC to increase its in-house programme contribution to BBC Alba to 10 hours a week, to match its contribution to S4C?

Karen Bradley: As I pointed out to the hon. Lady's colleague the hon. Member for East Dunbartonshire (John Nicolson), BBC Alba is a wholly owned subsidiary of the BBC, whereas S4C is not. However, I agree with her that there is some fantastic broadcasting from Glasgow, and we do want to ensure that BBC Alba and others have the resources that they need.¹

Andrew Bingham (High Peak) (Con): Both “The Village” and “The League of Gentlemen” were made in my constituency; I suppose I must be the MP for Royston Vasey. Such programmes bring great economic benefit to the areas that people visit to see where they are made. Does any part of the draft charter encourage the production of programmes outside London, so that all our constituencies can benefit from the BBC?

Karen Bradley: I must declare an interest: I have cousins who live in the village of Hadfield, otherwise known as Royston Vasey, and I am extremely keen to ensure that more people visit it, because they will go to my cousins' village shop.

Chris Stephens (Glasgow South West) (SNP): Can the Secretary of State confirm that her colleagues will publish, by local authority area, the cost of free television licences for the over-75s? I was told in a written parliamentary answer that the Scottish figure was £49 million, which is a lot of money. Will the Secretary of State respond to the criticism, made by many of us,

1. [Official Report, 11 October 2016, Vol. 615, c. 3MC.]

that transferring that cost from the Government to the BBC will have a detrimental effect on high-quality programming?

Karen Bradley: I simply do not agree that there will be an impact on programming when the BBC's guaranteed licence fee is rising in line with inflation over a five-year period.

Mark Menzies (Fylde) (Con): I welcome the statement, but will the Secretary of State assure me that the excellent training and development and apprenticeship programmes run by the BBC will not be affected by the charter review?

Karen Bradley: I can give my hon. Friend that assurance.

Mr Peter Bone (Wellingborough) (Con): Will the Secretary of State explain how these measures will deal with the widely accepted view—which may be shared by the Opposition spokesman, the hon. Member for Luton North (Kelvin Hopkins)—that the BBC is institutionally biased in favour of the European Union?

Karen Bradley: I am sure my hon. Friend will be pleased to know that Ofcom is the regulator under the new proposals, and that the National Audit Office will be assessing value for money for the taxpayer. All that will help to ensure that the issue of BBC bias is addressed.

Jeremy Lefroy (Stafford) (Con): Can my right hon. Friend confirm that under the charter the BBC will continue to invest properly in excellent local radio stations such as the one that is shared by her constituents and mine?

Karen Bradley: I do not know how my hon. Friend restrained himself from mentioning BBC Radio Stoke by name. I know that BBC Radio Stoke will not give me an easy time if I do not give that assurance.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con) *rose*—

Mr Speaker: Order. I do not think that the hon. Gentleman is seeking to intervene on this statement, although it is very likely that he will wish to intervene on the next.

Mr Liddell-Grainger *indicated assent.*

Mr Speaker: Indeed. I am grateful.

Hinkley Point C

12.15 pm

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): With permission, Mr Speaker, I shall make a statement on the Hinkley Point C nuclear power station.

As the House knows, on 28 July, following a decision by the board of EDF to approve the final investment decision on the £18 billion project to build a new nuclear power plant in Somerset, I announced that the Government would consider all elements of the project carefully before entering into a contract with EDF, and that we would make a decision by the early autumn. I can announce today that the Government have decided to proceed with the first new nuclear power station for a generation. However, that decision includes two important changes.

On the Hinkley project itself, the Government will now be able to prevent the sale of EDF's controlling stake before the completion of construction. That agreement will be confirmed in an exchange of letters between the Government and EDF. Existing legal powers, and the new legal framework, will mean that the Government can intervene in the sale of EDF's stake once Hinkley is operational.

Furthermore, and even more important, we will reform the wider legal framework for future foreign investment in British critical infrastructure. Those reforms will have three elements. First, after Hinkley, the British Government will take a special share in all future nuclear new build projects. That will ensure that significant stakes cannot be sold without the Government's knowledge or consent. Secondly, the Office for Nuclear Regulation will be directed to require notice from developers or operators of nuclear sites of any change of ownership or part-ownership. That will allow the Government to advise or direct the ONR to take action to protect national security as a result of a change in ownership. Thirdly, the Government will significantly reform their approach to the ownership and control of critical infrastructure to ensure that the full implications of foreign ownership are scrutinised for the purposes of national security. That will include a review of the public interest regime in the Enterprise Act 2002, and the introduction of a cross-cutting national security requirement for continuing Government approval of the ownership and control of critical infrastructure.

Those changes will bring Britain's policy framework for the ownership and control of critical infrastructure into line with those of other major economies, which will allow the Government to take a fair and consistent approach to the national security implications of critical infrastructure, including nuclear energy, in the future. The changes mean that, while the UK will remain one of the most open economies in the world, the public can be confident that foreign direct investment always works in the country's best interests.

This £18 billion investment in Britain provides an upgrade in our supply of clean energy. When it begins producing electricity in the middle of the next decade, it will provide 7% of the UK's electricity needs, giving secure energy to 6 million homes for 60 years. Furthermore, it must be stressed that the contract negotiated places

[Greg Clark]

all the construction risk on investors alone. Consumers will not pay a penny unless and until the plant generates electricity.

The proposed strike price of £92.50, which will be reduced to £89.50 if Sizewell C is built, contains important elements of insurance against any cost overrun in construction and future high gas prices, which have historically been volatile. It compares broadly with the costs of other clean energy such as offshore wind with the additional costs of intermittency, or gas with carbon capture and storage.

Hinkley unleashes a long overdue new wave of investment in nuclear engineering in the UK, creating 26,000 jobs and apprenticeships and providing a huge boost to the economy, not only in the south-west but in every part of the country, through the supply chain of firms, big and small, that will benefit from the investment.

EDF has also confirmed that UK businesses are set to secure 64% of the value of the £18 billion investment being made—the biggest single capital project in the UK today. However, as it is the first of a wave of new nuclear plants, we expect the experience of rebooting the nuclear industry to mean that costs should reduce for future new nuclear power stations, another five of which are proposed.

In any consideration of nuclear power, safety will always be the No. 1 consideration. The construction of Hinkley Point C will be under the close scrutiny of the Office of Nuclear Regulation, which is independent of the industry and Ministers. It has the power necessary to halt construction or require amendments to any part of the plant if at any point it is not completely satisfied with the safety of any part of the reactor and its associated construction. Unlike in the past, the long-term decommissioning costs for the plant will be provided for explicitly as part of the funded decommissioning programme, and at a level that has been assessed independently as prudent and conservative.

Any investment that provides significant electricity supplies for the next two generations of British people and businesses requires and deserves serious consideration. It was right that the new Government should have taken the time to consider all components of the project. Having reviewed the project, the Government are now satisfied that the improved deal and the other changes announced today will, for the first time, remedy the weaknesses of the previous regime for foreign ownership of critical infrastructure. It is important that the right balance is struck between welcoming foreign investment and ensuring that it serves the national interest. That is exactly what these changes will achieve.

The investment will secure 7% of the UK's electricity needs for 60 years, helping to replace existing nuclear capacity that is due to be decommissioned in the decade ahead. The electricity generated will be reliable and low carbon, and therefore completely compatible with our climate change obligations. Hinkley Point C will inaugurate a new era of UK nuclear power, with UK-based businesses benefiting from almost two thirds of the £18 billion value of the project, and 26,000 jobs and apprenticeships will be created. All these developments are good for Britain. It is now right that we support this major upgrade—the first of many—to the infrastructure on which our future depends. I commend this statement to the House.

12.22 pm

Barry Gardiner (Brent North) (Lab): I thank the Secretary of State for the 13 minutes' advance notice of his statement. Let me be clear that this is an important project that must now go forward without any further interruption or delay. The Secretary of State is aware that by intervening on 28 July, after EDF's final investment decision, the Government put at risk 25,000 well-paid and well-qualified jobs. He knows that delaying not only risked the £18 billion of investment in UK jobs and infrastructure, but rocked confidence in investors who now believe that the Prime Minister does not understand the significance that companies attach to taking a final investment decision. He is aware of the Ernst and Young index that shows that Britain has fallen from fourth to 13th in attractiveness for low-carbon investment. The delay has only unsettled investors further.

I have a number of specific questions for the Secretary of State. First, in her meeting with President Xi, did the Prime Minister attempt in any way to isolate the building of the Hualong One reactor at Bradwell from the deal at Hinkley Point C? Secondly, if she did, what was the Chinese response?

Thirdly, of course every Member of the House agrees that the Government's primary responsibility is to safeguard our national security, but neither the Secretary of State nor the Prime Minister has ever been clear about what they consider to be the security risks associated with the current deal. Will he now set those out so that the House and the public can decide whether the modifications that he is proposing adequately reflect the risks he believes exist?

Fourthly, can the Secretary of State specifically set out whether the Government were concerned about the security of the intellectual property associated with the EPR reactor? If so, was he aware that two such reactors are already under construction in China, in the form of the Taishan 1 and 2?

Fifthly, were the Government concerned with the potential for a cyber-attack? If so, did the Secretary of State not consider that, given the importance to the Chinese of having Bradwell as a kitemark for marketing their Hualong One reactor technology around the world, such an attack would undermine the very reason the Chinese wanted to be involved in the project in the first place?

Sixthly, if the Secretary of State wishes to dodge these questions by pleading that he does not wish to discuss security matters, I would ask how he can assure the House and the public that the efficacy of the amendments he is proposing are sufficient to meet the risks and challenges that justified a near-fatal delay in the project?

We must address the sole argument that the Government have actually presented as well as those that they have not. They claim that they have introduced significant new safeguards into the package, in particular that they will be able to require notification from owners or operators of nuclear sites of any change of ownership or part-ownership, but the Secretary of State already has such powers. Will he acknowledge that he can currently prevent the sale of any element of the UK's critical infrastructure? That being the case, can he explain why he believes the proposed new powers add significantly to the public interest regulations in the Enterprise Act 2002, or are they merely window dressing to make it

appear that the Government's intervention has achieved something, no matter how much appearances may indicate to the contrary?

Is the Secretary of State aware of the House of Commons briefing paper entitled "Mergers & takeovers: the public interest test"? It highlights that energy security is already covered by national security, and that the Government already have the powers to prevent such a sale. Is he also aware that in the House of Lords, during the passage of the Energy Act, my noble Friend Lord Puttnam introduced an amendment specifically to introduce energy security as a new public interest term? Government lawyers then advised that:

"In cases where a merger posed a genuine and serious threat to what is described as societal needs, such as energy supply, this would be covered by the existing provision in the 2002 Act regarding national security—so ministers would be empowered to directly intervene."

The Government created a commercial crisis. They sent shock waves through the industry and unions alike. They risked a diplomatic dispute with one of our key future trading partners, and in the end all they have done is pretend to give themselves powers that they already possessed. This statement is window dressing. It is face-saving by a Government who talked big and eventually backed down with a whimper.

The Secretary of State should explain whether he has reviewed changes to technology that have occurred in the past 10 years, particularly smart grids, battery storage technology and energy efficiency measures to manage our electricity supply in such a way as to reduce our need for the baseload power that Hinkley supplies.

Mr Speaker: Order. I think that the hon. Gentleman has concluded his remarks, because his time is up.

Greg Clark: The hon. Gentleman raised a large number of points, and I will address them. I hope that we share the view that a confident, long-term energy policy is vital to ensuring that people have access to secure energy that is affordable and clean, and that we should be a world leader in these important energy industries. I hope that he will not think it churlish of me to point out the complete absence of a long-term energy policy during Labour's 13 years in government, when our nuclear fleet was known to be coming to the end of its life, yet no decision was taken to replace it. It has fallen to this Government to make the long-term decisions for the security of this country. Instead of making like the ostrich and hoping that the problem would go away, this Government are looking to the future, providing the upgrade to our long-term energy security that we need.

With regard to the hon. Gentleman's position today, I am afraid that I am as confused as ever. His position is no more credible. He seems to be criticising the Prime Minister and the Government for taking the serious decision to review the components of a very important deal—that seems to be the import of his remarks. He said that this had damaged confidence, but when the announcement was made on 29 July, he told the BBC:

"I'm hoping what they will do is take two to three months to seriously review it".

So much for the suggestion that we should not have had the review in the first place—although I am not sure what the purpose of that two or three months would be,

because the very same day he said that he had already made his mind up. He said that he would not scrap the proposal

"because I welcome the jobs and I welcome the 7% of electricity that this will produce for the nation."

That is from the hon. Gentleman who was urging the Government to take longer to review something, the conclusions of which he had already agreed in the first place. The contrast between that and the seriousness and forensic approach of the Government is marked.

I will address the points that the hon. Gentleman has raised. The powers under the Enterprise Act are subject to takeover thresholds. We are ensuring that any change in ownership or control, of whatever size, will be covered by a national security test. That seems to be sensible.

On Hinkley, until we proposed these changes to the contract, EDF was at liberty to sell its majority stake in that important investment without even needing the permission of the UK Government. Therefore, it seems sensible and prudent to have agreed straightforwardly with EDF that the UK Government's consent should be required.

I am surprised that the hon. Gentleman, who I would have thought would take a prudent view of matters of national security, should suggest—again, it is not clear—that we should not make these changes. When we debate these matters, he will be able to set out whether he opposes the measures we are taking to safeguard and entrench the same regime for national security in this country that other advanced economies enjoy.

I was clear in my statement that this is the first of what we hope will be a series of new nuclear investments. Just about 20% of power is generated by nuclear. It is important that there is another contribution to a diverse energy mix from nuclear. In so doing, we create new jobs, new opportunities and major advances for the UK economy.

John Redwood (Wokingham) (Con): I welcome proposals to make it more difficult for foreign interests, especially nationalised industries and Governments, to buy our crucial infrastructure. Does the Secretary of State agree that future power stations would be much better financed by private sector British investors or even on occasion by Treasury investment, rather than foreign investors, who will be able to take enormous sums of money out of our country for 25 years or more while the project is up and running, which is a cost on the balance of payments that we do not want?

Greg Clark: I welcome overseas investment of £18 billion in the UK economy. I hope that, as we develop our nuclear programme and skills and as the supply chain prospers, British companies will invest in the various parts of the new nuclear supply chain. In fact, we expect that to happen, with 64% of the value going to UK companies. However, it is an important part of the deal that the consumer and taxpayer will not pay a penny for construction costs unless and until the plant generates electricity. Knowing the record of cost overruns and delays to new nuclear power stations, I think it is prudent that that risk be held by the investors, rather than the taxpayer.

Callum McCaig (Aberdeen South) (SNP): I thank the Secretary of State for an advance copy of the statement, and I thank his Energy Minister for the courtesy call

[*Callum McCaig*]

this morning to explain the Government's decision. I welcome the fact that we have had the statement before the recess to allow the opportunity for questions. It is unfortunate, however, that the Government have decided to take the gamble with Hinkley. The Secretary of State has outlined improvements, but the deal remains a rotten one; it will cost the bill payer £30 billion. He may say that the risk is with EDF and the construction companies, but, as Barclays outlined, if Hinkley Point C is 25% over-budget and four years late, EDF will still make a profit, at the expense of the bill payer.

If we do not pay a penny until Hinkley is built, or if it is built late, what will fill the gap? We know that coal is due to come off the system by 2025, when this project is meant to come on. If the gap is five years, what will fill it and at what cost? The cost of the project—Hinkley Point C will possibly be the most expensive object in history—is too much.

The opportunity cost is also a concern: we cannot spend the money twice; we cannot have the engineers working on things twice; and we cannot have the grid producing the electricity to be consumed twice. We could spend the money better. We could use our expertise better to develop an industrial strategy. The Government have said that that is part of their new policy, but that industrial strategy will mean foreign ownership, investment and profit. Instead we could develop the home-grown industries, which would see our country flourish, by investing in clean carbon capture, offshore wind, storage and solar. It would be better to invest in those things. I ask the Secretary of State to invest in the energy of the future, not the energy of the past.

Greg Clark: I am grateful for the courteous words with which the hon. Gentleman started his remarks. He talks about investing in energy sources of the future, rather than those of the past. I gently point out to him that, given the SNP's record on energy forecasts in recent months, SNP Members might keep their crystal balls to themselves, if I can put it that way.

On the hon. Gentleman's injunction to invest in renewables, that is very important. He will know that Scotland has a high proportion of renewable investment. However, I am confused by his party's position. As I understand it, the SNP has stood on a platform of a nuclear-free Scotland but, it seems to me, with its fingers crossed behind its back, because it is happy to rely on the two nuclear power stations functioning in Scotland—Hunterston B and Torness—that are producing low-carbon electricity. Indeed, a former leader of the SNP wrote to EDF to say that he was happy to extend the life of the two power plants well into the 2020s. Therefore, he wants to condemn his cake and eat it, and then have another slice.

We do want to attract overseas investment into this country. It is a vote of confidence in this country that investors are working with us to have this major uprating of our infrastructure. We welcome that across different sectors. The hon. Gentleman is wrong that that is at the expense of other opportunities in this country. One of the features of the deal is that it does not burden the public balance sheet. The Chancellor of the Exchequer and the Chief Secretary to the Treasury have wisely ensured that the UK balance sheet remains able to support other investments, because this will be provided through private investment.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): Mr Speaker, with your indulgence, may I thank the Secretary of State and the Prime Minister for making exactly the right decision? I emphasise how important this is for the Bridgwater and West Somerset constituency. I invite the Secretary of State to come down as soon as he practically can to visit the Hinkley Point C nuclear power station. Will he look with some urgency at the nuclear college that we urgently need to build at Cannington? Further to the letter that I sent him from the local enterprise partnership, we need the last bit of the funding to ensure that the infrastructure to deal with the project in the local area is up to scratch and we can deliver the power plant on time and on budget, for the benefit of the UK.

Greg Clark: I return the compliment and thank my hon. Friend for his level-headedness and patience, while the review has been conducted. It is an extremely important investment for his area. I am looking forward greatly to going with him to visit Hinkley. He is right. Investment such as that in the college will provide the skills that will charge ahead the whole of the south-west and, indeed, the rest of the country. The supply chain extends to all parts of the UK. My right hon. Friend the Member for West Suffolk (Matt Hancock) will also be a beneficiary of the project. It requires an upgrade to the local infrastructure, and I will respond to the LEP on that. Earlier this week, I had a positive conversation with the Somerset chamber of commerce. It was clear that the benefits of what was then a proposal would be considerable—in fact, game changing—for Somerset.

Mr Ben Bradshaw (Exeter) (Lab): The Secretary of State will be aware that Britain's two most respected economy and finance publications, the *Financial Times* and *The Economist*, have both come out strongly against Hinkley C on value for money and on energy policy grounds, with *The Economist* describing it just last month as a white elephant before it is even built. Can he confirm that nothing that he has announced today is an improvement on the dreadful deal negotiated by the former Chancellor on the guaranteed price? Absolutely dreadful.

Greg Clark: I do not agree with the right hon. Gentleman. It is a good deal that will secure 7% of our energy into the future. Given that 20% of our nuclear capacity will be decommissioned over the next 10 years, it is incumbent on him and his hon. Friends to tell us how they would replace it if they are not going to be forward looking and make positive decisions such as those that we have made.

Mr John Whittingdale (Maldon) (Con): I welcome my right hon. Friend's statement, which is good news for the energy sector and for my constituents in Bradwell-on-Sea. I can assure him that they welcome the prospect of Chinese investment in the Maldon district, where there is a long history of nuclear power generation. Does he agree that any future power station should be regulated by the UK inspectorate and staffed by British employees and that the cyber-security evaluation centre, which assesses technology supplied by Huawei for the telecoms sector, sets a good precedent for addressing any security concerns?

Greg Clark: My right hon. Friend is absolutely right. It is important that we should welcome overseas investment, but we should also have the kind of regime and powers

that other advanced economies benefit from. That is something that mature countries would expect to have, and that is what we are going to have as a result of these changes.

Tom Brake (Carshalton and Wallington) (LD): Having pressed the pause button, why is the Secretary of State now pressing the fast-forward button? Does he not recognise that, as the *Financial Times* has pointed out, this project does not represent value for money? Does he accept that the cost to consumers has gone from £6 billion to £30 billion and that his Government are now willing to put in public subsidy, which, under the coalition, they said they would not do? Also, this is happening at a time when the cost of renewables is plummeting.

Greg Clark: No, I have said that the construction costs will be entirely financed by the private investors in the site. It is important that we take a consistent long-term approach to energy policy, and in so far as this can be cross-party, that will be beneficial. It is especially ironic that two Liberal Democrat Energy Secretaries were closely involved in the negotiation of this deal. The right hon. Gentleman obviously takes a different view.

Zac Goldsmith (Richmond Park) (Con): Can my right hon. Friend confirm that, by the end of its life, this new power plant will have generated the most expensive energy in the history of energy generation? Does he agree with the National Audit Office that, by that point, consumers will have ended up subsidising EDF to the tune of £30 billion? Finally, can he tell us what is going to happen to the mountains of nuclear waste that this plant will generate?

Greg Clark: Securing a reliable source of energy for 60 years is a good investment in the future stability of our energy supplies, and that is worth having. Of course it is impossible to know what the alternatives will be during that time. We have seen very volatile energy prices. Sir Winston Churchill's principle on energy security was that diversity, and diversity alone, was the key. I think that that is the right approach. I said earlier that decommissioning was provided for explicitly in the contract.

Kerry McCarthy (Bristol East) (Lab): EDF says that this will mean 1,500 jobs in offices in Bristol, as well as those associated with the plant, and I am meeting representatives of the company on Monday at Hinkley to discuss that, but these will be incredibly expensive jobs, given what we have already heard about the deal. Does the Minister really think that this is value for money? Would it not be better spent by investing in the renewables sector, which would also provide jobs in the south-west?

Greg Clark: I am slightly confused by the Opposition's demeanour. In his rather confusing reply, the shadow Minister seemed to welcome the fact that the project was going ahead. Certainly, the trade unions in the south-west and across the country, which I imagine the hon. Lady speaks to, are very positive about it. The national secretary for energy for the GMB has said:

"Giving the thumbs up to Hinkley is vital to fill the growing hole in the UK's energy supply needs."

Frances O'Grady of the TUC has also welcomed the announcement. When the hon. Lady goes back to her

constituency this weekend, perhaps she might like to talk to some of the unions, which are delighted on behalf of their members.

Kevin Foster (Torbay) (Con): I welcome this announcement, which will bring £465 million-worth of contracts to businesses in the south-west and a £4 billion boost to the economy of the south-west. Does the Secretary of State agree that we need to look at these decisions in the context of the fact that we have a fleet of nuclear power stations dating back to the 1960s and 1970s that will close over the next 10 years? These are not either/or decisions: we need both kinds of energy provision.

Greg Clark: That is exactly why long-term planning is essential. As I have said, about 19% of our electricity is generated by nuclear power, and if we do not renew it, that figure will fall to 2% by 2030. It seems to be prudent to get on with replacing it.

Sue Hayman (Workington) (Lab): I welcome this decision. It has been a long time coming, and it is a shame that it is been delayed over and over again. I hope that Moorside power station will be built in the not-too-distant future. It will be incredibly important for economic development in my constituency. Can the Secretary of State assure me that the nuclear renewal programme will not be beset by delays?

Greg Clark: One of the reasons that we are so keen to inaugurate this new programme of nuclear engineering in this country is our need to replace the nuclear power stations that are being decommissioned and to build up in constituencies such as that of the hon. Lady the skills that can make a valuable contribution to local life and to the national economy.

Chris Green (Bolton West) (Con): I welcome this start to the building of the new fleet of nuclear power stations and the opportunity that this will provide for British manufacturing. Will my right hon. Friend do all that he can to ensure that, in these deals, we buy the best of British?

Greg Clark: I will indeed. In the past 24 hours, EDF has made a commitment to me that 64% by value of the content will be spent with UK companies. That shows the tangible benefits to the whole economy of this programme.

George Kerevan (East Lothian) (SNP): The Minister has said that the Hinkley decision will not burden the national balance sheet. Can he clarify the status of the offer made by the previous Chancellor of the Exchequer to give EDF a Treasury guarantee of £2 billion to supplement the company's liquidity? The National Audit Office has said that that offer puts the taxpayer at risk.

Greg Clark: I am delighted to answer that question. In fact, EDF has confirmed to me that it will not be taking up that £2 billion guarantee, so the taxpayer is fully insulated from the costs of construction.

Mr Alan Mak (Havant) (Con): I welcome the Secretary of State's statement today. Can he confirm that he will continue to work with business groups such as the

[Mr Alan Mak]

China-Britain Business Council and the French Chamber of Commerce in Great Britain to ensure that we build on this nuclear partnership and attract future investment into the UK?

Greg Clark: I will indeed. We want to have good investment opportunities for countries around the world, and China has been an important and valued source of investment right across the United Kingdom. It is important that we build on that.

Diana Johnson (Kingston upon Hull North) (Lab): In the light of the announcement today, is the Secretary of State now admitting that when the Government entered into the original contract, they failed to protect national security and critical infrastructure?

Greg Clark: Despite the injunction of the hon. Lady's colleague on the Front Bench, the hon. Member for Brent North (Barry Gardiner), I can tell her that taking the opportunity seriously to review these matters before signatures were given has allowed us to improve the security of the arrangements. That seems to be a wholly good thing that I hope she will welcome.

Mark Menzies (Fylde) (Con): The Secretary of State is quite right to point out that nuclear energy provides a valuable part of UK energy security, but it is dependent on having the fuel to put into the system. The fuel for reactors in the UK is made in my constituency. Will he assure me that all efforts will be made to ensure that nuclear fuel for new reactors in the UK will be made in the UK whenever possible?

Greg Clark: Indeed, and I would be happy to visit my hon. Friend's constituency see the production facilities for myself.

Matthew Pennycook (Greenwich and Woolwich) (Lab): I very much welcome the review, but I am astonished that a review of the strike price was not part of it. The strike price will rise to close to £120 per MWh by the mid-2020s, and it will rise with inflation thereafter. Will the Secretary of State tell us whether a serious examination of the cost and value for money for bill payers was part of the review?

Greg Clark: Of course we looked at every component part. To construct a new nuclear power station, the first for generation in this country, at no risk to the taxpayer or the bill payer is a considerable achievement and represents good value.

David Morris (Morecambe and Lunesdale) (Con): This is good news for my constituency, as we are now going to have a third nuclear power station built. Good news travels fast, and I have already had the local radio station desperate to get an interview with me. I should like to congratulate the Secretary of State on all his hard work and thank him for what he has done for my constituents. Will he agree to meet me shortly to discuss how we can speed up the decisions on the five proposed reactors, and will he also help me by discussing Heysham as soon as possible?

Greg Clark: I am happy, as always, to meet my hon. Friend, so he can consider the invitation accepted.

Mr Peter Bone (Wellingborough) (Con): We have an excellent Secretary of State who came to this House and made a full statement. He quite rightly gave the details of the statement to the Opposition and SNP spokesmen, but he also gave them in advance to the BBC. I read all the details on the BBC website. That is not how this House works. It may be that the pressure of spin doctors is still prevalent in Departments. That must stop. The House must be informed first. Does the Secretary of State agree that that is the convention of this House?

Greg Clark: I understand my hon. Friend's point. I hope that he will concede that I have come to the House at the earliest opportunity. Such decisions have consequences for financial markets, and it is the norm to disclose such decisions at the opening of the markets. He can rest assured—I am sure that he will accept this—that my sense of responsibility to the House is clear in my mind, but the conduct of business must be orderly when it comes to the implications for financial markets.

Jeremy Lefroy (Stafford) (Con): I welcome the announcement about the golden share and support what my right hon. Friend the Member for Wokingham (John Redwood) said about future British investment, perhaps through a UK investment bank or UK pension funds, being important. Will the Secretary of State confirm where the currency risk will arise, in particular, for future subsidy payments out of the contracts for difference?

Greg Clark: The contract is expressed in pounds. The construction risk is entirely with the investors.

Kevin Hollinrake (Thirsk and Malton) (Con): I welcome the long-term investment in low-carbon energy and the creation of 25,000 jobs. Will the Secretary of State confirm EDF's commitment to local jobs and to small and medium-sized businesses in the supply chain, such as James Fisher Nuclear in my constituency?

Greg Clark: I am sure that that firm will attest to that. The Somerset chamber of commerce was clear that the orders that had already been placed during the preparation of the site have been beneficial to the county.

Tom Pursglove (Corby) (Con): This is obviously a massive infrastructure project, and I welcome what the Secretary of State has had to say about the opportunities for UK supply chains. I hope that those opportunities will be extended to the steel industry. I strongly urge the Secretary of State to get out there and make the case that all the steel used in the project should be British. May I put in a plug for Corby tubes?

Greg Clark: They are of excellent quality. The commitment given to me by EDF that 64% by value of the work will be with UK firms will be of particular benefit to such firms and to the supply chain right across the country.

Points of Order

12.53 pm

Andy Slaughter (Hammersmith) (Lab): On a point of order, Mr Speaker. A consultation document has been published in the last 10 minutes—I am grateful to my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) for going to the Vote Office to get it for me—on the closure of the major court in my constituency along with Camberwell magistrates court, also in London. There has been no written ministerial statement and no other notice. Such things are often published late in the day on the day that the House rises. The court serves 600,000 people in London and was told only in June that extra capacity was needed. There should be an opportunity to raise such important local issues. By the time the House sits again, more than half of the consultation period will be over. Should not Ministers deal with Members on a more courteous basis?

Mr Speaker: The short answer to the hon. Gentleman's inquiry is yes. It would be courteous if such announcements were made at an earlier point, not shortly before the House ceases to sit with minimal opportunity in parliamentary terms for the hon. Gentleman to explore the matter. I suggest that he uses his remaining time today to look at the options for asking parliamentary questions or for seeking a debate on this important matter. He would have every prospect of securing such a debate, and although it would be at a later point than he would wish, I guess it would be better than nothing.

I hope that Ministers will take account of what the hon. Gentleman said, because this concern can be felt by Members on both sides of the House. It is not clever when Ministers behave in this way. If it is done without malice or forethought, it is simply thoughtless. If it is done on the basis of knowing that it will disadvantage or inconvenience a Member, it is rank, inconsiderate and disrespectful not merely to the Member but, at least as importantly, to his or her constituents.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): On a point of order, Mr Speaker. You will be aware that this House has repeatedly discussed the impact of the Government's planned cuts to supported housing—most recently during an Opposition day debate called for by my hon. Friend the Member for Easington (Grahame M. Morris) and me on 20 July. The Government pledged to look again at plans to cap local housing allowance and at the 1% housing benefit cut, which would also affect supported housing.

Today, the Government have announced by written statement that they intend to defer the decision on the LHA cap until 2019, but will be going ahead with the cut to supported housing providers from next April. Is it not an affront to this House and to all Members who have expressed concern about the Government's plans for a Minister not to come to this place with an oral statement? Instead, they yet again sneak out an announcement the day before the start of recess. Is it not also an insult to tens of thousands of vulnerable people? Women who have suffered domestic violence, older people, disabled people, the homeless, former offenders, veterans and young people leaving care are yet again being plunged into uncertainty and insecurity.

I seek your guidance, Mr Speaker, on how Members on both sides of the House can hold the Government and their Executive to account and question Ministers on proposals in person and in detail.

Mr Speaker: I am grateful for the hon. Lady's point of order. I entirely understand her disappointment and irritation. I hope that it will be possible when we return from the conference recess for the matter to be explored on the Floor of the House—there are a number of possibilities in that regard.

It is of course a matter of judgment for the Government as to whether a ministerial statement should be made orally or in writing. Although I understand her view that the matter merited an oral statement, I will mention en passant that there were two oral statements today as well as business questions. I have no way of knowing what exchanges took place within the Government, but it is by no means unknown for a Minister to want or, at any rate, to be prepared to make an oral statement but to be prevented from doing so because of competing priorities. I have no idea whether that was the case in this instance.

I simply say in response to the hon. Lady's request for guidance that she can pursue the matter at the next Work and Pensions oral questions on Monday 17 October. I absolutely appreciate that that is a considerable time away, but it is one possibility. There are other forms of questioning that can take place in the course of the day, as she knows, and it is open to the Opposition to choose this matter for a debate on a future Opposition day. I am sure that she will find a way to pursue the matter and, insofar as it is proper, the Chair will be her friend in that process. Meanwhile, she has at least put her concern and extreme dissatisfaction on the record.

John Healey (Wentworth and Dearne) (Lab): Further to that point of order, Mr Speaker. I am grateful for the remarks you just made to the House. Were you given any indication that Ministers were considering an oral statement on the consequences of their cuts to the housing benefit of many thousands of vulnerable people in supported housing? The written statement raises more questions than it answers. The policy is delayed, but the cuts will go ahead. There is no figure on the new funding pledged, yet the Budget scored the so-called savings at £990 million. The new fund that has been promised is similar to the Supporting People programme, which has been cut almost in half since 2010.

The first announcement was smuggled out in the small print of the autumn statement. Today's announcement is buried in the small print of a long written ministerial statement. What help can you give the House to ensure that Ministers are properly held to account for their decisions?

Mr Speaker: If there has been no opportunity to explore the matter in the Chamber before the recess, we return in October and there would be an early opportunity at that point. I have already referenced one of those opportunities, which is already provided for in the known timetable of oral questions. But if it is felt strongly by a Member, or possibly by a number of Members, that the matter warrants more thorough scrutiny than a couple of questions at monthly questions would allow, I would certainly be open to that possibility. The right hon. Gentleman asks me whether I had had any indication

[Mr Speaker]

that Ministers had been planning to make an oral statement on this matter, and I must answer by saying no, I have received no such indication. In fairness, it is not unreasonable for me to observe that absence of evidence does not constitute evidence of absence.

Jim Fitzpatrick: On a point of order, Mr Speaker. Last Wednesday, in a Westminster Hall debate on the proposed cruise terminal at Enderby Wharf on the Thames, I stated that Barratt Homes was the developer and could help—this was in column 197. Mr Tim Collins of Barratt has clarified that although Barratt is the residential developer, Morgan Stanley is responsible for the decision not to provide shoreside fixed electrical power for visiting cruise ships. I apologise to Barratt, I have written to Morgan Stanley and I am grateful for the opportunity to set the record straight, Mr Speaker.

Mr Speaker: I thank the hon. Gentleman. He has set the record straight, doing so pithily and the with the courtesy for which he is renowned in all parts of the House.

Tom Brake: On a point of order, Mr Speaker. You may be aware that in July the person who is now the Secretary of State for Exiting the European Union said that on 9 September—last Friday—the Prime Minister would “trigger a large round of global trade deals with all our most favoured trade partners.”

Bearing in mind that there was no statement on 9 September, do you think that such a statement should be facilitated, so that he could come to the House to set out what progress has been made on those trade deals—perhaps he could list the countries with which they have been initiated—and say whether he could deliver on the timescale that he had promised? He said that they would be completed within the next 12 to 24 months.

Mr Speaker: I am not sure that there is any mechanism for securing satisfaction for the right hon. Gentleman today. It may be that the right hon. Member for Haltemprice and Howden (Mr Davis), whom he has in mind—the Secretary of State for Exiting the European Union—would be enthusiastic beyond words about the possibility of appearing before the House, and engaging with, hearing from and responding to the right hon. Gentleman. However, I think the Backbench Business Committee, under whose auspices two debates are about to take place, may take a different view. I know that the right hon. Gentleman is an eager and assiduous Member of Parliament, but I think it unlikely that he will spend all of the conference recess reflecting on this matter—it would be a bit sad if he were to do so. If he comes back in October and remains similarly vexed and anxious for clarity, I hope he will use the mechanisms available to him. I think we had better leave it there for now, as we have had a considerable feast of points of order today.

BILL PRESENTED

HEALTH SERVICE MEDICAL SUPPLIES (COSTS) BILL

Presentation and First Reading (Standing Order No. 57)

Secretary Jeremy Hunt, supported by the Prime Minister, Mr Chancellor of the Exchequer, Secretary Greg Clark, Mr Philip Dunne and Nicola Blackwood, presented a Bill to make provision in connection with controlling the cost of health service medicines and other medical supplies; to make provision in connection with the provision of pricing and other information by those manufacturing, distributing or supplying those medicines and supplies, and other related products, and the disclosure of that information; and for connected purposes.

Bill read the First time; to be read a Second time on Monday 10 October, and to be printed (Bill 72) with explanatory notes (Bill 72-EN).

Backbench Business

Domestic Abuse Victims in Family Law Courts

1.3 pm

Angela Smith (Penistone and Stocksbridge) (Lab): I beg to move,

That this House notes the Women's Aid report entitled *Nineteen Child Homicides*, published in January 2016; and calls on the Government to review the treatment and experiences of victims of domestic abuse in family law courts.

Let me make it clear at the beginning that I will take only two interventions at most, because this debate is heavily subscribed and I want people to have time to speak. The debate today is not really about courts, laws and statutory agencies; it is about children—or, rather, it is about children whose mothers have been subject to domestic abuse and who themselves have become victims of violent and coercive fathers. This debate, in particular, is about the 19 children who have died at the hands of their fathers over the past 10 years, all of whom had access to their children through formal or informal child contact arrangements. So with the good will of the House, I want to dedicate the first part of my speech to telling the story of Claire Throssell, my constituent:

“It took just 15 minutes on the 22nd October, 2014, for my life and heart to be broken completely beyond repair. I had warned those involved with my case that my happy, funny boys would be killed by their own father; I was right.

My boys were both with their father on that October day, and at around 6.30pm he enticed Paul, nine, and Jack, 12, up to the attic, with the promise of trains and track to build a model railway. When the boys were in the attic, he lit 16 separate fires around the house, which he had barricaded, so my sons could not get out and the firemen could not get in.

Only 15 minutes later...the doorbell rang at my mum's. (We were staying there temporarily after the separation.)

‘It's the boys, they must be early,’ my mum said—but I knew that wasn't right. The boys would have run into the house and straight into my arms; they always did after a visit to their dad. They were frightened of him—he was a perpetrator of domestic abuse. The statutory agencies involved in our case knew this.

I opened the door. Blue lights were flashing.

‘There's been an incident at your former home; the boys have been involved in a fire...

Running into the hospital, the first thing I saw was Paul receiving CPR. A doctor, drenched in sweat and exhausted, told me they were withdrawing treatment.

I held Paul in my arms. I begged him to try, to stay, to not leave me.

He looked at me, smiled, and the life left his beautiful blue eyes. His hair was wet with my tears as I kissed his nose. Then Paul, my boy, was taken out of my arms and into another room. There was no further chance of touching him; his little body was now part of a serious crime enquiry.

Detectives arrived and informed me that my former husband was responsible for the fire, and that he'd also died. All this time I wasn't allowed to see Jack, as they were still fighting to save him. Thankfully, he never knew that Paul had died. He'd tried to save his little brother.

The police later disclosed that Jack was still conscious when carried out of the fire and told them: ‘My dad did this and he did it on purpose.’ This was taken as his dying testimony.

Jack clung to life for five days but his battle was too big for him to fight. His body had suffered 56% burns. On the 27th October, he too died in my arms after suffering a cardiac arrest due to his horrific injuries.”

That is Claire's story—it is tragic and heartbreaking, utterly heartbreaking. But I wanted that story on the parliamentary record—and now, thank God, it is—because it is the testimony of these stories, heard here in this Chamber, that will in the end engineer the changes we need to see to make sure that Claire's story does not become another mother's story. Before I move on to highlight what changes are required, I want to pay tribute to Claire. In my 12 years as an MP, I have never been asked to intervene in a case like this. No other case I have been presented with has touched me like this. No other constituent has impressed me so much with her bravery and her determination to secure something positive out of something so dreadful.

I want to pay tribute, too, to the people of Penistone, who responded magnificently to Claire's tragedy. Claire's husband cancelled the insurance on the property before he set it on fire. He also did other things, which I will not go into, that effectively left her penniless and without a home. The people of Penistone, led by our wonderful vicar at St John's church, rallied round, raising money to buy somewhere for Claire to live and pulling together, in DIY SOS style, to make her new house into a home. In black, dreadful times such things matter, and I am incredibly proud of the people I represent in this close-knit, warm-hearted community.

Let me move on to the changes that are critical if we are to ensure that this never happens again, and to what we need to do to secure Claire's legacy and the legacy of her children, Paul and Jack. The Women's Aid report “*Nineteen Child Homicides*” was published earlier this year in response to the failure of the family courts to embed in their practice a culture of putting children first.

Mr Jim Cunningham (Coventry South) (Lab): On that point, there should be an urgent review of family courts, because, very often, people who are giving evidence are not protected; they are actually facing their abuser. More importantly in relation to family courts, my constituent, a victim of domestic abuse, was in hospital. The abuser got custody of her children, as she was not represented in the courts. That is one reason why I say that we need an urgent review of family court practices.

Angela Smith: I completely agree with my hon. Friend. All of that is despite the fact that, in 2004, a legal framework and the accompanying guidance was produced to ensure that there was protection. That legal framework itself was a response to an earlier report by Women's Aid “*Twenty-nine child homicides*”. At its heart was a recognition that the courts needed to develop a new culture of putting children first. The accompanying practice direction 12 requires courts to ensure that, where domestic abuse has occurred, any child arrangements ordered protect the safety and well-being of the child and the parent with care, and are in the best interests of the child.

In addition, in 2015, a new criminal offence of controlling or coercive behaviour in an intimate or family relationship was introduced and practice 12 was amended to reflect this wider definition of domestic abuse—two developments that are potentially big steps forward.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): My hon. Friend is making an incredibly powerful speech. I have been struck by a number of constituents and by other people whom I have met through my work in the House who have said that, as victims, when they have gone into the courts, including family courts, they have felt that they have not been believed and that those involved in the judiciary do not fully understand the patterns of domestic abuse and what to believe and who to believe in the courts. Does she agree that an important part of this is the training of the judiciary and the updating of the training to reflect changes in the law?

Angela Smith: I completely agree with my hon. Friend.

I wish now to ask a few questions. What exactly are the failures of the family courts, given the legislative tools at their disposal? Why is it proving so difficult for the family courts to tackle this issue? Why is it so hard to put children first? I suggest that there are two major reasons. First, there is the ongoing assumption that men who are abusive towards women can nevertheless still be good fathers. That belief—that myth—is unbelievably enduring and flies in the face of the available evidence. Research indicates that there are many serious, negative impacts on children arising from domestic abuse, including children becoming aggressive or, conversely, over compliant. They can become withdrawn, anxious and fearful. One study also found that more than 34% of under-18s who had lived with domestic violence had also been abused or neglected by a parent or guardian. I do not see why that should surprise anybody. Surely, this outdated, discredited way of thinking has no place in our family courts. Surely, given the ongoing incidence of violence against children and the frequent link with domestic abuse, we need effectively to eradicate this cultural legacy from our family courts.

Secondly, there is an ongoing failure on the part of the statutory agencies and the family court judiciary to understand that domestic abuse frequently involves coercive control; abuse is about power and control. That is why it is not surprising that fathers who beat up women can also abuse children.

Physical injury is not the only manifestation of abuse and it is in that context that the courts themselves can become a tool in the armoury of a controlling abuser. In other words, when separation occurs and a woman removes herself and her children from an intolerable situation, the abusive parent frequently uses family court proceedings as a means of continuing his attempt to control and coerce.

This brings me back to Claire's story. Her abuser exercised the ultimate control over her. Not only did he drag her to the family court for unsupervised access to his children, he went on to murder her children. In doing that, he has, with one awful, heartbreaking criminal act, exercised control over Claire for the rest of her life. That should give us pause for thought. Never again will Claire's life be the same, as her two boys have gone. We all feel her pain, and we have a duty to act.

That is why I have worked with Women's Aid and other MPs to secure this debate today. I pay tribute to Women's Aid and the all-party group on domestic violence, which have produced reports that reflect on what needs to be done. I do not have time to go through their recommendations in detail. Suffice it to say that they relate to measures designed to put children first, to

implement properly the legal framework and Practice 12, including the professional training of court staff and the judiciary as my hon. Friend the Member for Feltham and Heston (Seema Malhotra) mentioned, and to put in place independent national oversight of the implementation of Practice 12. They also include practical measures, such as dedicated, safe waiting rooms for vulnerable witnesses and separate entrance and exit times.

Of course we all want to see reform of the Government's legal aid changes to ensure that representation in the family courts is adequate and sufficient to avoid the current situation, which sees abused women cross-examined by their abusers. I know that the Minister, who has written to me separately, has indicated that the president of the family division has asked Mr Justice Cobb to review practice direction 12 to see whether amendments are needed, but we need more than that. The public needs more than that, as is indicated by the 38 Degrees petition, which has now been signed by more than 33,000 people. We need to see: the Ministry of Justice take action to ensure that the legal framework is properly implemented; practical changes to the ways the courts work; resources dedicated to ensuring the professional training of court staff and the judiciary; and the Government indicating that they will do all that is necessary to improve the relationships and the information sharing between statutory agencies and between those agencies and the family courts. There was a huge delay in the cases of Claire, Jack and Paul.

Above all else, for Claire's sake and for the sake of all vulnerable women, we need the Government to send out a very clear message. By agreeing to act on today's motion, the Government would be sending out a clear message that domestic abuse will be tackled, that it will be dealt with in all its forms, and that we will not allow our children to be harmed by it.

Jack and Paul must never be forgotten. Claire wanted their names to be used in the serious case review, but the authorities refused, preferring to refer to them as P2. Jack and Paul were not P2; they were two dearly loved boys whose lives were snatched away from them by a violent father. Let us make sure today that Jack and Paul will never be forgotten. Let us support the motion on the Order Paper.

Several hon. Members *rose*—

Madam Deputy Speaker (Natascha Engel): Order. Before I call the next speaker, may I just say that I do not want to put a time limit on this debate, but we do want to bring in the next debate at about 3.30? If everybody, including those on the Front Bench, have 10 minutes including interventions, we will easily get everyone in.

1.20 pm

Mrs Maria Miller (Basingstoke) (Con): I would very much like to pay tribute to the hon. Member for Penistone and Stocksbridge (Angela Smith), whose powerful testimony really set the context of this debate. I thank the Backbench Business Committee for granting the debate, and Women's Aid for its tireless work in championing the rights of domestic abuse victims.

The basis for this debate is the findings of the Women's Aid report, which are very disturbing indeed. The Government and the judiciary have to listen and act. Every single recommendation in the report needs to be

considered. Further child deaths, such as those in the tragic case that we have just heard about, have to be prevented. The courts need to challenge themselves on their attitudes, their culture, and their practices in all domestic violence cases. We have to be clear that priority should be given to tackling domestic abuse. I think that the Government feel that it is a priority—and they have not only spoken, but acted. Coercive control is now an offence under the Serious Crime Act 2015. It is important that, as is recommended in the report, all members of the family court, the judiciary and the Children and Family Court Advisory and Support Service have specialist training so that they understand the reality of what that new law means.

Mrs Madeleine Moon (Bridgend) (Lab): Does the right hon. Lady agree that sometimes family courts mistake fathers' persistence over access, and their going through the courts time and again, for their taking an interest in their children, when it is intimidation and bullying of their former partner? Frighteningly, in my constituency, I have had a CAFCASS worker tell children who were afraid of their father and did not want to visit him that if they did not go, their mother would be in deep trouble, so they had to go and see him. That is shocking behaviour from any professional.

Mrs Miller: The hon. Lady makes a powerful point, and she is right to pick up on the complexities of coercive control. None of us should underestimate how difficult it will be for professionals truly to understand the complexities of this behaviour, but understand it they must if we are to make sure that the law is put into practice.

The House has thought long and hard about the other ways in which the Government have shown their commitment to tackling domestic violence. In particular, the Government have supported the Istanbul convention, which sets out a clear commitment to tackling domestic violence through legislation, training, and awareness-raising campaigns such as "This is abuse". I applaud them for signing up to the convention, but when he responds, will the Under-Secretary of State for Justice, my hon. Friend the Member for Bracknell (Dr Lee), clarify when the Istanbul convention will be ratified—not just by the UK, but by other countries, such as Germany, Norway and Ireland, which, although signatories, are not ratifying the treaty? That would be an important statement of the fact that combating violence against women and domestic violence needs to be on all Governments' agendas. We need that ratification as a way of making sure that that message is sent out, both to members of the Council of Europe and to non-members.

To tackle domestic abuse, we need victims to feel confident in our legal system, and confident that reports made will be successfully taken forward to prosecution. Those who have been abused should feel safe in making those reports. That is why I want to make two points. The first is that the Government need to be clear, and perhaps reiterate in this debate, that they support legal aid remaining in place for victims of domestic abuse and child abuse. Perhaps the Minister can update us on the Government's work in that area, and particularly around the domestic violence gateway, which requires victims to provide objective evidence of abuse to qualify for legal aid. Ministers have made their intentions clear, in terms of the support that should be there, but in

practice, some women have found it difficult to get the prescribed forms of evidence that are required in order to access the gateway. The Ministry of Justice has a review of the domestic violence gateway under way. Perhaps the Minister can say a little bit more about where we are with that review, which was urgently needed.

The all-party parliamentary group on domestic violence, of which I am vice-chair and the hon. Member for Birmingham, Yardley (Jess Phillips) is chair, has looked at the impact of court proceedings on women and children. I draw the House's attention to our recent report, which followed a number of parliamentary hearings in which we heard from expert witnesses and individuals with personal experience of the family court system. We heard in evidence that more victims—not just women but children—are now being cross-examined by perpetrators of abuse in family court proceedings. Women's Aid estimates that one in four women are directly questioned by a perpetrator, and the same can happen to children.

Victims should be protected when giving evidence in court. Few Members in this place can be content to see alleged abusers cross-examine those affected by domestic violence. This has to be re-examined urgently. We need to put an end to survivors of domestic abuse being cross-examined by their alleged abusers in court.

My second point is on special measures, which have already been mentioned in an intervention. In our all-party parliamentary group hearings, we heard evidence about the traumatic impact on survivors of domestic abuse of coming face to face with the perpetrator in court, yet half of all women who experience domestic violence and use the family court system have no specific protection measures available to them when they attend court. As a result, more than one in three have been verbally or physically abused by their former partner in court buildings. I find those figures shocking, given the nature of the crimes and the situations that we are talking about.

I welcome today's announcement by my right hon. Friend the Lord Chancellor of additional support for vulnerable witnesses. My understanding is that victims of domestic abuse are treated as vulnerable witnesses. I hope that the Under-Secretary will confirm that those very welcome announcements will cover those who have suffered domestic abuse and violence. Specifically, an increase has been announced in the number of locations where victims and witnesses can give evidence remotely. Even more welcome are the measures allowing the pre-recording of evidence from 2017. Those measures are a real step forward, but we need to make sure that they are available not just to some victims, but to all. I am sure that Members of the House would want those reassurances today, because we need all the family courts to give witnesses and victims the support that they need. Two other important special measures in family courts are the ability to give victims and witnesses separate waiting rooms, and their ability to leave the court by separate exits. That is particularly vital for women living in refuges.

It is clear that family courts are regularly not protecting women and children in the way that we all want them to, and the way that the Government want them to. We need an end to the cross-examination of survivors of domestic violence by their alleged abusers. We need assurances that special measures will routinely be available in family court proceedings.

Mr Jim Cunningham: Does the right hon. Lady agree that what is really required is some form of witness protection scheme? We had a Bill on that many years ago.

Mrs Miller: I understand the point that the hon. Gentleman makes, and that might be appropriate in some cases, but I have to say that many of the people who have spoken to me about this issue simply want these very basic measures in place—things that frankly should be in place already, but are not being given the priority that they need. I know that there are pressures on the court system, and on budgets, but we have to make sure that the courts see this as a priority, and at the moment, we could be forgiven for thinking that they do not.

A third element that I would like to see is proper training for family court staff, particularly on coercive behaviour—an issue that the hon. Member for Bridgend (Mrs Moon) spoke about eloquently. Lastly, but by no means least, there should be expert risk assessments in child contact cases when abuse is involved.

We know that the Government understand the problem. Just three months ago, the Prime Minister said at the Police Federation's annual conference:

“Victims of abuse are still being let down”.

Improvements such as those announced today are welcome, but the change in culture is still not complete. We need the Lord Chancellor, the Under-Secretary—who is here today—my right hon. Friend the Home Secretary and the Prime Minister to continue to put this issue at the top of the Government's agenda, because we need to tackle domestic abuse. We need to tackle the sort of tragic cases that the hon. Member for Penistone and Stocksbridge mentioned in opening the debate. I hope that this debate will help to ensure that the issue continues to be at the top of the Government's agenda for the rest of the Parliament.

1.29 pm

Sarah Champion (Rotherham) (Lab): I pay tribute to my hon. Friend the Member for Penistone and Stocksbridge (Angela Smith) for securing this debate and putting on record that story and her campaigning on the issue. It is so necessary that Members understand what is going on. I thank Claire Throssell for bravely being here today and for having the courage to put forward her personal tragedy, which most of us could not endure, so that that can never, ever happen to anybody else. We would be letting her sons down if we did not do that. We will remember Jack and Paul.

It is a simple but awful fact that women bear the brunt of violent crime in England and Wales. Although violent crimes against men are falling, Office for National Statistics figures for England and Wales showed that between 2009 and 2014 violence against women, perpetrated by someone they know, increased rapidly. Alongside this dramatic rise in violence, the services that women rely on to escape violence and abuse are disappearing. Between 2010 and 2012, a third of local authority funding for domestic and sexual violence services was cut, and a third of all referrals to refuges were turned away. It is also true that domestic violence has a higher rate of repeat victimisation than any other crime.

On average, a woman will endure violence 35 times before making her first call to the police. Even once they have sought help and the case is going forward, women are often re-victimised and re-traumatised by the perpetrators during the prosecution process and in the family courts. One particular focus for that repeat victimisation are the fights that ensue between a victim and a perpetrator over contact with their children and the consequences of the decisions made. Sadly, this is something that women in my constituency have suffered first hand, and I am sure I am not alone in that. I shall give just one example out of the many that I could have picked.

A constituent came to me with various issues regarding custody and contact with her child. The father of her child had been extremely abusive, and these behaviours had been perpetuated by the father's parents. Unfortunately, other legal issues on the part of the mother led to her losing custody of the child, who was placed in the care of the paternal grandparents. The mother was granted contact, but this was at the home of the paternal grandparents, who had both facilitated and taken part in abusive behaviour. The trauma experienced by the mother in order to maintain a relationship with her child was extreme. The judge in this case simply failed to understand or show any appreciation of the dynamics of domestic abuse.

This lack of understanding not only re-victimises survivors, but causes direct harm to the children. The NSPCC reports that 20% of children in the UK have witnessed domestic abuse—exposure that can cause anxiety, developmental delays and learning difficulties. Frequently, domestic abuse and child abuse co-exist. In 2015, SafeLives reported that 62% of children in households where domestic violence is perpetrated are also directly harmed. How can our family courts fail to see the inextricable link between coercive, violent and controlling behaviour perpetrated by men towards women and the threat posed to the safety of children in that family?

Kerry McCarthy (Bristol East) (Lab): Does my hon. Friend agree that there are many cases of domestic violence where the woman, perhaps because she has hopes of the relationship continuing, or perhaps because of intimidation or factors, does not press charges? It is important that family courts nevertheless take those allegations into account. It is not just the cases that proceed to prosecution which should be taken seriously.

Sarah Champion: I agree. We need to give victims some of the responsibility for setting the way forward, whereas our court system seems to take everything away from them and to use evidence to penalise them, rather than to support them.

How can family courts knowingly place children directly in harm's way? That is exactly what is happening. The 2015 Women's Aid survey of women survivors of domestic abuse who had experience of the family courts found that 76% of respondents reported that the judge granted child contact to the father, even though they knew that the children had witnessed domestic abuse. Even more terrifying, more than 44% of the survivors surveyed reported that the judge granted child contact to the father, when they knew that the children had been directly abused by the father.

Will the Minister confirm to the House that there must not be an automatic assumption of shared parenting in child contact cases where domestic abuse is a feature, but that child contact should be decided on the basis of an informed judgment of what is in the best interests of that child? Furthermore, will the Minister support the Women's Aid recommendation that judges, staff in the family courts and other front-line staff receive specialist training on the impact of domestic abuse on children?

Finally, it is important in this debate, as it is whenever this House debates violence and abuse, that we consider how to prevent these awful crimes from happening at all. Sadly, once a survivor is forced to seek safety and forced to face her abuser in court, the damage to her and to her children has already been done. Early intervention that supports a child from the earliest possible age to recognise and develop positive and respectful relationships will prevent children from growing up believing that abusive and violent relationships are normal. It will teach boys and girls to respect themselves and others, and teach them that their body is their own and that they must determine their own lives. Does the Minister agree that mandatory, age-appropriate resilience and relationships education in schools is a necessary way to prevent domestic abuse and violence? We ought to try to prevent this horrific crime from ever occurring.

1.36 pm

Paul Scully (Sutton and Cheam) (Con): I congratulate the hon. Member for Penistone and Stocksbridge (Angela Smith) on securing this debate, which I am happy to support, and for her incredibly powerful opening speech. It was a fantastic job to put that on the record. I congratulate Women's Aid for its important and hard-hitting report, "Nineteen Child Homicides", which makes for difficult reading. It is always difficult to hear such examples, but hear them we must. The individual cases show that domestic abuse is not just an abstract issue. The lives of 19 real children were cut short, another two children were seriously harmed, three mothers were killed, seven fathers subsequently committed suicide, and four fathers were convicted and imprisoned. Many more people are likely to have been directly touched by these tragic events—siblings, grandparents, surviving wives, family and friends. All those men were known to agencies. Eleven of the 12 men were known to the police as well.

A number of constituents have approached me about their custody cases. Some mothers were unhappy, some fathers felt that they had been treated badly, and grandparents felt unable to get a look-in. Whatever the rights and wrongs of those individual cases, it is clear that the right thing to do is to put the child first, at the centre of decision making.

There are many examples of good practice in family courts, including at my closest court in Croydon, but as we have heard, there is much more that can be done and lessons to be learned. In a number of cases protective screens, video links, separate waiting rooms and separate entrances are available where appropriate, but as we have heard, that does not always work. The Women's Aid report details a survey of people who have gone through the family court system, highlighting areas of concern. Some 55% of the women said that they had no access to any protection measures in the court. Extraordinarily, 25% of the women had been cross-examined by their former partner during proceedings,

including one woman who described how the man who had raped her, beaten her and abused her over a six-year period interrogated her for three hours in the court. Imagine what that poor lady must have gone through, revisiting all those experiences.

The survey reveals that 39% of the women were verbally or physically abused by their former partner while on the family court estate, 44% reported that the judge granted child contact to the father when they knew that the children had been directly abused by the father, and 76% reported that the judge granted child contact to the father when they knew that the children had witnessed domestic abuse.

I want to touch on two cases. First, I shall add a 20th child to that list—Ellie Butler, who lived her short life in Sutton in my constituency. Her parents met in a club in Sutton in March 2006. Ben Butler had a criminal record including violence, attempted robbery and intimidation of a witness. He also had a conviction for assaulting his former girlfriend. Within weeks, Jennie Gray was pregnant with Ellie.

The first time Butler was left alone with Ellie—when she was just six weeks old—she sustained minor burns to her forehead and hand. Shortly afterwards, when that was brushed off as an accident, Butler again looked after Ellie. That evening, he took her to St Helier Hospital—our local hospital—where she was diagnosed with injuries that suggested she may have been violently shaken. He was arrested on suspicion of grievous bodily harm, and the London Borough of Sutton started proceedings to have Ellie taken into care.

In January 2008, His Honour Judge Atkins found that Butler had been responsible for both sets of injuries and ruled out Ellie's mother as a long-term carer. In August of that year, he awarded temporary custody to Ellie's maternal grandparents, Neal and Linda. Butler went to prison, during which time Jennie Gray discovered she was pregnant again and hid the birth from the local authorities. In October 2009, Butler was released on bail and walked free on appeal after three judges ruled that his conviction was unsafe.

However, the quashing of the conviction did not automatically reverse the ruling that the parents were unfit to care for Ellie, so Butler went to war with the authorities, and three years later, Lady Justice Hogg made a decision that was to prove fatal for Ellie: not only did she return Ellie to her parents' custody—brushing aside convictions, commenting that the violent behaviour that they related to was not directed at children—but went on to write in her judgment:

"It is seldom that I see a 'happy end' in public law proceedings. It is a joy for me to oversee the return of a child to her parents."

Ellie's grandfather, Neal Gray, was said to have warned her, "You will have blood on your hands," and how prescient he was.

In addition to the judgment, Lady Justice Hogg made an order that meant that all files held by the authorities should be amended to include a prominent reference to the fact that Butler and Gray had been exonerated of any blame for Ellie's injuries and, effectively, that they should proactively inform other agencies of Butler's innocence. What can the agencies make of that? How can they be denied the ability to review what was happening when a clean sheet was restored to these people?

[Paul Scully]

It was not long after Ellie went back that she suffered a broken shoulder. The parents sought no medical help as they sought to hide things from the authorities. Then, in October 2013, Ellie was found dead, at the hands of Ben Butler. The parents concocted a plot to cover up the real cause of death—even sending Ellie’s younger sibling to discover the body as part of the plot.

Ellie’s grandparents had not given up fighting for her. They fought hard for the custody of the two children. Unfortunately, Linda, Ellie’s grandmother, died the day the trial started, but Neil, the grandfather, continues to speak out against the ruling, which led to Sutton Council and other agencies being unable to do their job—and they did do a very good job, but with their hands tied. My heart goes out to Neil and his other grandchild. I was able to catch a moment with the right hon. Member for Carshalton and Wallington (Tom Brake), who has had to leave the debate. Both of us remain open for Neil to approach us, and we would like to support him in any way we can.

Another case is far too close to home for me. It involves someone I know very well, and the situation is ongoing, so I will not be too specific. A few years ago, Anna met someone she later discovered had two children from a previous relationship. The mother and children had ended up going to a refuge—changing their name and moving away secretly. Even though social services were closely involved, he managed to track them down within months by trawling the electoral rolls, among other things.

Anna soon found herself in a very controlling relationship—we have heard about control this afternoon—stripping her away from her family and friends. He used drugs and was violent on occasions. She eventually had a child, but the situation continued to deteriorate, affecting the child’s upbringing and stability. Anna was helped by her partner’s mother eventually to leave and start again on her own, but that was not the end. Anna found a tracker in her car. She was continually harassed and stalked, as were family members. Agencies were aware. The police were aware. She was in and out of police stations to give statements. He would pound on the door at night, jumping over the back fence and smashing the glass to get in the door.

Anna has had to learn so much for herself about the system. Her former partner has a good solicitor, and he knows how to make the best of the system—not for the child, but for the solicitor’s client. She could not apply for a non-molestation order while he was on police bail. When the police were looking to arrest him, her family could not find out whether he was actually detained, because of data protection issues.

The police have Anna on an alert list, with a promised five-minute response time. Unfortunately, the last time, it took 25 minutes. Obviously, we can understand police pressures, but the promise of a response in five minutes or 25 minutes makes all the difference when someone is trying to plan for these eventualities. At least if someone knows that it will be 25 minutes, they can try and deal with that as best they can.

Anna has the support of both families—her own and her partner’s. Her parents discovered that they were grandparents quite a long time after she was stripped from the family. They now have a wonderful, happy grandchild. Anna has become the most amazing mother

in the face of such diversity, and her child is thriving. She is lucky: she could easily have found herself on the Women’s Aid list. I am so delighted that she has not, although the matter is nowhere near closed.

Please let us do more to support the work of the groups associated with Women’s Aid. Let us do more to improve the response for people like Anna and children like Ellie. We cannot let them down. Looking at families, I know how helpless they feel in these cases. I cannot begin to imagine actually being involved at the heart of such abuse, as we heard in the case of Claire. It is really important that the police, the agencies and, of course, the family courts do everything they can—and that we work to make those agencies and family courts work—so that these tragedies cannot happen again.

1.45 pm

Jess Phillips (Birmingham, Yardley) (Lab): I want to start on a positive note in a debate that has so far been incredibly moving—even to those who are the most battle hardened and battle weary, like myself. The positive is that, this morning, the Government released information about the protection of women’s refuges from some of the changes going ahead to housing benefit legislation, and I pay credit to the Government for finally listening on that issue.

On these matters, we must work together in the House, and the stories that we hear today have got to go some way to getting change in this area. This is now our next fight, and I think it is a fight the public are going to get pretty involved with because I believe “The Archers” is about to enter the family courts, if what Rob Titchener said at the end of the episode on Friday is anything to go by. That has done a huge amount to raise awareness of the issue, and the family courts really need some of that.

I pay huge credit to my hon. Friends the Members for Penistone and Stocksbridge (Angela Smith) and for Hove (Peter Kyle) and the right hon. Member for Basingstoke (Mrs Miller) for securing the debate. The testimony about Claire’s story from my hon. Friend the Member for Penistone and Stocksbridge was incredibly moving.

We have heard heartfelt and heart-breaking accounts of what is happening to victims of domestic violence in the family courts, and this debate is incredibly important for a number of reasons. The first is to send out a rallying cry to all the victims in this country and their children that, down here, in this bubble, we can hear them. The family courts in this country—for those who have never had anything to do with them, and for most of the people who have—are incredibly secretive. They are wrapped up in confidentiality, with children being called P1, P2 or X4. For that reason, the family courts get no media attention, and it is difficult to report on what goes on there. So, today, here in this place, is our chance to flood that darkness with some much-needed light to see what our institutions are really doing for the people in the UK.

Gloria De Piero (Ashfield) (Lab): Does my hon. Friend agree that there is still much, much work to be done to ensure that the police get the cases to court? My constituent Louise suffered the most terrible abuse but has never had that day in court. That is not just a personal tragedy for her but a national scandal for us all.

Jess Phillips: I agree entirely with my hon. Friend. Actually, in this place, we have some reasons to be really proud of the efforts that have been made by successive Governments, year in, year out. The laws in this country are relatively good when it comes to domestic violence. Where we fail, time and again, is in how we implement those laws. We do not need to look much further than very many reports assessing how the police handle cases of domestic violence to see that we need to do more. Sometimes, in this place, we make up laws that open an enormous door into an empty room. That is a problem for victims.

I want to say something to the victims who may be watching this. Lots of them have been in touch with me to say that they want their stories to be told and heard. The most important message, which I am sure that everybody in this place wants to say and which victims of domestic and sexual violence rarely hear, is, “We believe you.” If every single one of us could tell everybody to stand up and say those three words—“We believe you”—we could change things for victims of domestic violence, who are frequently disbelieved by every agency they are put in front of.

The second reason this debate is so important is to educate ourselves as legislators. My hon. and very dear Friend the Member for Hove and I have chatted about this subject many times over the past six months. On many occasions, he has bounded up to me and said that he has been stunned by a case that he has, as though it is the worst case in the whole world. I am sure that he will give voice to some examples of those very shocking stories. He is always so shocked, horrified and angry about every case. For me, these cases have become more expected. My years of working with victims of violence have in many ways numbed me to some of them—although I am only human.

Mrs Moon: My hon. Friend talks about her years of working with victims of domestic violence. I, too, worked in that field, and one of the things that I found most frightening was that courts tend to think of domestic violence only in terms of bruises or injury. “The Archers” has been brilliant at showing the impact of coercive and abusive behaviour, but there is an incredible naivety in believing that coercive and abusive behaviour to mothers would not also happen to children. If legal aid were available, it would be huge help to those women in protecting themselves.

Jess Phillips: I could not agree more. I will come on to the legal aid issues in a minute.

The Government have tried, through the law, to address coercive control, but we are not far enough down the line with that legislation to see whether it can deal with something so complex. To me, it is actually not that complex. We are always making the excuse that it is difficult to understand, but I do not find it difficult, so I am not sure why I am constantly cutting everybody some slack on this. We should be able to understand the constant gaslighting that goes on. “The Archers” has definitely achieved something. In the case of Henry, the small boy in “The Archers”, there is no doubt that that child has been coerced and controlled. It is harrowing; I feel chills even thinking about it.

Going back to my lovely hon. Friend the Member for Hove, on one occasion he ran up to me and said, “Jess, I just don’t understand why people are still walking around

in the street. How can they carry on with their lives when this is happening? Why are they not screaming out about the awful family court system?” Today, in this place, we have a chance to help colleagues, and, most importantly, Government Members, to see what we—all of us as a country—are sanctioning in our court system. Here, in this place, we have the power and agency to change this, for every victim in the country and especially for all the victims whose children have died. We must use our agency to do what they would do in a heartbeat if they were any near as privileged as every single one of us.

On our agency to change this, I turn to the report of the all-party parliamentary group on domestic violence, in conjunction with the report from Women’s Aid cited in the motion. I ask the Minister to give us some assurances about what we are going to do about this. I love warm words—I say them myself—but I want hard actions. The right hon. Member for Basingstoke and I had attempted to begin this conversation with the previous Justice Secretary. However, politics is a fickle game, and so it now falls to a fresh Justice Secretary to make her mark on the job.

It is important to state that we could be considered to be breaking the law on these issues in the UK. As a member—for now—of the European Union, we signed up to specific directives on protecting victims. One directive explicitly states that we must uphold the protection of victims within our court system and contact with offenders must be avoided. For example, all new court buildings that are built—chance would be a fine thing at the moment—must have separate waiting areas. Every day in the UK, we are breaching that law. We will hear today about victims who are not just in the same waiting area but are allowed to be cross-examined, even bullied, by the very people who have abused them for years. In the criminal courts, this would be considered a severe breach of human rights. It would also completely fly in the face of the “achieving best evidence” standards, and most likely the evidence would be thrown out.

For years, people in this place, before they came here, campaigned to have children taken into video rooms. We got partitions and separate waiting rooms: those things have all happened. A quarter of the women surveyed by Women’s Aid were found to have been directly cross-examined in the family courts by their abuser. This is increasing as a direct result of the cessation of legal aid and the rising number of citizens acting as litigants in person. When, a number of months ago, I asked the Justice Department for figures on the number of litigants in person in the civil and family courts, I was told that it does not monitor that information. Might I gently suggest to Ministers—I am in a good mood because they have done something good today—that that is simply not good enough. We have to look at the trends in what is happening in our courts.

There is a pervasive myth that family courts are unfairly biased towards mothers. I think we will hear today all sorts of examples of why that is not the case. It does not matter how many times people scale buildings dressed as Spider-Man—women are still badly treated in our family courts system. This is especially pertinent with regard to those with a history of domestic violence. The domestic violence APPG inquiry found that there is no evidence to suggest that women are favoured. On average, only 1% of applicants to family courts have

[*Jess Phillips*]

access refused: only 1% are told that they can no longer see their children. Seventy per cent. of all cases in front of the family courts are victims of domestic violence. So, in 1% of 70% of all cases, people are told that they cannot see their children. In three quarters of cases where courts have ordered contact with an abusive parent, children suffer further abuse. Some children have even been ordered to have contact with a parent who has committed offences against the children themselves. As we have heard, children have even been killed as a result of residency arrangements.

I want to stress that an abusive partner can force a victim into the family court, or in fact any civil court in the UK, as many times as they like. This is not a judgment that they get handed down, their case falls, and then they do not get another bite at the cherry—they can go to court as many times as they like. They can chase a woman around the country making the same claim against her, and nothing will stop that. There is no doubt that in many cases violent perpetrators use the family court system not to get their children back but to continue stalking and continue a reign of terror.

The domestic violence APPG has seven recommendations that would dramatically improve the lives of women. They fall almost exclusively in line with the report from Women's Aid. We want to see victims and children protected and respected in our courts—at the very least to the same level that we have in our criminal courts. I have a copy of the recommendations that I can hand over to Ministers today. I really hope that they will listen to what they are hearing and act, as some of their colleagues have today, to do the right thing.

1.59 pm

Melanie Onn (Great Grimsby) (Lab): I congratulate my hon. Friends on bringing this debate to the Floor of the House of Commons. I acknowledge Women's Aid for the protection and support it provides to women and children, and for all the vital work it does to highlight the suffering caused by domestic violence. In particular, I pay tribute to Denise and all her staff at Grimsby Women's Aid, and all the women I have met there. They are amazing and, despite some real tragedies and difficulties, they continue to face life with bravery and extraordinary good humour.

Several victims of domestic violence have come to my surgeries in Grimsby looking for help because they feel they have been let down. They feel that the whole system is stacked against them. They are the ones who have to move out of the area they lived in. They are the ones who have to provide the burden of proof; that all falls on them. They are the ones whose parenting is constantly questioned. They are the ones who live in fear of abuse and in fear of losing their children. They are the victims, but too often they feel that they are treated with suspicion rather than compassion, and that they are made to feel as though they are the guilty party.

The way in which family courts operate reveals a real lack of understanding of the situation in which victims of domestic violence find themselves. As we have heard in so many testimonies today, victims clearly should not have to share a waiting room with their abuser, and they should not have to face cross-questioning from them. As the right hon. Member for Basingstoke (Mrs Miller),

who has just left her place, mentioned earlier, it is too difficult for individuals to be faced with their abuser in a small space.

I want to thank Rochelle, one of my constituents, for allowing me to use her name—in fact, she was insistent that I use it—to highlight her very personal and individual difficulties, which represent the difficulties of so many women. She fled her abusive partner, yet she has been forced to face him in court several times during the last six years. He is using the court system to gain access to her, and as a means of getting around the restraining order. The courts have failed to provide security at their meetings. She has been made to sit at the same table as her former partner in a small room, and he has taken such opportunities to make horrendous sexually derogatory comments to her. This man had twice put her in hospital while she was pregnant. She should never have to be in the same room as him again, but she feels that the family court forced her back into the perpetrator's presence and under his control. In addition, she has had no access to social housing, because the local authority deemed her to have made herself intentionally homeless, after having fled her home. That is incredibly common. As we have heard, she is not alone in being in such a situation.

Seema Malhotra: I thank my hon. Friend for her speech. She has highlighted a very important issue, which has certainly become increasingly apparent to me from my casework, about the training given to local authority teams—sometimes in social services and sometimes in housing—that deal with family issues involving domestic violence or domestic abuse. Does she agree with me about the importance of awareness, training and leadership in local authorities on such issues?

Melanie Onn: Absolutely. I agree with my hon. Friend that training plays a big part, and there is a lot more that could be done with cross-agency working and understanding.

When I visited a school in my constituency recently, I was really shocked to hear a support worker—she has worked in a school for nearly 30 years, and lives in the community in which she works—say she believed that about one in five children at that school were in families that had experienced domestic violence. The figure is shocking in itself. On the positive side, however, she said it was very important in a school environment that children should feel they have a safe space, where they feel they have good relationships with and can open up to the staff. My hon. Friend's point about training applies to schools as well.

I believe that a lot of this is unreported violence. Will the Government consider how they can give people greater confidence in the system? People also need to recognise violence in the household as a problem. I think some people accept it as part of a volatile relationship and may not even recognise it as domestic violence. That is where the coercive element also comes in. That makes me believe all the more that good relationships education in schools can help children to realise that those are not normal relationships, and that that is not how loved ones behave towards one another.

Before the summer, I tabled some parliamentary questions relating to the effect of domestic violence on the children who are subject to it or who witness it, and

I am very concerned that the Government do not seem to be sufficiently interested in that subject. I asked how many children the Government estimate live in homes where domestic violence occurs, and how they believe the educational attainment of children who experience domestic violence is affected. The answers I received from the Department for Education stated that, although it counts the number of referrals to children's social care in which domestic violence is a factor, its figures do not include all children who experience domestic violence, and it does not publish attainment data for children who have been referred. Would not greater cross-departmental work ensure that domestic violence is better understood, highlighted and prevented? I worry that those answers show a lack of urgency in tackling this problem.

Finally, and quickly, I want to raise an issue that another constituent brought to me in relation to the Concentrix debacle that is currently being uncovered. A woman with two children had her tax credit money stopped two weeks ago because she had been subject to a random check. She was told she was suspected of living with a partner. Concentrix would not disclose the name of the person it suspected to be living with her, and it would not make any home visits. She is a single parent, and she has been left to evidence the fact that she is single. She has now been forced to use food banks and to have meals at her parents' house, and she has received assistance with her children's school uniform costs. This is particularly difficult because my constituent is a victim of domestic violence. She has had to set up her life again from scratch to make sure that she and her children are safe. Again, it feels as though the state and all the agencies involved are working against her having a fresh start.

The lack of sensitivity, awareness and preparedness across state agencies—from the welfare system to family courts, as well as the police and the education system—lets down children and victims of domestic violence, and leaves them feeling as though the whole system is working against them.

2.7 pm

Peter Kyle (Hove) (Lab): May I join the chorus of approval and gratitude expressed to my hon. Friend the Member for Penistone and Stocksbridge (Angela Smith) for securing this debate? Not only did she give a voice so effectively to a family who so desperately wanted that to be done, but she set a tone for this debate that is very much appreciated by all of us following her. I thank the right hon. Member for Basingstoke (Mrs Miller), who spoke brilliantly. She joined in making a pitch for this debate. I also thank my hon. Friend the Member for Birmingham, Yardley (Jess Phillips), who was present for the pitch for this debate. As a member of the Backbench Business Committee, she could not join in with it, but I could tell from her unrestrained facial expressions that she was offering support in many other ways during the process. Those Members and others in the Chamber today have championed victims of domestic abuse in Parliament, in Government and on the front line respectively. Together, they bring a wealth of advocacy experience to this debate.

I must admit, with some shame, that I came to realise the true brutal horror of domestic violence only relatively recently, when I became a Member of Parliament.

Shortly after the election last year, I was in my office sifting through the rubble of my campaign, when a woman walked in and asked if I was her new Member of Parliament. When I said yes, she told me that she had just fled her partner, after suffering the latest in a long series of very brutal attacks. She sat, bruised and shaking, and said that she was ready to move on, but that she needed help. She did not trust the police, so she had turned to me. That was my first experience of someone turning to me for help as an MP, and it was the first time I had sat down with a survivor of domestic abuse.

Since that time, I have got to know many women who have survived violent relationships, and I have tried my best to be the best advocate I can for them. It is through meeting and listening to survivors that I first came to understand how our family courts are being used to perpetuate abuse against extremely vulnerable women. Eighteen months ago, I did not know that a convicted criminal could represent himself and cross-examine the victims of his crimes over and over again by using the family courts. How could I get to this age and not know that? Why is it that so few people I talk to have the faintest idea this is going on daily in the British legal system?

One constituent I am in regular contact with has been cross-examined by her former partner on three separate occasions. The man who beat her, broke her bones, battered her unconscious and hospitalised her, and who was convicted for his crimes, still has the right to summon his victim to court for a spurious custody hearing. He will never win the case, but that is not the point—he is victorious the second he steps into the courtroom, because in that instant he gets exactly what he wants, which is to continue to inflict violence and abuse on a woman who has already suffered more than most of us could ever imagine.

Mrs Moon: Is it not important for the courts to understand that they are being manipulated in that way? The courts ought to record how often an abuser deliberately uses the courts to inflict further abuse. Concentrix should also be aware that when it receives reports of an unreported adult being in the home, it may well be the abuser carrying on the abuse by making false reports. It should take action to investigate that before it cuts off the benefits.

Peter Kyle: My hon. Friend makes an incredibly important point. The fact that many of the men who inflict this violence are not only extremely manipulative, but extremely careful in the way they manipulate people and systems, means that far more effort should be put into understanding the victims, who can explain the type of behaviour the courts are dealing with. If we did that, a lot of heartbreak and violence would be avoided.

Another constituent told me that she was shaking so violently after a family court hearing that she had to be assisted to the taxi. Soon after leaving, the taxi had to stop to allow her to open a door and vomit.

Those of us who have not experienced it cannot comprehend the fear that survivors suffer. It is all-encompassing and ever present. The prospect of seeing the man who reigned with such terror causes paralysis. The faintest possibility that the abuser could get access to personal details—addresses, bank account numbers or even medical records—is overwhelming. What is

[Peter Kyle]

most grotesque is that abusers know this. They know that the family courts can be used to torment their victims, and in some cases they do so with unrelenting brutality. When one listens to survivors describing their experiences of being summonsed, approaching the hearing date, being cross-examined by their abuser and dealing with the aftermath, one simple truth is inescapable: the language and vocabulary with which they describe their family court experience is identical to how they describe the violence they experienced in the relationship they bravely escaped.

It should shock everyone that the family courts are being used in a way that inflicts, not ends, violence against women. Worst of all, from the abuser's perspective, it works. One constituent told me last month that she was dropping harassment charges because there was a good chance that her abuser would gain access to her mental health files because he had chosen to represent himself. She could not bear the thought of him reading, and being gratified by, such intimate and personal information. Another told me that she simply could not face another cross-examination by her convicted abuser. She had been medicated in order to endure her last experience, and the recovery from it took weeks. She told me that if he tried again, she would capitulate and give him whatever he demanded simply to avoid the experience. She said:

"I simply do not have it in me to survive another cross examination".

If there is one example that sums up the sheer horror of abuse and its continuation in the family court, it is that of Jane Clough. Jane was in an abusive and violent relationship until she finally took action and went to the police. Her ex-partner, Jonathan Vass, appeared in court charged with nine counts of rape, one of sexual assault and three counts of common assault. Some of this had taken place while Jane was heavily pregnant with his child. Inexplicably, Judge Simon Newell decided that Vass was not a threat and freed him on bail.

Jane lived in so much fear that she moved in with her parents for comfort and protection. Vass eventually found out where Jane was working and, in July 2010, he attacked her as she headed home from work. He stabbed her 19 times and then slashed her throat—wounds from which she died. The next day, he was arrested approaching Jane's parents' home. He was on his way to murder either his baby child or Jane's parents, or both.

I have had the honour of talking to Jane's parents and sister. They are a family whose grace and dignity shine above the horror they have endured. However, there is more to this terrible episode and they are desperate for people to hear about it and learn from it. Once in prison, Vass began demanding parental rights over his child. This was the child whose mother he had beaten and murdered, and the child he would, in all likelihood, have murdered if only he had had the opportunity. None of us can imagine the pain this caused Jane's family, but it gets worse still.

Jane's sister began adoption proceedings in order to break the link with Vass. From that moment onwards, the family experienced a legal system that was stacked in his favour, rather than the baby he had tried to kill. Without access to financial support or legal aid, the family had to find separate representation for the baby

and the rest of the family. Had a legal firm not donated pro bono representation, they would have had to sell their house to cover the costs.

A five-day hearing was scheduled in the family court, and the family were informed that Vass had exercised his right to self-representation. The man who had brutally murdered their sister and daughter would be cross-examining them. Jane's sister told me that she simply cannot find the words to do justice to the brutalising effect this had on her as the court date approached. On the day of the hearing, they were informed that he would be appearing by video link, but they were stunned to discover that this was because of concerns for his safety and had nothing at all to do with the wellbeing of the family. As Jane's sister told me,

"It was so shocking. It was all about him—what was best for him, how best to protect his rights. Nothing was balanced against our rights."

During the cross-examination, Vass asked personal questions of the family members. He asked Jane's sister, in reference to the baby,

"What will you tell her about me?"

He asked her husband:

"What makes you think you can be a dad to my daughter?"

The trauma meted out by the family court process is simply inhuman. This family had suffered enough.

The family have asked me to pass on their thanks to two advocates who have made a difference to them during and since these terrible events. The first is Dame Louise Casey who, as Victims Commissioner, learned from their experiences and took steps towards greater recognition for victims in the family court. The second is my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), who joins us here today. As Director of Public Prosecutions, he got to know the family well and they speak in the highest possible terms of him and his advocacy for them.

Progress has been made, but it has been glacial. We have not seen the transformation that is desperately needed. The abuse and brutalisation of women and families is being perpetuated via our legal system. To abusers, the family court is simply another tool through which to extend their hate, their violence and their control of extremely vulnerable women—exactly the kind of people the state exists to protect. Every day that these practices are allowed to continue, shame is heaped on our system of justice, on this House and on our Government, because we have the power to stop this happening and yet it continues.

2.18 pm

Dr Eilidh Whiteford (Banff and Buchan) (SNP): I, too, thank the hon. Member for Penistone and Stocksbridge (Angela Smith) for securing this important debate and for her moving speech. I pay tribute to the other Members who have shared moving stories of their constituents' experiences.

I commend Women's Aid for the publication of the "Nineteen Child Homicides" report. It makes for harrowing reading, but as legislators, we must not stay silent on the issues it raises and we must speak up for the children whose safety, wellbeing and lives are being put at risk by unsafe and poorly risk-assessed contact with parents who are known perpetrators of domestic abuse. The fact that

over the past 10 years in England and Wales 19 children have been murdered, two mothers have been murdered, two further children have faced attempts on their lives and seven fathers have killed themselves after killing their children indicates that there are systemic shortcomings in the approach to family contact that need to be addressed.

I wish I could stand here and say that all is rosy in Scotland, but in reality we face very similar challenges. Obviously, we have always had a distinct legal system, and since devolution the Scottish Parliament has had responsibility for legislation and policy in this area. In some respects, we have a fairly robust legislative framework, but its application sometimes falls very far short and we know that there is a lot more to do. I am glad that Nicola Sturgeon announced last week that a new domestic abuse Bill will be part of the new programme for Government. There is recognition that psychological abuse and coercive and controlling behaviour can be hard to address under our existing laws, and proposed new legislation will seek to put that right.

As understanding of coercive control has grown, however, it has given rise to difficult questions about child contact arrangements and the extent to which abusers can use them and court procedures to continue to exert control over a former partner and their children. The underlying issues on both sides of the border are very similar, and I want to highlight the shortcomings in the implementation of our existing legislation and identify those areas where new legislation or regulatory guidance could strengthen the safety and wellbeing of children and limit the opportunities for former partners to perpetrate further harm.

Section 24 of the Family Law (Scotland) Act 2006 refers to orders made under section 11 of the Children (Scotland) Act 1995, and rightly puts child welfare and children's interests as a priority. The law states clearly that when a court is considering the welfare of a child in relation to parental rights and responsibilities, it must take into account the need to protect the child from any abuse, or risk of abuse, that affects, or might affect, the child. It also states that courts must take into account the effect such abuse, or risk of abuse, might have on the ability of the person who has carried out the abuse to care for, or meet the needs of, the child, and the effect that any abuse might have on the person carrying out those responsibilities.

When a parent raises an action for contact or residence for their child, the court is also under a statutory duty to give the child the opportunity to express his or her views,

“taking account of the child's age and maturity”,

and it has to

“have regard for such views”

as he or she may express, giving them due weight relative against the child's age and maturity. That ensures that the legislation complies with article 12.2 of the UN convention on the rights of the child.

So far, so good. Unfortunately, however, that is not how it always works in practice. I fear that the law is not being consistently applied; that it can still prioritise the rights of a parent with a history of violence over the wishes of children; and that it takes inadequate account of their safety and scant account of the safety of the parent with care.

Earlier this week, Edinburgh University hosted a conference that grappled with some of the difficult issues regarding child contact. I was not able to attend, but one of the keynote presentations was made by the Rev. Tracey Hart, who last October was sentenced to 12 months in jail for contempt of court, having been accused of attempting to keep her children away from their father, who press reports suggest is a convicted murderer with a history of violence. Ms Hart spent eight days in jail before being freed on appeal. The Appeal Court judges ruled that the sentence was “incompetent” and said that she should never have been convicted in the first place, much less jailed.

What disturbs me most is that not one, but two sheriffs were involved in those outrageous proceedings. That brings home to me that we are still battling vestiges of an institutional and attitudinal culture where the dynamics of coercive control are very poorly understood; where the impact of domestic abuse is underestimated; and where the voices of children are diminished. The experience of Tracey Hart and her children suggests that, in some parts of our judiciary, parental rights still override the wellbeing and safety of children. Children's own rights to have their voices heard and respected are not taken seriously enough, and mothers who seek to protect themselves and their children from abusive and dangerous former partners are still seen in some quarters as bitter or vindictive troublemakers. Despite the law being unambiguous, we still seem to have some way to go to ensure that all sheriffs are properly equipped to preside over such cases.

Tracey Hart has been extremely brave in speaking out, but another troubling issue that arises from her experience is the extent to which court processes and the child contact arrangements ordered by courts can be used by abusive ex-partners to continue to perpetrate abuse. That point very much echoes the comments of previous speakers. We need to ask whether contact arrangements are sufficiently robust in protecting families from further abuse, and to find ways to prevent contact from becoming the vehicle through which an abusive ex can continue to abuse their former partner. We need to look at how contact is properly risk-assessed; how staff in courts and contact centres are trained to spot signs of controlling and manipulative behaviour; how a safe environment is maintained; whether new regulator guidance needs to be introduced; and how we can really put the interests of the child at the heart of decisions.

At the moment, there is a presumption that contact with parents is a good thing, but if a parent has a history of violence and abuse, is that really the case? I do not think that we have yet got the balance right. Tracey Hart says that her children were reluctant to spend time with their father. A psychiatrist's assessment of her children indicated that contact was damaging their mental health, and she describes her elder son even vomiting before a contact session. But those children were still compelled to attend sessions and cajoled by staff into spending time with their father when they did not want to do so.

Frankly, that is just not good enough. We need to ensure that all parts of these islands become a safer place for those fleeing domestic abuse. It is incumbent on every single one of us to name these abuses of power for exactly what they are, and to speak out on behalf of

[*Dr Eilidh Whiteford*]

those whose lives are damaged and endangered under present approaches. We can and must do much better. I hope that Ministers are listening and that we will do so.

2.26 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): Before I begin my speech, I would like to pay tribute to the Backbench Business Committee for bringing this debate forward, and to other hon. Members for the moving testimony we have heard today, particularly the hon. Members for Penistone and Stocksbridge (Angela Smith) and for Sutton and Cheam (Paul Scully), who told us harrowing tales of their experience with constituents.

This extremely important debate follows in the wake of the publication of the Women’s Aid report, “Nineteen Child Homicides”. There is no doubt that much more reflection and circumspection is required on the experiences of those who have been subject to domestic abuse and how they are treated in family courts.

“Nineteen Child Homicides” tells the tragic and appalling stories of 19 children, all intentionally killed by a parent who was also a known perpetrator of domestic abuse, over a 10-year period. Those killings were made possible by unsafe child contact arrangements, both formal and informal. Shockingly, the report uncovers a range of concerns with the system of managing child contact, including routine failings to follow legal protocols and a lack of professional understanding of the power and control dynamics of abuse.

Domestic abuse itself has not been a criminal offence, so single incidents are prosecuted under a range of offences, such as common assault or rape, although there is a new criminal offence in England of coercive control. However, because it may prove difficult to prosecute that kind of abuse in a court of law, the First Minister has announced a new domestic abuse Bill as part of the Scottish Government’s programme, putting Scotland at the forefront of nations in tackling the true nature of domestic abuse. The Bill will criminalise psychological abuse and provide a range of associated measures to modernise the justice system and how it responds to domestic abuse. The issue is being debated in the Scottish Parliament this very day.

Although it is clear that domestic abuse is under-reported, there is a growing understanding of the damaging impact that non-physical forms of abuse can have on those who are subject to it. They include methods of control and even threats to harm others, including children.

In Scotland, the creation of a new offence of domestic abuse is an extremely important development, and I urge the Minister to reflect carefully on it. Creating the offence has the potential to have a significant impact on how society views domestic abuse, by ensuring that there is clarity about what is unacceptable under the law. That will make the efforts of the police and prosecution services much more effective in dealing with domestic abusers. Importantly, it will also bring clarity to those who have been subjected to domestic abuse that the justice system is focused on their needs and those of their children. Protecting people in abusive relationships, and their children, which we have heard so much about today, must be the overriding objective.

We spend a lot of time in this Chamber talking about children’s literacy and education and, indeed, even their obesity levels, but before we can tackle any of those issues we must ensure that sufficient measures are put in place to keep them safe from harm—even, when necessary, from an abusive parent; family courts must be mindful of that.

Where domestic abuse is an issue, it has to be presumed that contact with the abusive parent is not in the best interests of the child or the non-abusive parent who could be required to leave them in considerable danger. It is important that the family courts consider the parenting capacity of the abusive parent and the likely impact of past and future abuse on their ability to parent their child safely and on the safety of the non-abusive parent.

It is absolutely vital that family courts prevent further child deaths by always putting children first in family courts. This really requires something of a cultural change within the family court system to ensure that the safety and wellbeing of children and non-abusive parents is understood and consistently prioritised. We have heard plenty of cases today in which that has apparently not been the case. Where a partner is in an abusive relationship, children in the household are not safe either. That is an obvious reality towards which all the evidence points.

I would urge the Minister to look carefully at the measures being put forward by the First Minister in Scotland. It does not matter from where Governments learn or which examples they follow; the only thing that matters is that lives are improved or, as we have heard today, that lives are saved, most specifically the lives of children. The “Nineteen Child Homicides” report should give us all pause for thought. One child killed by a parent or carer is one child too many. These children have no voice; we must be their voice. We must ensure that our justice systems—in all corners of Scotland and all corners of the United Kingdom—serve our children well and keep them safe.

2.31 pm

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): I begin by congratulating my hon. Friend the Member for Penistone and Stocksbridge (Angela Smith) on securing this important debate, and by paying tribute to her constituent, Claire Throssell. As a Sheffield resident, I well remember hearing the shocking news of the murder of her two sons, Jack and Paul, and being horrified to find that this came at the hands of their own father—a man known to the authorities for his history of domestic violence. I am inspired by the bravery Claire has shown since that tragedy in working with Women’s Aid to raise awareness and push for change in the way that the family courts operate. I am pleased to see so many Members joining in her struggle in today’s debate.

Sadly, what happened to Claire’s sons was not an isolated event. As we have heard, between 2005 and 2015, 19 children in 12 families were killed by perpetrators of domestic abuse. All the perpetrators were fathers to the children that they killed. All of them had access to their children through formal or informal child contact arrangements. As the Women’s Aid report makes clear, the blame for these deaths lies solely with the abusive fathers who killed their children. The failures of the family court system do not in any way detract from that.

Nevertheless, we must acknowledge that, when it comes to cases involving domestic abuse, the family courts too often fail to put the safety of children and abused partners first, potentially exposing them to further risk. The Ministry of Justice practice direction 12J, “Child Arrangements and Contact Order: Domestic Violence and Harm”, puts a clear onus on the family courts to put the safety and best interests of the child first when considering child arrangement orders in cases where domestic violence or abuse has occurred. This guidance, one would think, is simple common sense. Unfortunately, it is not always properly implemented.

Family courts understandably take the view that a child should have sustained contact with both parents. Clearly, in the majority of cases, this could be the desired outcome. The problem arises in many cases where domestic violence is a factor—where contact with an abusive parent is likely to lead to further harm to the child, but that is outweighed by the perceived importance of maintaining contact with both mother and father. In other words, the belief is that a child’s best interests are to have safe contact with both parents. Although that is usually the case, it has become an article of faith from which family courts find it difficult to deviate, even for the child’s own safety.

What is more, this skewing of priorities is encouraged in part by legislation. The Children and Families Act 2014 enshrines in law the principle that contact with both parents is best for children. As I say, while this is certainly the case for the majority, it does not recognise that, in circumstances where a parent has a history of domestic violence, such contact can put the child in harm’s way.

Whenever there are allegations of domestic abuse, there must be a serious assessment, authorised by the court and carried out by experts, of the implications for the child’s and the non-abusive parent’s safety. For too long, the abuse of a partner and the safety of children have been viewed as two separate matters by the courts. We must encourage a courtroom culture that views them as part of the same issue.

Women’s Aid is calling for national oversight of the implementation of practice direction 12J, and I urge the Minister to look carefully at how we can bring about a shift in the thinking of the family courts so that child safety is put back at its heart. It is not just the decisions of the family courts that are in need of scrutiny, but their working practices, too. While victims of domestic abuse can be provided with a number of protections when in criminal court, such as giving evidence from behind a screen or through a video link, these are not available in family court.

On top of that, thanks to the Government’s cuts to legal aid, more and more people going to family court are forced, through lack of funds, to represent themselves rather than take on a solicitor. The National Audit Office estimates that there has been an 80% increase in the number of cases taken to the family courts where one of the parties is not represented by a legal professional, and a 30% increase in cases where neither party has such representation.

The upshot of all this is that it is increasingly common for victims of domestic abuse not only to have to face their abusers in court, but to be directly questioned by them as well. Thankfully, there is a greater understanding now than there was in the past that abuse within relationships does not only take the form of physical

violence. We know that intimidation and coercion are just as much a feature. It takes a great deal of courage for those suffering from domestic abuse to break free from these relationships, and we must ensure that they are offered all the support and encouragement that can be mustered. What they should not have to put up with is facing their abuser’s questioning directly in court, and being placed in a position in which the intimidation they have escaped from is inflicted on them once again.

The protection that applies to criminal courts should likewise apply to family courts, and I trust that the Minister will take some time to reflect on the ordeal that appearing in these courts so often is for the victims of abuse. Above all, I urge the Minister to instigate a full review, as other hon. Members have called for, based on the reports submitted by Women’s Aid and the all-party parliamentary group on domestic violence. We must ensure that Jack and Paul and all other victims are never forgotten.

2.38 pm

Alison Thewliss (Glasgow Central) (SNP): I pay huge credit to all the speakers who preceded me in the debate, particularly the hon. Member for Penistone and Stocksbridge (Angela Smith), who spoke about the heart-breaking case of her constituent, Claire Throssell. I am absolutely in awe of her strength and her dignity in the face of unimaginable trauma. I am glad that we can be part of putting Jack and Paul’s names on the record today. I would also like to pay tribute to the amazing women’s aid organisations across these islands, particularly Scottish Women’s Aid, which assisted me in preparing for this debate and works daily to support women and families through the ordeal of domestic abuse. It has told me that child contact issues are still a huge problem. I also pay credit to Glasgow women’s aid and the Glasgow rape crisis centre for the work they do to support women, which includes going through the court process. I long for the day—I am sure we all do—when women and children can live their lives without fear, but until then I am glad that these organisations and their committed staff and volunteers continue to carry out their vital, life-saving work.

The Scottish Government are responsible for child protection in Scotland. Members may be aware that a debate is also happening in the Scottish Parliament today on the proposed new domestic abuse legislation, building on the excellent work of the Equally Safe strategy. There is ongoing work from the Equally Safe group on all areas of gender-based violence. I commend all partners involved for continuing to strive to make improvements in policy in Scotland.

The proposed Bill in Scotland will create a new offence of domestic abuse. It will include criminalisation of psychological abuse such as coercive and controlling behaviour, which can be difficult to deal with under existing laws. It will also ensure appropriate penalties are available to deal with domestic abusers, and it will provide a range of associated measures to modernise the justice system to respond to domestic abuse.

In Scotland, we already have the Victims and Witnesses (Scotland) Act 2014 which allows special measures in courts, automatically in criminal cases and by application in civil cases. That can be very important. I have spoken to a number of the organisations involved in this, and it does help hugely to have these measures in place.

[Alison Thewliss]

The basis for the system is good, but, sadly, Scotland is not immune from the difficulties described in this debate. Our court processes are not yet perfect, and this is reflected in the lived experiences of women and children going through this system. Scottish Women's Aid tells me it remains concerned by the situation in the courts, where women are not believed and their experience of domestic abuse is downplayed. The significance of being able to tell your story and be believed is huge. Women are consistently undermined by abuse, their confidence shattered. Even getting as far as going to court is a massive ordeal. For the legal process then to remove any last part of dignity a woman has is unforgivable.

As the hon. Member for Penistone and Stocksbridge and others have mentioned, there also exists an artificial separation between an abuser's actions and their ability to carry out their role as a parent. It would seem entirely logical to most people that if someone is of a mind to abuse, threaten, undermine, rape and control their partner, their ability to care appropriately for their children would come into question. That is not always the case, however, and the notion that a court would decree that contact with a parent who has demonstrated their capacity for violence is more important than the safety of that child terrifies me. I have had testimony sent to me by Women Against Rape in that respect, which in the interests of time I will post on Twitter later.

The prospect of having to deal regularly with an abusive ex-partner is incredibly daunting. Scottish Women's Aid has said to me that the court process

“denies women and children their right to be protected and recover from abuse. The processes and decisions in our...courts are guilty of re-victimisation.”

This issue of re-victimisation is very important and needs to be looked at right across government—right across the practices we have. Concentrix was mentioned earlier, and the fact that it puts people in a position where they are being re-victimised. Benefits tribunals can put people in that situation, too, where their experiences are called into question. The Department for Work and Pensions is in that position as well. I will mention here, as I have mentioned many times before, the issue of universal credit and household payments. I will also mention the two-child policy and the rape clause. That a Government Minister, Lord Freud, could tell me in a meeting that he thought women suffering from domestic abuse should just flee is deeply worrying, and the Government need to reflect right across government on how we value women and children and how we make sure they are protected in every aspect of their lives.

The views of children must be taken into account, too, because they experience the trauma of domestic abuse and can carry that through their whole lives. Their voices are not always heard as they should be. A new project, Power Up; Power Down, is currently under way with Scotland's Commissioner for Children and Young People in partnership with Scottish Women's Aid. Looking at this in that way has the potential to change how court processes are carried out, to allow young people's voices to be heard, and to allow them the chance to determine what would make them feel safest, and what their needs and desires actually are.

They do not want to be put in a position where they are in fear of their lives, and where they worry about the impact on their mother of their going to visit an abusive parent.

Finally, I would like to read from a card from the Recounting Women project, which Scottish Women's Aid and other women's aid agencies in Scotland have carried out. It is a participatory photo-voice project allowing women to share their personal experiences of domestic abuse and it is available online as well:

“This is the Sheriff Court where I experienced so much injustice, including unsupervised visits and Bar Reports that weren't fair for me and my children. How much abuse can a father do to a child that puts his children out on the street, changes the locks, puts their clothes outside in bin bags. Then they force the children to see their dad while I'm trying to help them forget the trauma.”

I ask Ministers to reflect on this, and for us all to reflect right across government on how we can help women and children to be safe.

2.45 pm

Keir Starmer (Holborn and St Pancras) (Lab): I, too, congratulate those who secured this debate and everybody who has spent so long working on this issue—in particular, the all-party group on domestic violence and Women's Aid on raising the issue of how domestic violence cases are dealt with in the family courts. The statistics and examples of domestic abuse, some of which have been given this afternoon, are so continually shocking that we have a duty to come back to this debate over and over again.

I do not intend to repeat anything anybody has already said. I want to address two issues: first, what has been happening in the criminal courts to make the position better, and to raise the question of why some of that has not been done in the family courts; and secondly, to go to the question of abuse of process, where individuals are clearly using the civil courts for a purpose they were not intended for.

The criminal courts are not perfect. There are all sorts of problems still with our criminal courts in dealing with domestic abuse, but anybody who has worked on this—people across the House have done so—will recognise that real strides have been made that make a real difference in relation to the criminal approach over the past 10 to 15 years. I want to outline why I think that has happened, because this is a time to reflect on the processes in the family courts and to see whether some of that can be replicated.

The first thing that happened was that we began to count the cases. Back in 2002-03, nobody knew how many domestic abuse cases were going into the criminal court, so we could not begin to have a policy or strategy. We started counting the cases, and if the number of cases where litigants in person before family courts is not being counted now, that needs to start, and we need to understand how many of them may be victims of domestic abuse. So counting is the starting point.

We then need a policy to understand, so that everybody who plays a part in the process has a policy that helps them make the right decisions in the area they are responsible for. That happened in the criminal process about 10 or 12 years ago—those policies began to be rolled out, and they have been improved over the years. A policy on its own does not do the job, so we need a

strategy, too, that makes it clear what we are trying to achieve and is proactive and forces things to change. We also need leadership: people who are prepared to go out there and say, "We're going to change what's going to happen." All that has helped in the criminal sphere, with lots of different people leading in different ways. When we put it all together, it is clear the position has undoubtedly changed, so that it is now unrecognisable.

I will go through some of the features. Independent domestic violence advisers and independent sexual advisers are extremely good and are relied on by victims to help them through that part of the process. Specialist courts for domestic violence made a real difference, where everybody in the courtroom was trained and understood the issues; there were separate courts and lists, and the environment made it easier to deal with domestic violence cases. There was better co-ordination and support, with groups like Women's Aid and many others out there to provide the support victims need for the journey they were going to go through in the criminal courts. And then there were practical measures that took the strain off the victim.

It is particularly important for a 999 tape, recording the person who phones the police to report what is happening, always to be secured, and for a police officer to arrive at the scene wearing a body cam. Those two bits of evidence will secure a conviction in almost every case of domestic abuse. It is amazing that they are still not the norm even in the criminal sphere. With the 999 tape and the body cam, it will almost certainly be possible to prove a case without putting a strain on the victim by requiring him or her to make that case in court.

Then there are special measures. When I went along to the all-party parliamentary group on domestic violence and heard some of the evidence about family courts, I was struck by the fact that what I was hearing simply would not be tolerated in the criminal courts any more. Special measures are a norm in the criminal courts, and it would be thought to be the duty of the prosecution, the defence and the court to ensure that they are in place.

Some of the changes that have taken place have undoubtedly improved the situation in the criminal courts, although I am not pretending that it is perfect, and I am not suggesting that there is not much more to be done. I think that those improvements came about because a number of individuals decided to listen to what people were saying to them. My hon. Friend the Member for Hove (Peter Kyle) mentioned the terrible case of Jane Clough. Her parents, Penny and John, came to see me, and I just sat down for the afternoon and let them tell me what had happened to them during their journey through our courts. It reflected on the organisation that I was running and it reflected on the criminal justice system, of which I am very proud, but I listened, and other people listened. We need to listen, and that is why today's debate is so important.

We also need to be non-defensive. In my experience of criminal justice, the moment our organisation or system is criticised, we circle the wagons and try to protect what we think is good, rather than accepting that it might not be so good. It is necessary to listen, to give a non-defensive, open response, and then to have an absolute determination to change things. Jane's parents asked me to go with them on a journey to change some

of the things that had gone wrong for them, and I am proud to call them friends and co-advocates on that continuing journey.

There are real lessons to be learnt, and when I say that I look, obviously, to the Government Front Bench. There are lessons to be learnt about what has happened in the world of criminal justice in the last 15 years and to ask searching questions about why some of that cannot be replicated in family and other courts—starting, as I have said, with listening, non-defensiveness and an absolute commitment to change.

The second point that I want to make concerns the abuse of process, an issue that I think is rising on the agenda. Perpetrators of domestic abuse use our courts—both criminal and civil, but it is on the civil courts that the torch has not been shone—to continue the perpetration of control and harassment of victims. I pay tribute to Claire Waxman, herself a victim of harassment. She and Voice4Victims have raised this issue on numerous occasions.

There are two types of abuse of process. First, there are the individuals who bring proceedings in which they have no legitimate interest: they are doing it simply to ensure that the person whom they have been stalking or harassing is forced to come to court to strike out their claim. Because these are people with no legitimate interest, the courts will strike out the claim when they get to grips with it, as a vexatious claim. However, the victim will have to go to court to argue that it is vexatious, and that is all that the perpetrator wants: for that person to come to court. That is what happened to Claire Waxman, and it has happened to other victims.

This problem could be solved by Christmas. Again, I am looking straight across at the Government Front Bench. It ought to be possible for someone working for the senior judiciary to devise a way to ensure that such cases are subject to a special strike-out procedure that does not require the victim to go to court and take the initiative, and some third party does it instead. I honestly think that a month or two of hard work, and some real courage and determination, could produce a system whereby a practice direction could be issued and the problem could be put to one side.

The second type of abuse of process is more difficult to deal with. In these cases, the perpetrator has an interest—a child, for instance—and it is therefore not possible to say that that individual simply should not be allowed to be in court at all. In those circumstances, it is a question of looking at special measures, support and different ways of arranging family and other courts to ensure that they are not used with ulterior motives, because there is growing evidence that is happening. These are difficult cases, but it must be possible to provide support for victims, special measures and, indeed, a more proactive role for judges. A big change in the criminal courts was that judges began to be much more proactive and to say, "This is my problem. I must deal with it. It is my duty to provide a better environment for victims on their journey through our courts."

What today's debate throws up is that these issues are not going to go away. They need to be solved, and I think they can be solved across the House, but that will require listening, non-defensiveness and commitment to bringing about real change. Real change has already happened in the criminal sphere; it can happen in the family courts as well, and it need not take 15 years if lessons from one jurisdiction are borrowed by the other.

2.54 pm

Jim Shannon (Strangford) (DUP): As is often the case in the main Chamber, I am the last Back Bencher to speak, but I look forward to contributing none the less. I was very touched by all the contributions, but particularly that of the hon. Member for Penistone and Stocksbridge (Angela Smith), who set the scene so well—no one could fail to be moved by her contribution. Other right hon. and hon. Members put their cases eloquently and powerfully, and it is good to have them on the record. None of us in the Chamber today, or I suspect outside this place, will have heard those stories without having an ache in their heart.

In the short time available, I want to offer a Northern Ireland perspective, as I always do in this place. I wish that I could say that the figures for Northern Ireland are better, but unfortunately they are not. When Members hear some of the statistics I will give to illustrate the situation, they will start to understand some of the problems we have back home.

This matter requires much thought and consideration. It affects far too many homes and families across the United Kingdom. The statistics are shocking. During this contribution, police forces across the UK will receive at least 10 calls regarding domestic abuse, which is simply horrific. Multiply those 10 calls by the number of Members who have spoken and we get an idea of the number of domestic abuse cases that have taken place since this debate began.

In 2014-15, 28,287 incidents with a domestic violence motivation were reported to the Police Service of Northern Ireland. The PSNI responds to a domestic incident every 19 minutes of every day. I am not sure what the reasons are for that—people with much more knowledge will explain—but it might be down to our conflict of 30-odd years, or to economic changes. There are certainly pressures in our society that can make it difficult to have safe and compatible relationships. Some 13,426 domestic abuse crimes were reported, which is approximately 13% of overall crime in Northern Ireland. In the same year, six murders were found to have had a domestic abuse motivation, which is 37.5% of all murders in Northern Ireland. The statistics therefore indicate that the level of domestic abuse in Northern Ireland is very worrying.

At 13,426, the number of domestic abuse crimes was over two and a half times that of drug offences. We know how important it is to address drug issues, but there were just over 5,000 drug offences in that period. The number of burglaries was 9,000. There were 2,734 sexual offences recorded, including 737 cases of rape. Again, those are very worrying figures. Since January 2010, 8,363 multi-agency risk assessment conference cases have been discussed, including 10,856 cases in which children were living in the household, and in 7,955 of those cases the victims were female.

I want to give a few examples, without mentioning any names or going into too much detail, of the cases that I have been confronted with as an elected representative. I have a case of a lady from my constituency who I have known since she was a wee baby. She was married and had two children. She went to live in another part of the Province and she and her husband became estranged. He became quite violent. One night he arrived at her house with a sledgehammer and smashed the

backdoor in. I have to say that the police responded very quickly and were there within five minutes. They arrested her husband and took him away. That relationship broke down. This is not just about the violence perpetrated on the doorstep; it is also about the trauma and the mental and emotional effects upon that lady and her two children.

I had another case—I do not think this has been mentioned so far, but I am sure that Members will relate to it—in which a constituent was pursued by her ex-partner at home, at work and on the streets, to the extent that she feared for her life. The thing is that that lady took her own life. Sometimes, we have to look at the after-effects as well.

Stop me if I am wrong, but there is a massive issue that we must be certain that we are handling in the best possible way across the United Kingdom of Great Britain and Northern Ireland. We must make changes to handle the issue in the best way possible. In 2014, a report by Her Majesty's inspectorate of constabulary found that the police response to domestic abuse was not good enough and that the responses were inconsistent. A reinspection in December 2015 found that, although some positive changes had taken place, there was still room for improvement. That is why we are raising the issue again in the Chamber today.

I know that the Minister will give us some idea of the responses that have taken place and how the improvements have happened. I understand that there is no one blueprint that suits every case. Every case we have heard about today has been different. If there has been a theme, it is that every case is particular and peculiar to the individual person. None the less, they do constitute domestic violence. The term “domestic violence” covers a multitude of sins and each case should be treated individually. There must be a scheme in place that allows that to happen.

In this debate, we are focusing on the changes needed on domestic violence cases in family law courts. However, many cases of domestic abuse do not end up in court as the victim is unwilling to testify. That is the position in many of the cases I have in my office. The couple fall out; they drift apart; they get back together again; and the difficulties continue, with all the “sorrlys” and apologies from the partner to the lady concerned. Some do not find the strength to face their abuser, and it is for them that I stand here today and ask: how much more can we do for them? I understand that there have been changes to the statute of limitation and that has to be welcomed, but what more can we do on that matter?

An essential part of change is recognising that domestic violence is not simply against women and children. Women's Aid in Northern Ireland has released its statistics for 2014-15, which paint a picture of the different scenarios that it is dealing with every day, which we in the debate would recognise. It runs a 24-hour domestic and sexual violence helpline, which received 27,923 calls—almost the same as the PSNI received across the Province. The majority, by miles, of calls to the service continue to be from women. The percentage of male callers this year rose to some 2.2%; the previous year, the percentage was 1.5%. There were 611 sexual violence calls to the helpline from 518 female callers and 93 male callers—sometimes, let us be honest, men themselves have to contact the organisation and I want to put that focus into the debate—262 calls came from foreign

nationals and black and minority ethnic women; 35 calls came from the LGBT community; 58% of women callers disclosed mental health issues; and 533 women, an increase of 79 on the previous year, and 226 children, a decrease on the previous year, were referred to Women's Aid refuges.

I pay tribute to Women's Aid for what it does in my constituency. It is a marvellous organisation. It is very receptive and responsive. I know the matter is devolved. I always encourage the Northern Ireland Assembly to ensure that moneys are available for that organisation, too.

This is a hugely diverse range of issues and the fact is that we need improvement in the service provided in all these areas. Although I understand that the task of creating a system that can offer support on the different types of domestic violence appears almost overwhelming, one thing is clearly needed in each case: compassion. We need to ensure that all responders understand that in some cases we cannot understand why someone goes back into an abusive situation. I cannot begin to understand that, but it happens. They deserve and need no less help and compassion than anyone else. Let us help them all. People need to know that there is a safe place and help available anytime they need it and that we have a system in place that will aid people in getting their lives back together. I want to say a big thank you all those Government bodies—the housing services, the police, social services—and all the organisations and charities, including Women's Aid, which is an independent body, that work together.

This is a big problem that is complex by its very nature. The contributions in the House today have shown that we want the change that is necessary, especially for those who need it most. We must do our best to make the situation better for them. It is my belief that the hard work must begin in this place today.

3.4 pm

Richard Burgon (Leeds East) (Lab): I want to start by congratulating my hon. Friend the Member for Penistone and Stocksbridge (Angela Smith), along with the Chair of the Women and Equalities Committee, the right hon. Member for Basingstoke (Mrs Miller), and all the other hon. Members who have together secured this vital debate. I should also like to thank the Backbench Business Committee for affording Members this time in the Chamber to discuss this issue. Having listened to today's discussions, I am sure we can all agree that the contributions have been powerful, moving, thought-provoking and well informed. I also want to take this opportunity to pay tribute, as other hon. Members have done, to Claire Throssell and to thank her for all her work with Women's Aid in trying to ensure that other mothers are protected in a way that, tragically, she and her children were not.

As my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) has mentioned, the issues that we have discussed today have been brought into focus in recent weeks and months by a storyline in "The Archers", which has dominated the news cycle over the past week. It is inspiring that a charity appeal inspired by the storyline on that radio show has raised more than £150,000 for the charity Refuge. I read this week about the tragic case of Mary Shipstone, whose estranged father murdered her before taking his own life. She and her mother had fled a life of violence and were living in

a safe house. It was an act described by the serious case review as a "spite killing", cynically designed to take the child from her mother and leave an indelible memory of Mary's death. Another high-profile case, which was mentioned by the hon. Member for Sutton and Cheam (Paul Scully), was that of Ellie Butler, who was murdered by her father following her return to her parents. These are events that no mother and no family should have to endure.

As my hon. Friend the Member for Penistone and Stocksbridge told the Backbench Business Committee when she applied for this debate, it is important that the voices of these women should be heard. I especially want to congratulate her on fulfilling her promise to the Committee in her speech today. She made sure that the voices of those women were heard and put on parliamentary record the words of Claire.

I also congratulate Women's Aid on publishing its urgent and important work, "Nineteen Child Homicides", 12 years on from a similar shocking report. Much time may have passed since that original report's publication and, although progress has been made in respect of domestic violence and the family courts, much more needs to be done. That 2004 report influenced the landscape of the family courts, and there is every reason to hope, following the debate today, that the latest report will also have a big effect. As we have heard from my hon. Friend the Member for Hove (Peter Kyle), there needs to be a transformation of our family courts. They need to be an arena for justice, not a weapon with which those who have done wrong can seek to inflict further pain on those who have been wronged.

The case studies described in the report are truly shocking. All the perpetrators were fathers to the children they murdered, and all the murders took place in the context of child contact, whether informally or formally arranged between the parties. The cases to which the Women's Aid report refer tend to show a deeply worrying pattern in which the fathers involved are actually known to agencies as perpetrators of domestic abuse. The reports' findings show that a culture of "contact at all costs" has unfortunately arisen in our family courts. As long ago as 2006, however, the then Lord Justice Wall said in response to the first report from Women's Aid on this subject:

"It is, in my view, high time that the Family Justice System abandoned any reliance on the proposition that a man can have a history of violence to the mother of his children but, nonetheless, be a good father."

Against that background, it is particularly alarming that Women's Aid found that the justice system still views the abuse of a mother by a partner or husband as somehow separate from the child's safety. Anyone reading the report will agree that a review is necessary, but as shadow Justice Secretary I was particularly struck by the barriers identified in the report to ensuring that granting of child contact is safe.

Access to justice is no access at all if it does not also include access to advice and representation. As mentioned by my hon. Friend the Member for Sheffield, Brightside and Hillsborough (Gill Furniss), the coalition Government inflicted large cuts on the legal aid budget, and private family law cases were no exception to that damaging trend. Although the Government introduced interim regulations for family legal aid earlier this year, the picture has scarcely changed. Those seeking publicly

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funded legal representation must provide evidence. The time limit for submitting evidence may have been extended from two to five years, but many will wonder why there is a time limit at all. It may be more appropriate for an assessment of relevance to be made rather than to set an arbitrary period of time. It is the provision of evidence itself that causes difficulty and the report makes it clear that much of the required evidence is either “unavailable or unobtainable”. Practitioner groups I have met also report reluctance by some professionals to put the required evidence in writing. Those who do sometimes find their form returned because it is not in the prescribed format and so the process begins again.

At the time, the Government committed to review the effects of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 within three to five years. To date, not only has a review not been published, but no such review has started. It is alarming that some 38% of women were not in a position to obtain the necessary evidence to persuade the Legal Aid Agency that, as victims of domestic violence, they should be eligible for legal aid. More than a quarter of those women had no option other than to represent themselves in court as litigants in person. As outlined by my hon. Friend the Member for Great Grimsby (Melanie Onn), that can mean being cross-examined in court by the perpetrator of the abuse and the extra stress of having the sole responsibility for navigating the complex case law and legal processes. As mentioned by my hon. Friend the Member for Birmingham, Yardley, when a defendant has no legal representation in the criminal courts they will be prevented, quite rightly, from cross-examining a complainant who alleges domestic violence. Instead, the court will appoint an advocate, paid for with public funds, to conduct cross-examination. If that is good enough for the criminal system, why is it not good enough in the family court system?

At her first Justice Committee appearance last week, the new Secretary of State for Justice stated that one of her three objectives was to realise a justice system that works for all, something with which we can all agree. If that is the case, she must turn her mind rapidly to the experiences we have heard today—the experiences of those in the family courts—because the clear evidence of this report is that this is not working for all. To that end, I was disappointed to hear that the all-party group on domestic violence has received no response to date to its “Domestic Abuse, Child Contact and the Family Courts” report. I want to take this opportunity to pay tribute to the work of the all-party group and its chair, my hon. Friend the Member for Birmingham, Yardley. I hope the new Justice Secretary will do more. I hope that she will take on the task of responding directly to the work of the all-party group and consider carefully the seven recommendations its report makes. As with the Women’s Aid report, it emphasises the need for better adherence to practice direction 12J. As we have heard, that relates to protecting the child and the parent they are living with, and ensuring that the best interests of the child are elevated above other considerations when determining child contact.

As my hon. Friend the Member for Rotherham (Sarah Champion) so eloquently said, combating violence against women and girls must be a priority for all parties. Labour’s general election manifesto committed to

establishing a commissioner on domestic and sexual violence, to influence priorities across all Departments. We also said that we would publish a violence against women and girls Bill, and provide more stable central funding for women’s refuges and rape crisis centres. As my hon. Friend the Member for Birmingham, Yardley mentioned, we welcome the Government’s change of position on women’s refuges and changes to housing benefit. But, fundamentally, the Government should heed this motion and implement a review as soon as possible. I commend the motion to the House.

3.16 pm

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): I will not be taking any interventions, in an attempt to get through all the questions that have been asked in this important debate, so I ask hon. Members to forgive me. If I do not answer all of the points raised, I will be writing to hon. Members. Let me begin by thanking the hon. Member for Penistone and Stocksbridge (Angela Smith) and other Members for securing this debate. On a personal level, I believe that she is an impressive Member of Parliament, and her core decency, which was visibly displayed today, came through. I think that is why she is such a valued Member of this House.

I recognise the strength of feeling on the subject of domestic abuse and the importance that hon. Members from all parts of the House attach to addressing it. The more we talk about this issue, the better. I am very grateful for the opportunity to discuss such a pressing issue, not least because in clinical practice I have encountered a number of cases of domestic violence, primarily against women, but I must say that it also affects men—that should be mentioned. I also think it is important that today we have heard contributions from both men and women; this problem blights our society and we are all responsible for sorting it out.

Domestic abuse appals every one of us. As the Prime Minister made clear in the House only last week, tackling such abuse is a priority for the Government. This debate centres on an important report by Women’s Aid, which was published in January and is entitled “Nineteen Child Homicides”. It calls on the Government to review the treatment and experiences of victims of domestic abuse in the family law courts. It examines a number of serious case reviews published in the 10 years up to 2015, all involving children who were killed by their fathers—19 children in total. The fathers in question all had access to their children through formal or informal contact arrangements. At this point, may I mention the story that the hon. Member for Penistone and Stocksbridge vividly described? I gather that the mother, Claire, is here, and the story of the loss of Jack and Paul horrified us all. I am in awe of her courage, not just because she is here today, but because her attempt to find some positive outcome to such an appalling tragedy deserves the respect of us all.

The Women’s Aid report makes for harrowing reading. No child should ever die or live in such dreadful circumstances, and it is incumbent on all of us to consider whether more can be done to prevent such tragedies. The report underlines the need to prioritise the child’s best interest in child contact cases involving domestic abuse, and to make sure that known risks are properly considered. The law is clear on that: the family courts’ overriding duty is the welfare of the child.

In March, the Government launched a new strategy on violence against women and girls. We committed £80 million of funding and set out a comprehensive action plan. The Ministry of Justice is playing a central role. Although there remains much work to be done, we have already made progress. We are working closely with the Home Office to protect victims, including introducing the new offence of coercive control, new stalking laws and domestic violence protection orders.

This year, we allocated around £68 million to police and crime commissioners to support victims of crime, including victims of domestic abuse. Today, we announced our plans to allow vulnerable and intimidated witnesses to be cross-examined earlier in the criminal process through digital recording. As well as improving the quality of evidence provided by such witnesses, this should make the experience of giving evidence less traumatic.

This Government's work to improve the criminal justice response to domestic abuse is also beginning to bear fruit. Last week, the Crown Prosecution Service reported that the number of prosecutions and convictions for domestic abuse is now at its highest level. More victims are seeing justice.

We in the Ministry of Justice remain committed to working closely with partners the CPS and the Home Office, particularly when responding to domestic abuse, but our role does not end there. The Ministry of Justice is acutely aware of the particular responsibilities of supporting victims of domestic abuse going through the family justice system. The issues at stake in family proceedings are sensitive and often complex, and the courts' decision can have far-reaching implications for the individuals involved, particularly for children. Domestic abuse only exacerbates an already traumatic situation.

We have therefore taken a number of steps to make sure that victims of domestic abuse who find themselves in the family justice system have the support and the protection that they need: we have protected legal aid for individuals seeking protection from abusers; we are investing in the court estate to improve the physical security of family courts and the emotional support available for users; and we have placed renewed emphasis on training for those who work in the family justice system.

Where arrangements have been found wanting, we have taken action. For example, when the Court of Appeal ruled earlier this year that elements of the evidence requirements for making legal aid available to victims of domestic abuse in private family cases were invalid, we changed the regulations as an interim measure. In parallel, we began work to explore fully the issues at play in these cases. We are determined that victims of domestic abuse should be able to access legal aid when they need it, and we want to understand better the experience of victims in these situations so that we can be sure that we have workable arrangements for the longer term.

Over the summer, we have been working collaboratively with domestic abuse support groups, legal representative bodies and colleagues across Government to gather information on the legal aid evidence requirements. I for one welcome the collaborative approach to this work, and would like to see it adopted on other issues.

We are not complacent. We know that there is room for improvement, and we are working closely with the

judiciary in particular to consider what additional protections may be necessary for vulnerable victims and witnesses in the family justice system.

Another important report on domestic abuse and the family justice system was recently published by the all-party parliamentary group on domestic violence. It highlighted a number of issues of concern, which we are now examining carefully.

I was struck by the unfavourable comparison the APPG's report made between the treatment of domestic abuse in the family justice system and that in the criminal justice system, which has done a great deal in recent years to develop a coherent, system-wide response to the matter. As the hon. and learned Member for Holborn and St Pancras (Keir Starmer) pointed out, it is fair to say that the family system can learn valuable lessons from criminal justice, and in particular from the focus that criminal justice agencies have brought to developing a joined-up response, which takes full account of the needs of the victim. The Government agree that it should never be a case of "contact at all costs".

Judicial guidance issued to family judges by the president of the family division of the High Court—practice direction 12J—makes it clear that the court should make an order for contact only if it can be satisfied that the physical and emotional safety of the child and the parent with whom the child is living can, as far as possible, be secured before, during and after contact.

Compliance with judicial guidance is properly the responsibility of the independent judiciary, as are a number of the issues raised in the two reports. The most senior family judge, the president of the family division, has asked a High Court judge to review the practice direction in the light of recommendations made by Women's Aid and the all-party parliamentary group on domestic violence. I will meet the president later today, and intend to raise this with him in person.

I shall now respond to points made by hon. Members during this discussion. We have heard from the hon. Member for Penistone and Stocksbridge, my right hon. Friend the Member for Basingstoke (Mrs Miller), the hon. Member for Rotherham (Sarah Champion), my hon. Friend the Member for Sutton and Cheam (Paul Scully), the hon. Members for Birmingham, Yardley (Jess Phillips), for Great Grimsby (Melanie Onn), for Hove (Peter Kyle), for Banff and Buchan (Dr Whiteford), for North Ayrshire and Arran (Patricia Gibson), for Sheffield, Brightside and Hillsborough (Gill Furniss), and for Glasgow Central (Alison Thewliss), the hon. and learned Member for Holborn and St Pancras (Keir Starmer), and the hon. Member for Strangford (Jim Shannon). Each made a thoughtful and powerful contribution.

I read both reports with interest; they were a difficult read. I can inform the House that I will meet Polly Neate, the chief executive of Women's Aid, on 17 October, when I look forward to discussing the recommendations with her in person. The hon. Member for Birmingham, Yardley made an important point about the lack of data on the number of litigants in person; I agree that we have insufficient data on trends in the family justice system. I assure the House that evidence-based policy will be at the heart of everything I do as a Minister.

On vulnerable witnesses in the family court, the hon. Members for Rotherham and for Birmingham, Yardley, asked about "controlling or coercive behaviour", and

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the understanding thereof in courts. The law is clear: the definition of “harm” includes a child witnessing domestic violence, which includes controlling or coercive behaviour. We are working with the judiciary to consider what additional protections for vulnerable victims and witnesses may be necessary.

With regard to training on domestic abuse—an issue raised by the hon. Member for Penistone and Stocksbridge and my right hon. Friend the Member for Basingstoke—responsibility for judicial training rests with the Judicial College, which runs modules on domestic abuse. Court staff receive training on various aspects of domestic abuse. We are reviewing the training, and have shared the training materials with Women’s Aid to assist us in the review. All family court CAFCASS advisers must complete core training, including on the assessment of domestic abuse, coercive control, and the impact on children.

My hon. Friend the Member for Sutton and Cheam raised the case of Ellie Butler. We have all been shocked by the circumstances of that case, but my hon. Friend will appreciate that I am unable to comment on individual decisions of the independent judiciary.

In closing, let me again thank hon. Members for the opportunity to discuss this important subject. I do not need to be reminded of the impact of domestic violence on people; as a doctor, in the last three months I have had two cases of domestic violence, and it is truly shocking when one encounters women in those circumstances. I am determined to do everything that I can to improve our management of cases when they come before the criminal justice system, and indeed to try to get rid of this scourge, which blights our society. I am hopeful, particularly after this debate, that we can work together across the House, and indeed beyond, as we continue efforts to improve the way in which the family justice system responds to domestic abuse.

3.28 pm

Angela Smith: I thank the Backbench Business Committee for having given us this very important debate, which I think has shown the House at its finest. We have heard not only the arguments, but the stories and the voices that needed to be heard. Claire is here today, and I know how much this means to her, but all of this means nothing until we see effective change.

The extent of the challenge was made clear to me this afternoon by a rather unpleasant tweet sent to my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) and me in response to my hon. Friend’s comments about the high quality of the debate; it said:

“man-hating at its finest...well done”.

If that does not spur us on to make the changes necessary to put children first in our family courts, nothing will.

I thank the Minister for his thoughtful and considered response, but I urge him to act as quickly as is reasonably possible to make the changes that we know are necessary to stop children dying at the hands of their father.

Question put and agreed to.

Resolved,

That this House notes the Women’s Aid report entitled *Nineteen Child Homicides*, published in January 2016; and calls on the Government to review the treatment and experiences of victims of domestic abuse in family law courts.

Ann Clwyd (Cynon Valley) (Lab): On a point of order, Mr Deputy Speaker. About an hour ago the Foreign Affairs Committee, of which I am a member, published a report on the use of UK-manufactured arms in Yemen, accompanied by a press release.

As a member of the press I know that very often, to save time, one reads the press release, not the report. I would be grateful for your advice, Mr Deputy Speaker. I want to make it clear that there was a majority report and a minority report. The minority report was tabled by myself and the hon. Member for North East Fife (Stephen Gethins). Nowhere in the press release is the minority report mentioned.

I think it is very misleading to put out a press release which suggests that the report is supported by all the members of the Foreign Affairs Committee. We specifically supported the reports from the Business, Innovation and Skills Committee and the Department for International Development. That is included in the report, and we say quite clearly that the arms export licensing regime has not worked, and we recommend that the UK suspend licences for arms exports to Saudi Arabia that are capable of being used in Yemen, pending the results of an independent United Nations-led inquiry into reports of violations of international humanitarian law, and that the UK issues no further licences. That should have been included in the press release.

Mr Deputy Speaker (Mr Lindsay Hoyle): The right hon. Lady knows that I have no jurisdiction over press notices and press releases on Committee reports, but as she has made good use of the Chamber today, I am sure that all the newspapers and the media that are looking on will have taken notice of that, and I am sure it will be highlighted. It is not a point for the Chair, but it is certainly on the record now.

Sue Hayman (Workington) (Lab): Further to that point of order, Mr Deputy Speaker. I am concerned about the lack of information that we are getting from the Government about how the funding that we are giving Yemen is being managed. May we have a report? When was the last time a British diplomat visited Yemen? We need to put on the record that we are not getting proper reporting back on what is happening there with our funding.

Mr Deputy Speaker: Once again, that is not a matter for me, but it is on the record. The hon. Lady made the point clearly about British diplomats going out there. I am sure the Leader of the House will have noted that. It is also a point that can be raised at business questions. The hon. Lady has taken advantage of the opportunity and put it on the record.

Quantitative Easing

3.33 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): I beg to move,

That this House calls on the Bank of England to provide a detailed analysis of the effect of its quantitative easing programme on the financial markets and the wider economy which includes an assessment of the future development of the quantitative easing programme and other monetary policy measures it may consider appropriate to achieve its objectives.

I draw the attention of the House to my entry in the Register of Members' Financial Interests.

I understand the motivation to introduce the quantitative easing programme back in March 2009. The need to restore confidence and take action to stimulate lending and growth after the financial crisis was well understood. As QE was put in place, many commentators were worried about unfounded risks of inflation, which betrayed an ignorance of what the effects of QE would be.

My primary concern about the Bank of England's QE programme, the asset purchase scheme, was not that it might lead to some kind of hyperinflation, but instead that it would not necessarily lead to an increase in lending. That was the evidence from Japan, where for a significant period after the introduction of its unconventional monetary policy, lending actually fell. Of course, that outcome has been mirrored here. If we look at M4—also referred to as broad money—its value in January 2010 was £2,220 billion. The figure for July 2016 was £2,210 billion—a slight fall in the value of broad money. Now, the improbable counter-factual is that lending might have been lower without QE; the inescapable fact, though, is that engaging in quantitative easing to the extent we have has not resulted in an increase in the money supply in the UK. It does seem that the asset purchase scheme has predominantly enhanced the balance sheets of financial institutions, without a commensurate increase in lending.

We understand the difference between QE and simply printing money, which is that QE should eventually be unwound, although the mechanisms and timings are the great unknowns of today. Just to put this into context, the Bank of England now owns an eye-watering quarter of all outstanding Government debt—in effect, we have borrowed against ourselves.

When I sought the agreement of the Backbench Business Committee for this debate, it was ahead of the Bank of England announcing further measures in August to add to its QE programme. That means that this is a very timely, much-needed debate, and it is right that, seven and a half years into the QE programme, we in this House take stock of what has been achieved and, indeed, what the interaction between monetary and fiscal policy should be to deliver confidence and growth for our economy.

With the measures announced in August, the Bank of England has authorised a QE programme of £445 billion. The desire to drive down interest rates, coupled with the effect of the QE programme, has seen investors seek other, higher-yielding assets, with a commensurate increase in asset prices and a decline in yields. Given those circumstances, the financial markets have seen a great bull run. The FTSE 100 was at a level of 3,529 on 6 March 2009, ahead of the launch of the QE programme.

Last night, the index closed at 6,673, representing a gain in value of 89% over the last seven and a half years. The QE programme has helped to deliver an outcome that means that those owning financial and property assets have done well—that was perhaps an unintended consequence of QE—while, on the face of it, there has been no net positive impact on growth in the money supply.

Jeremy Quin (Horsham) (Con): I note what the hon. Gentleman says on the money supply. The Bank of England reports do indicate an increase in growth in the economy as a result, certainly, of the first round of QE immediately post the first financial crisis, so it may yet have had a positive impact on the level of inflation in the economy and GDP growth—clearly of benefit to us all.

Ian Blackford: My contention would be that we have actually had very limited reporting from the Bank of England on the actual effect of the QE programme, and we need a much more detailed analysis. I accept, of course, that there would have been some limited impact on the economy from the QE programme. I will go on to discuss whether we need to balance some of these monetary measures by taking additional fiscal measures, which may have done more to boost sustainable economic growth. That marriage of our responsibilities for monetary and fiscal policies has to be relevant to the point the hon. Gentleman made.

As the Prime Minister herself said:

“Monetary policy—in the form of super-low interest rates and quantitative easing—has helped those on the property ladder at the expense of those who can't afford to own their own home.”

On this occasion, I agree with the Prime Minister—I do not intend to make a habit of that though.

There has to be a policy response from the Government that recognises that fiscal measures must be taken as part of a balanced approach to deliver the circumstances of sustainable growth. If we look at the growth in financial wealth, we can see the contrasting experience of those who have benefited from this wealth effect at a time that real wage growth has stagnated. We know from an analysis published by the Bank of England in 2013 that QE had boosted asset prices and that the top 5% of households owned 40% of those assets. The analysis from the Bank of England at that time estimated that the top 5% of households had become richer to the tune of £128,000 on average. QE has demonstrably exacerbated wealth disparity between rich and poor.

Mark Field (Cities of London and Westminster) (Con): I would have to agree with elements of what the hon. Gentleman is saying. We have had these ultra-low interest rates and quantitative easing in place for a hell of a long time, and they have had a distorting effect along the lines that he has suggested. Does he not recognise, though, that when, in March 2009, we entered a phase of emergency interest rates and started down the road to quantitative easing, no one would have envisaged that this far down the line the British economy—indeed, more importantly, the world economy and the European economy—would be in such a state that it would be difficult for us to raise interest rates? In other words, the policy in 2009 and for the next year or two afterwards was entirely acceptable and understandable, but it was not envisaged that it would carry on for so long.

Ian Blackford: I find myself agreeing with the right hon. Gentleman. As I said, we all recognise that it was a necessary step to take in 2009. I am really grateful that the Backbench Business Committee has granted this debate, because it is important to reflect on how the monetary policy initiatives that have been taken need to be balanced by other measures to make sure that we can deliver the sustainable economic growth that he mentions. We need a detailed analysis of what has happened to the £445 billion that has been invested in the asset purchase programme. As he says, given the economic circumstances we have no idea at this stage when we are likely to see that begin to unwind. Indeed, it is likely to be some years into the future.

We need to reflect on the experiences that I have discussed and be prepared to consider what we need to change in both monetary and fiscal policy in order to foster inclusiveness and fairness. We have not created circumstances where there has been a material enhancement to business confidence that has led to an increase in business investment that is necessary to drive up productivity and enhance living standards for society as a whole. Post-Brexit, much is talked about those who have been left behind. In this context, there must be an examination of QE and an assessment of alternative measures both monetary and fiscal. In my opinion, there has been a disconnect between growth in financial assets and growth in the wider economy.

There is also the issue of the impact on savers of lower interest rates, and the impact on pensions and pension savings. The difficulties experienced by the BHS pension scheme and the desire to change the arrangements for the British Steel pension scheme are just two examples of situations where there are risks to members of defined-benefit pension schemes. Today in the UK, there are about 11 million citizens in about 6,000 defined-benefit pension schemes. Figures that I obtained earlier this year suggested that the then combined deficit in defined-benefit schemes was about £384 billion, with about 600 schemes in a danger zone in terms of meeting their long-term obligations.

One of the challenges that pension schemes face is the impact of QE particularly with regard to the declining yields on Government gilts. Let me put that into context for the House. A movement in UK gilts of 50 basis points equates to an approximate increase in defined-benefits pension schemes deficit of £120 billion. When we consider that the 10-year Government bond yield was at 3.1% in March 2009 and we are at 0.5% today, we can see the scale of the challenge that pension funds have faced from the decline in yields. We have invested, if I can use that term, £445 billion in driving down yields and creating a pensions black hole, undermining in the process the attractions of savings and, in particular, pensions savings.

It is not just the impact on future income streams for pension funds, but the effect on declining annuity rates, which is of considerable concern. This effect was identified by the Treasury Committee in a report of 2012 which stated:

“Loose monetary policy, achieved through quantitative easing and low interest rates, has redistributional effects, particularly penalising savers, those with ‘draw-down pensions’, and those retiring now.”

We need to reflect on such statements and consider how to adapt our approach. Standard & Poor’s stated in a report this year that QE has exacerbated wealth inequality.

Mr Steve Baker (Wycombe) (Con): I welcome this debate. I wonder whether the hon. Gentleman saw the editorial in *The Daily Telegraph* of 13 September headed, “A pension scandal at the Bank of England”, which discussed the fact that senior staff had been given massive increases in their pension contributions in order to fight the phenomenon he mentions. I am afraid that what is sauce for the goose in the case of the Bank of England is not sauce for the gander. Does he agree that the Bank of England is in danger of being accused of hypocrisy again and again as this proceeds?

Ian Blackford: The hon. Gentleman makes a very good point. I have not read the article, but I have seen the press headlines about it. That is exactly the point I have tried to make in painting a picture of the inequality. Those at the top or in the vanguard of society, if one wants to put it that way, are seen as benefiting from the quantitative easing programme—it benefits the pension schemes of those in the Bank of England—while ordinary workers and savers have been penalised. He is absolutely right, and one therefore recognises why we have the disconnect in society.

Helen Goodman (Bishop Auckland) (Lab): One of the problems caused is obviously inflation in house prices, which I will say a little more about later. In response to the hon. Member for Wycombe (Mr Baker), is it not also the case that the Bank of England is still subsidising the mortgages of its staff and helping them up the very steep property ladder?

Ian Blackford: I must say that I have no particular knowledge of that, but if it is the case, I agree with the hon. Lady that it is not helpful. I did not specifically mention house prices when I was talking about the rise in financial markets, but quantitative easing has clearly led to an increase in property prices, and we know the problems that people suffer from, particularly in the south-east of England, as a consequence. That is one of the unintended consequences I mentioned.

I hope that the Minister will reflect on all this and, when he responds, tell us how the Government can bring forward measures that will address specifically the issue of rising wealth inequality, which concerns Members right across the House. While I recognise the desire of the Bank of England proactively to take action to support confidence in the financial markets and the wider economy, the Treasury has been almost completely absent in the deployment of fiscal policy tools to grow the economy and counter the negative impact of Brexit. One cannot divorce monetary and fiscal policy; they have to work in tandem. There is a particular challenge in encouraging companies to invest through their seeing a growth opportunity in the wider economy. We all have responsibility for creating the circumstances in which there is a realisation of such growth opportunities.

I appreciate that the illogical desire of the previous Chancellor to achieve a fiscal surplus in the current Parliament has now, thankfully, been abandoned. We should all share in a desire to cut the deficit and debt, but the question of how to get there requires a much deeper debate. I am pleased that voices across the Chamber now seem to recognise that we have to accept our full fiscal responsibilities, as well as our monetary responsibilities, to strengthen confidence and growth.

In particular, we need to consider infrastructure investment, as a counterpart to our monetary measures, to build capacity, improve efficiency and create an environment that will encourage business investment to allow us to improve productivity, competitiveness and, as a result, living standards. It is about making sure that we move away from a situation in which QE has been beneficial to those owning financial assets to one in which wider society sees a greater benefit from a more balanced approach.

My party, the SNP, has long advocated ending and reversing the Tory Government's programme of austerity, which has failed our economy and harmed our social fabric, and using fiscal tools to create a fair, resilient and balanced economy. The productivity and inclusive growth Bill proposed in the SNP's alternative Queen's Speech would bring about an inclusive, prosperous economy through a modest investment in infrastructure and vital public services. Such a balanced approach would return the public finances to a sustainable path while continuing to invest. The Bill would boost investment, halting the austerity programme that has strangled economic progress. It would oversee increased spending on public services by a modest 0.5% a year in real terms between 2016-17 and 2019-20, which would release over £150 billion during that period for investment in public services, while ensuring that public sector debt and borrowing fell over the current Parliament. In doing so, the Bill would stimulate GDP growth, and support wage growth and tax receipts. By transforming productivity and innovation, it would act as a major signal of confidence in our economy. Such a modest increase in expenditure would stop the cutbacks that disproportionately burden the most disadvantaged groups, cause widespread suffering and inequality, and deny opportunities to so many.

The International Monetary Fund, in its latest "World Economic Outlook", has revised growth projections down, signalling the headwinds ahead, and urged policy makers to engage in more active policy responses to tackle the underlying challenges. It called for advanced economies to "strengthen growth" by engaging in "structural reforms, continued monetary policy accommodation, and fiscal support—in the form of growth-friendly fiscal policies where adjustment is needed and fiscal stimulus where space allows."

Furthermore, in an article entitled "Neoliberalism: Oversold?", the IMF revisited the effectiveness of austerity and concluded that these policies increased inequality and jeopardised long-term economic growth.

In its latest economic outlook from June 2016, the OECD encouraged policy makers around the world to "break out of the low-growth trap"

and deliver economic prosperity by deploying fiscal policy "more extensively", as well as by taking advantage of the low-interest rate environment created by monetary policy. It suggested the use of structural policies to enhance market competition, but also urged Governments to intervene to enhance labour market skills and invest in infrastructure that would deliver long-term productivity and economic growth.

Even the US has pressed other G20 countries for more fiscal policy activism to put growth ahead of austerity. Ahead of the September 2016 summit in China, the US Treasury Secretary, Jack Lew, said a "consensus" had formed around the US position on the need for countries to "use all policy tools", including monetary, fiscal and structural reforms.

The UK Government's failure to co-ordinate fiscal and monetary measures to rebalance the economy following the financial crisis has left a toxic legacy of stagnating growth. The SNP understood the use of quantitative easing by the Bank of England as a response to the financial crash and a temporary measure to regain stability. However, the effectiveness of monetary policy has been gravely undermined by the austerity agenda and it leaves a legacy of unintended consequences that will put an unprecedented burden on future generations. The Bank of England should evaluate the effectiveness of its QE programme and the wider consequences of its continuation after the UK's decision to leave the EU. The UK Government should reflect on that and put in place effective fiscal measures.

3.51 pm

Mr Steve Baker (Wycombe) (Con): I am delighted to participate in this debate and congratulate the hon. Member for Ross, Skye and Lochaber (Ian Blackford) on securing it. I certainly support him. Like him, I am pleased to agree with my right hon. Friend the Prime Minister's comments on monetary policy. That is certainly a first for me, and I hope to explore more with her how we should move forward.

I pay tribute to the journalist Tim Price of *MoneyWeek* for bringing forward a petition on the parliamentary website against QE, which has so far secured more than 4,700 signatures. I hope that by the end of this debate, with the enormous audience it is bound to draw, there will be a few more signatures.

One of the great tragedies of this subject is that, although we might think it is one of the most important issues of our time, it is not well understood, as can be seen from the attendance in the Chamber. Although the public feel the effects of it widely, their representatives are not as well equipped to participate in debates on the subject as they might be.

I will talk about the two areas mentioned in the motion: the effects of QE and the future development of policy. It might be helpful first to turn to page iv of the last inflation report, which sets out the channels through which monetary policy works. The first is by bringing forward spending by lowering the "real interest rate". The next is by lowering debt servicing costs, which is the "cash-flow channel". There is the lowering of funding costs, which is the "credit channel". It also mentions the "wealth channel", which is people selling assets to the Bank, so that they can

"reinvest the money received in other assets",

thereby supporting asset prices. The "exchange rate channel" bears consideration, given that our exchange rate has just dropped. That is an object of Bank policy. There is also the "confidence and expectations channel", which demonstrates that the Governor, the Bank and the Monetary Policy Committee are aware of the importance of their role in the markets of creating expectations and the effect that that has on the real economy.

The hon. Member for Ross, Skye and Lochaber made some good points about wealth inequality—a matter on which I will dwell. In 2012, the Bank of England wrote a report on the distributional effects of asset purchases. It states:

"By pushing up a range of asset prices, asset purchases have boosted the value of households' financial wealth held outside pension funds, but holdings are heavily skewed with the top 5% of households holding 40% of these assets."

[Mr Steve Baker]

After the MPC's last inflation report, the Treasury Committee picked up on wealth inequality and the extent to which it is promoted by what I would call "easy money" and by QE specifically. The Committee is increasing its focus on the issue. I am glad to see present the hon. Member for Bishop Auckland (Helen Goodman), who serves with me on the Committee, and I look forward to hearing what she has to say. I think that hon. Members on both sides of the House are converging on a genuine concern that the processes of the market are being undermined in their justice by the current set of monetary policies.

If anything, QE has an upside: it has made explicit a phenomenon that has been going on for a long time. The hon. Member for Ross, Skye and Lochaber mentioned the quantities of M4 outstanding. If we look back a bit further, we will see that M4 outstanding in 1997 was about £700 billion. If we plot the quantity of M4 outstanding, we will see an accelerating rush through that supposed moderation and in the quantity of M4 outstanding. Is it any wonder that we seemed to have abolished boom and bust, and seemed to be getting better off, when actually there was an enormous acceleration in the supply of credit, leading to a crisis, broadly a stagnation in the creation of money, and the categorically different economic environment in which we find ourselves today?

This has gone on for a long time. The Office for National Statistics and the Library published a paper looking at price inflation back to 1750. It has an instructive chart—I regret that I cannot put it on the record—which shows, on a linear scale, that the value of money was broadly flat until about 1914–18. There was some inflation during the wars and then, from 1971, the value of money collapsed. What happened in 1971? The final link to gold was severed and money became inflationary. As ever, Governments' third means of financing themselves after tax and borrowing has been currency debasement, and it is that continuous, chronic expansion of credit that has brought us to the position we are in. Although we are now increasingly concerned about the wealth equality effects—the justice effects—of QE, the point is that the money supply has been chronically expansionary since 1971, and therefore those effects have been going on throughout my lifetime.

I will not read out the whole passage, but in "The Economic Consequences of the Peace", Keynes wrote:

"By a continuing process of inflation"—

that is, increasing the money supply—

"governments can confiscate, secretly and unobserved, an important part of the wealth of their citizens. By this method they not only confiscate, but they confiscate arbitrarily; and while the process impoverishes many, it actually enriches some. The sight of this arbitrary rearrangement of riches strikes not only at security, but at confidence in the equity of the existing distribution of wealth."

What has changed? Nothing much. That was, of course, only Keynes; I am not quoting some wild-eyed libertarian monetary scholar.

Is it any wonder—I have given advance notice of this—that we see reported in *The Daily Telegraph* today a speech by the hon. Member for Hayes and Harlington (John McDonnell), in which he said:

"We've got to demand systemic change. Look, I'm straight, I'm honest with people: I'm a Marxist... This is a classic crisis of the economy—a classic capitalist crisis. I've been waiting for this for a generation!"?

He went on to say, if the House will forgive me for repeating this:

"For Christ's sake don't waste it, you know; let's use this to explain to people this system based on greed and profit does not work."

I have covered this theme before. The point is that, if this is capitalism, I am not a capitalist. It is not capitalism when money, under the centrally planned and directed policy of a committee of wise men and women at the central Bank, creates a chronically expansionary environment, which we are now beginning to realise has real wealth effects. That is not capitalism. If the outcome is unjust, that is because of our monetary arrangements, in my view. There will be other factors, but I think that that is potentially a profound cause of wealth inequality and injustice in the market economy.

Jeremy Quin: I am interested in my hon. Friend's speech; as is so often the case, he is sharing interesting ideas with the House. I totally get a lot of what he is saying about the inflationary trajectory, but, as a monetarist, would he have supported QE when the policy was launched in 2009—I know that I am going back a bit—given the circumstances at the time? He seems to think that it has run its course and ceased to be effective, but would he have supported it initially?

Mr Baker: My hon. Friend asks a magnificent question, one that is discussed on the website of the Cobden Centre—a think-tank that I co-founded. [Interruption.] There, I said it. The question is, "Would Hayek have supported QE?" The consensus of Hayek scholars is that, given all the circumstances at the time, he would have supported it, to prevent the money supply collapsing and the horrific humanitarian consequences that that would have involved. But would he have supported it now to try to stimulate the economy, creating patterns of economic activity sustained only by that expansion of the money supply? Flatly, no. I was not in Parliament at the time, and I am happy to tell my hon. Friend that I did not have to make that decision. We are where we are.

My second point is that I believe policy is now ineffective and counter-productive. The Governor told the Treasury Committee that we have "extraordinary, if not emergency" monetary policy; we have had it since 2009. I believe that if, during that seven-year period, productive investments could have been made, brought forward and induced by these low interest rates, they would have been made by now. When it comes to real productive investment, I think we are into the law of diminishing returns. We therefore run the risk of inducing firms to engage in activities that will not have a return—in other words, banks will make non-performing loans. That is, of course, the problem afflicting the Italian banking system, as we sit here.

The question is whether this monetary policy can produce a self-sustaining recovery and do it in a non-inflationary way. One of my advisers wrote to me before this debate to say that if we

"remove the base effects from the collapse in oil prices—as will happen over the coming months—and then just let the underlying 'core' inflation trends continue as they are, CPI would be 4%+ by mid-2017."

That is something I shall ask the Governor about next time we see him.

Further to what the hon. Member for Ross, Skye and Lochaber said, Andrew Lilico, an economist at Europe Economics, has pointed out:

“In the three months to July 2016...the UK’s broad money supply (on the Bank of England’s preferred ‘M4ex’ measure) grew at an annualised rate of 14.7%”.

When I raised this with the Governor at the last Treasury Committee meeting—I used the monthly figures; it is far starker if we look at it quarterly—I asked whether, if the money supply is currently growing by 14.7% annualised over three months, we should expect more or less inflation next year. I think that I know the answer, but when I put it to the Governor, his answer was that aggregates had moved away from the whole problem of inflation targeting. I encourage the hon. Member for Ross, Skye and Lochaber to have a look at exactly what he said. I shall return to some of the Governor’s remarks in a few moments.

Ian Blackford: I am very much enjoying listening to the hon. Gentleman’s contribution. Given the case that he outlines, does he consider that there is a bubble in financial assets and, indeed, in property assets, and if he does, what would he do about it today?

Mr Baker: I certainly agree with the hon. Gentleman. Indeed, the Bank of England’s Andy Haldane said that the Bank had deliberately inflated the biggest bond market bubble in history. That is not a literal quote because I do not have it before me, but that is broadly what he said. If we look at the period 1997 to 2010, the period before the crisis, and look at the regional distribution of house prices, we find an eerie correlation between it and the increase in the money supply. That distribution of changes correlates with what one might expect of Cantillon effects—in other words, in London and the south-east, house prices rocket away quicker and earlier, while in the north-east and Scotland, house prices increase more slowly as the money spreads out. My point is that there is a good case for saying that Cantillon effects and the increase of the money supply have a profound effect not only on particular assets, but on the regional distribution of prices. It is something that the Bank should consider in its report. It should speak to and address the issue. Speaking as a humble aerospace and software engineer who has only read a few books, it is not within my gift to produce the research.

My next point is that this is a deliberate policy of manipulating asset prices, disrupting the price mechanism in the capital markets. Therefore, there will be a misallocation of capital. The Governor made a speech in New York at a monetary policy conference in which he acknowledged this phenomenon. I have tried to raise it further with him, but he is very good at moving the subject on. His speech was in defence of inflation targeting, and he dealt with four criticisms of it. The first was that price stability does not guarantee financial stability. He went on:

“Second, the stronger critique of the Austrian school is that inflation targeting can actively feed the creation of financial vulnerabilities, especially in the presence of positive supply shocks... From the Austrian perspective, this misguided response”—

the response of the central bank—

“stokes excess money and credit creation, resulting in an intertemporal misallocation of capital and the accumulation of imbalances over time. These imbalances eventually implode, leading to crisis and ‘bad’ deflation.”

It cannot be said that the Governor of the Bank of England is unaware of the somewhat unfortunately titled Austrian school of economics, which I believe in and which tells us that money creation has real structural effects on the economy that affect people’s everyday lives. I was going to challenge the Bank to include in its report an assessment of these things, to demonstrate whether or not it was aware of these effects, but the Governor’s speech has shown us that the Bank is aware. It should not only show in its report that it is aware, but justify what the Governor went on to imply, which is that, by using other instruments, it could deal with these structural consequences. That is one of the big questions of our time: whether or not the structural consequences of easy monetary policy can be dealt with using its other instruments. I am absolutely convinced they cannot be dealt with, and therefore we will have a worse crisis later than the one in 2008.

I sense that Mr Deputy Speaker would like me to wrap up, so I will just make the following point. This has gone from an exercise in saving the financial system to an exercise in kicking the can down the road. How will it develop in future? We have gone from low rates to QE, and I think we will go to negative rates. There has already been talk of banning cash. There have been discussions of helicopter money, too, and at the recent inflation report meeting, out of four people, only the Governor would rule out helicopter money. It is encouraging a misguided belief that if only we printed money and gave it to everybody, there would be justice. This kind of naive inflationism is madness.

Ian Blackford *indicated assent.*

Mr Baker: I am grateful to the hon. Gentleman for agreeing with me.

We have got to get to a point where we escape from easy monetary policies. That will come through one of three mechanisms: a self-sustaining recovery, which I emphasise I very much hope for—I hope that the Bank, and all the central banks, are right on that—or the next phase will be massive inflation, or there will be an abandonment of easy monetary policies before either of those things, at which point there will be a horrific correction.

The great question for society and us as representatives, and indeed for monetary economists, is going to be what went wrong. Will people blame the free market and vote for the policies of certain Opposition Members, which will lead to more statism and I would argue impoverishment and misery? Or will people blame central planning by central banks, which is deliberately dislocating our economy, manufacturing injustice and undermining faith in the market economy and has dropped us into a profound crisis of political economy?

I very much welcome this motion. I shall certainly support it, and I congratulate the hon. Member for Ross, Skye and Lochaber on moving it.

4.8 pm

Helen Goodman (Bishop Auckland) (Lab): I congratulate the hon. Member for Ross, Skye and Lochaber (Ian Blackford) on securing this important debate, and I am pleased to follow the hon. Member for Wycombe (Mr Baker), with whom I have discussed these issues on several occasions.

[Helen Goodman]

Inequality is one of the most profound problems facing this country and it is getting worse. The problem of inequality is exacerbating differences between different social groups, dividing families, because there are big intergenerational gaps, and also dividing this country geographically, with very significant regional inequalities. So to learn that the Bank of England's quantitative easing is expanding these gaps between rich and poor is extremely alarming.

As the hon. Member for Ross, Skye and Lochaber said, the Bank undertook its own analysis of the impact of QE in 2012. I think that what it found was that the top 5% had seen an increase in their wealth of £185,000 and the bottom 50% got no increase in their wealth because they did not have assets.

Unlike the hon. Member for Wycombe, I am not critical of QE in principle or of the package the Bank of England unveiled in the early summer, because I think Brexit is a real shock to the economy and we do need to take action to stabilise it and avert the reductions in growth that would otherwise occur. None the less, I am not satisfied that the Bank had demonstrated that the way in which it was carrying out quantitative easing was the best way, which is why I think it worthwhile for us to examine the issue in more detail.

Just to set in context the increase in the asset holdings of the top 5%—a considerable part of it being in the housing market and property prices—it is worth observing that the average house price in Britain is now £212,000. What we are saying is that, in practice, the Bank of England has given the top 5% enough money to buy another house. Were the Chancellor of the Exchequer to stand up at the Dispatch Box and say, in the Budget or the autumn statement, “I am giving £85,000 to the richest people in the country”, I think that even Conservative Members would be alarmed and concerned, and perhaps even slightly rebellious. But because it is being done by the Bank of England and is rather hidden, we are not seeing the same level of concern, and we need to see the same level of concern.

Moreover, it is a problem when the ratio of average earnings to average house prices is eight to one. That puts the possibility of home ownership way beyond many millions of people, which is why home ownership is falling. Of course we need to address the housing market, and of course we need an increase in the supply of housing, but we are not seeing that at the moment, and QE is making the situation worse.

Jeremy Quin: I entirely understand the point that the hon. Lady is making, and I accept what she said about the Chancellor of the Exchequer coming to the Dispatch Box and so forth, but I would not wish the message to go from the House to a broader audience that that was an intended aspect of the policy. When QE was introduced by the last Labour Administration, it was introduced with the perfectly admirable intention of ensuring that GDP growth was improved and inflation targeted. I would not wish the wrong message to go out on the intention of the policy; we are debating potential side-effects that may or may not have occurred.

Helen Goodman: What the hon. Gentleman says is absolutely fair, and I agree with him. I would not go so far as to say, “Labour QE good, Tory QE bad”—I think

that would be slightly Orwellian—and, as I said initially, I was not saying that I did not think there should have been another package this summer. My questions are about the way in which that is done.

Along with the hon. Member for Wycombe, I have quizzed the Bank of England about the matter on three separate occasions. On the first occasion, when I asked the Governor about the distribution impact, he said that taking account of distribution would be political. I cannot see how giving wealthy people more assets is not political. However, we have questioned the Bank more recently, and it seems to me that people in different parts of it say different things. I think it would be unfair to say that they speak with forked tongues. However, on one hand the chief economist, Andy Haldane, has said that monetary policy

“cannot close other structural faultlines across the UK economy – for example, regional, socio-economic, inter-generational... Monetary policy cannot set different interest rates for different regions”,

and also that UK recovery has been

“for the few rather than the many”.

That seems to be a criticism of an unequal society. Andy Haldane seems to be saying that this is not good socially and it is not good economically.

On the other hand, when the Treasury Committee questioned Sir Jon Cunliffe on the matter, he said:

“I would only point out that we have the tools we have.”

That is a bit like “Brexit means Brexit”. It is a rather gnomic and unhelpful approach. I think it is stalling; I think that the Bank does not want to look at different ways of carrying out QE, and I do not think it is being sufficiently imaginative.

In January I visited the European Central Bank in Frankfurt and asked how it does QE. It does it in different ways, and it is able to do so in part because the financial infrastructure is different in other countries. For example, it does not just buy Government bonds and gilts; it buys bonds in KfW and CADES—the German and French infrastructure banks—and it has a special strand that aims to get more money into the small and medium-sized enterprise sector. So I do not accept the Bank of England saying, “We have the tools that we have and there is nothing different we can do.”

I commend to the Bank some work that the New Economics Foundation has done on this. It seems to me that the Bank could be buying investments in housing associations, for example. In fact, that would be a much better way of dealing with our housing crisis than giving a lot of money to rich people, thereby pulling up property prices. I do not think that the Bank has a very good understanding of the housing market—we have quizzed its officials on that as well. For example, the Governor told us last week:

“Housing finance in this economy is quite sophisticated”.

I do not think that it is sophisticated; I think that it is quite dysfunctional, because we are seeing more and more money going into people exchanging properties, rather than going into more building, which is what would actually make a difference to the housing crisis.

I really hope that the Bank will not only better analyse what it is doing, as the motion suggests—it did commit to come back in September 2018 with renewed analysis of the impact on assets and wealth distribution of this further round of QE—

Ian Blackford: Will the hon. Lady just confirm that the Bank of England said that it would come back in September 2018? I hope that it will come back before then, because otherwise it suggests a complacency and unwillingness to analyse the situation and give us the information that I think this House should be demanding.

Helen Goodman: Well, that is probably my fault, because I asked it to do so by September 2018. We could ask it for something here and now, but obviously the new package was only announced in August and its impact will be felt some way down the track. My thinking was that there will be no point trying to analyse the new package by Christmas, because we will just not see it.

In addition to having a better understanding of all the effects of its QE programme, the Bank needs to look at what other central banks do, including the European Central Bank because there could be some useful lessons. I think that we might get some better effects if we tweaked it a bit. I have to say that it has a bit of a blind spot when it comes to the issue of distribution. When we quizzed its officials about their purchase of corporate bonds, they said that they were distributionally blind. In other words, they wanted to be completely neutral and not take a position. When we asked them about the distribution of wealth among households, they seemed to confuse being politically neutral with not taking a view on the significance of distribution. I think that is a mistake. I also think that if we are piling lots of money towards richer and richer people, the monetary impact is likely to be much less, because the propensity of the wealthy to consume is much less than that of people on low incomes, so it is not even being done in the most effective way.

I will read what the Bank said:

“the Chairman made some points a little earlier about accountability and the Bank being involved in decisions that were the province of politicians, or some might think would be the province of politicians.”

It went on to say that the tools it has

“are not perfect...However, we have a clear objective, which Parliament has given us...and we have certain tools to implement it. It does have distributional effects, and if we were to be in the business then of deciding what the distributional effects should be, we would be straying even further into areas that are really the province of elected politicians.”

That is a fundamental misapprehension. The hon. Member for Horsham (Jeremy Quin) pointed out that QE was embarked upon in 2009 to speed up growth; the distributional impacts were not in mind. However, now we know that it is producing those wealth effects, it is disingenuous to ignore them. That is the position the Bank is trying to take and we need to push back. I am grateful that the hon. Member for Ross, Skye and Lochaber has given us the opportunity to do that in the House today.

4.21 pm

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): It is with some inevitable trepidation that I stand to speak in the debate, given the eloquence and experience of those who have spoken before me, not least the experience of a modest crofter from Skye, my hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford). I was taken not only by his great eloquence but by every contribution this afternoon in what, inevitably,

is one of the most important debates that I have taken part in. It is also one of the most thoughtful. While others can wax eloquent given their experience in the financial sector over many years and their distinguished careers, I come to this issue trying perhaps to give voice to others who do not have that background.

The ordinary person in the street would recognise that we live in troubled times. There is increased uncertainty and the stability and certainties of the past seem to have flown past. For example, who could have foreseen at the outset of QE that today many economies would be experiencing weak growth, low business investment, collapsing prospects for pensions, near negative interest rates penalising savers and a huge increase, as the hon. Member for Bishop Auckland (Helen Goodman) said, in wealth inequality.

I would like to add something else to the equation. We need to recognise the political instability that has arisen. People are feeling that they are disfranchised, have no voice and are losing hope. That is one of the profound social and political consequences that deserves to be considered.

It was not supposed to be like this. It may be wise to cast a critical eye over what seemed to most people, myself included, an entirely logical response to the crisis some years ago. It is good that people are able to reflect. Although it comes hard for many politicians, it is good when we, too, are modest enough to recognise that we do not always get it right and that we need to learn from experience. For example, many people in recent years feel that the UK Government's economic plan has been blind to some of the consequences of QE. That is seen in the poverty, in many cases, of the fiscal response to aid those who are not benefiting from the increasing wealth. The Treasury needs to think about doing more to achieve a better balance between the fiscal response and the monetary response. The time is surely right for it to mount a rigorous and open appraisal of the balance between monetary policy and fiscal measures, and of whether each of the rounds of QE has had the desired effect. The Bank could also look at that question.

Let us recall some of the antecedents of QE. I might not have worked in a bank at any time—the only time I go into the bank is when I receive a phone call from it—but in a past life, I used to read quite a lot about this subject. Everyone attending this debate will recall that it was back in 1969, in a paper by Milton Friedman entitled “The Optimum Quantity of Money”, that the idea of what we know today as QE was created. Friedman contended that if policy interest rates reached the lower bound of zero, it would be appropriate for a central bank to purchase assets—Government bonds in the first instance—to create a wealth effect that it was no longer possible to achieve through the conventional interest rate policy of the central bank. Friedman's notion of quantitative easing was that asset prices would be boosted, leading to an increase in confidence and spending through the wealth effect. In turn, economic activity would be given a boost.

In more recent times, however, even that great monetarist Allan Meltzer—who has written widely on the development and application of monetary policy and on the history of central banking in the US—has questioned the efficacy of QE, arguing that it has not led to what Friedman expected. In particular, the key aim of creating an

[Roger Mullin]

increase in confidence and therefore investment has not transpired as hoped. Today, too, central bankers seem content to see inflated asset prices. But who speaks for the millions of savers around the world? Who speaks for the ordinary men and women who have paid the price of banking failure? Where were the UK Government when our economy failed to diversify or balance in the aftermath of the global financial crisis? Where were the necessary fiscal measures when it transpired that the relatively poor were paying the price for the mistakes of the wealthy? The SNP and others understood the use of quantitative easing by the Bank of England as a response to the 2008 crisis to be a temporary measure to help to regain stability. How long, I now ask, is this temporary measure going to last?

I agree with my hon. Friend the crofter that the effects of monetary policy have to a great extent been undermined by the austerity agenda, which is now leaving a legacy of unintended consequences that is placing an unprecedented burden on future generations. Broadly speaking, the policies being followed by central banks around the world benefit a relatively narrow group of people—equity-rich individuals and investment banks, for example—but few others. It is the unintended consequences—I admit that they are unintended—of QE that must now be the focus of policymakers.

Mr Baker: I agree with much of what the hon. Gentleman is saying. The Bank of England is not represented here, and I do not agree with it, but if it were here, I suspect that it would say that everybody benefited, given the reality that there would have been a worse recession if it had not acted. Does he agree that that argument is now wearing thin?

Roger Mullin: The hon. Gentleman must have read the next part of my speech. However, that allows me to haste along and agree precisely with what he has said.

A friend of mine, Dr Jim Walker, wrote to me recently and pointed out that

“interest rates throughout history have not only been the cost of capital (or the reward to thrift) but have also been a signalling mechanism about the future”.

We now know that zero interest rates and QE tell business owners and entrepreneurs that there is little or no growth coming. They therefore encourage businesses to hold cash and be extremely cautious about investment. The signalling mechanisms have had a different effect from those predicted by Friedman. It is again time to review the situation. It would be difficult to argue that QE has therefore led to the increase in confidence and investment that was the argument for it.

We can also see other consequences. Despite eight years of near zero interest rates, UK real gross fixed capital formation is 2.8% lower than its 2007 peak. Therefore, investment in the real economy has not been boosted in the way that was originally thought. A similar phenomenon has been going in other aspects of the economy on the demand side, such as in how households have been afflicted. Zero interest rates and asset purchases were supposed to convince ordinary people to borrow and spend more immediately, but some key groups have reacted to zero interest rates by saving more. Why? In order to provide for old age, they

can no longer rely on the positive compounding effect of above zero interest rates; nor can they rely on getting the type of annuity for which they may have planned. Instead of encouraging that group to spend, policies have encouraged them to save more due to fear for the future. Such savers are understandably angry. After years of saving some of their income, many people have zero income from their savings.

I am not somebody who is disadvantaged—I have a well-paid job in this House—but I wonder how people who, like me, have a cash ISA are feeling. Before the crash, it was fairly common to get 6% interest, but I received a letter a few weeks ago to point out that from 1 December the interest rate is going to be reduced yet again to 0.1%. The time has come to undertake a critical review of the policies of recent years.

Mr Deputy Speaker (Mr Lindsay Hoyle): I say to the Front-Bench spokesmen that there are three of them and we are going to finish at 5 pm.

4.32 pm

George Kerevan (East Lothian) (SNP): We are a small but enthusiastic band this afternoon, but it strikes me that there is something serious here. For the last eight years, the entire western world has been undertaking the most extraordinary monetary experiment in 100 years. If it goes wrong, as pointed out by the hon. Member for Wycombe (Mr Baker), the consequences will be devastating for the world economy. We may find that all we did in 2008 was delay the explosion of the world's economy. It is that serious. I hope that the Bank of England and the regulatory authorities are watching via the camera lenses around the Chamber. This debate should not be seen as an attack on the Bank of England, however. There was an emergency in 2008 and the Federal Reserve and the Bank of England stepped in, and quantitative easing was an interesting device—an emergency brake on the banking crisis. As hon. Members have said, eight years on we should be looking at what else needs to be done.

To use a homely analogy that I hope the technical experts in the Chamber will not blanch at, in 2008 there was a fire in the financial system and we used a high-pressure hose called quantitative easing. Once the fire dampens down, if we keep on using the hose and hose everything in case the fire comes back up, we destroy everything in the house. If we look at the unintended consequences of QE, it is contributing to global deflation. There is inflation in parts, bubbling up through the system, but we have had deflation, which attacks the incentive to invest. We are destroying the propensity to save by bringing interest rates down to near zero. We are destroying bank profits. Has anyone looked at bank share prices over the past couple of years? We saved the banks in 2008 only to destroy their business model through the unintended consequences of QE. Who is going to do something about that?

If we do not do something about it, we will be into another banking crisis of a different kind. In the last two rounds of QE, in the EU and Japan, over the past 12 months, we have started a process of competitive devaluations. We are back to the 1930s; everyone's response is, “Let's devalue the currency. That will help our exports.” Once everyone does it, we are in the 1930s situation of beggar-my-neighbour, which inevitably leads

to all sorts of political tensions. The Chinese Government are at the moment saying that they are not devaluing, but they are privately devaluing, as we can see if we look at what is happening in the international markets. Exchange rate competition is a dangerous, toxic thing, and it is a direct flow from what QE is now being used for.

As the hon. Member for Wycombe pointed out, the whole process has grossly distorted asset prices, so that when we unwind, it will be a case of, “Who knows what we have been investing in, and whether it has been the right thing or the wrong thing?” There has been discussion about house prices, but it is clear that a series of industrial investments and other kinds of investment could be seen to be the wrong ones once prices rebalance, which of course is making people nervous.

It is rare for me to do this, but I will disagree gently with the hon. Member for Bishop Auckland (Helen Goodman), because I do not think it is a question of using QE for something else in a better way. If we look at the Bank of England’s recent announcement of the £10 billion it is trying to put into company paper, we see that it has chosen 300 companies’ bonds in which it is considering investing this money over the next 18 months. What bonds was it choosing? The Bank of England said it was those of companies that had made

“a material contribution to the UK economy”.

Let me read out the names of some of the companies whose corporate paper the Bank of England is planning to put that £10 billion into. They include: Apple; AT&T; McDonald’s; Pepsi—not Coke, but Pepsi; Proctor & Gamble; UPS; Verizon; and Walmart. We are funding Wall Street. What about the EU? We are supposed to be pulling out of the EU, with Brexit. The Bank’s list includes BMW, Daimler, Deutsche Bahn, Deutsche Telekom, E.ON and Siemens. There are also some fabulous entrants: Moët Hennessy is on the Governor’s list, so the champagne is all right. Even EDF—

Helen Goodman: I agree with the hon. Gentleman that the Bank’s definition of “material contribution to the British economy” is inadequate. Like him, I do not think it is very helpful to be investing in fizzy drinks, but we do need to acknowledge that Siemens has a fantastic development in east Yorkshire and that that is good; that is a proper contribution. I do not think he is really arguing against me—

Mr Deputy Speaker (Mr Lindsay Hoyle): Come on, sit down.

George Kerevan: I take the hon. Lady’s point, but underlining what I am saying is the fact that only six British manufacturing export companies are on the list of those 300 bonds that the Bank of England thinks are quality enough to invest in. The whole thing that undermines the trajectory of QE is that it is concentrated on saving a banking system at the expense of our manufacturing system.

What do we do next? We have not said enough about that. We should consider shifting the Bank of England’s targets. The inflation target is the wrong one, and we have spent years ignoring it in any case, which means the Bank has no intellectual anchor, and that raises dangers in respect of the accountability of the Bank of England. We should be looking at nominal GDP targeting,

in which case the Bank or the monetary authorities would have to be looking at automatic fiscal buffers, whether we are in a recession or in boom. That brings us back to the whole question of how we rehabilitate the fiscal intervention. At some stage, we are going to have to unwind QE. We have to do that in a controlled fashion, so one thing the Bank should be looking at in any evaluation is what timetable we use. If we have a timetable for the unwinding, that will help the markets to adjust in a better fashion. There is a danger, which we might find when we start to unwind, that the natural rate of interest has fallen so low that monetary policy has been undermined in a historic or generational sense, which again means we have to look seriously at how we combine fiscal policy with monetary policy. It would be unwise to unwind QE in the UK alone. What we should consider is a concerted international approach, which must involve some of the surplus countries such as Germany using their trade surpluses in a controlled fashion to boost consumption.

In the autumn statement, it is incumbent on the Government not to leave all the heavy lifting to the Bank of England. It is time that the Government made an intervention in a strong fiscal policy to allow the transition from QE.

4.40 pm

Peter Dowd (Bootle) (Lab): It has been geek central in the House this afternoon. I thank the hon. Member for Ross, Skye and Lochaber (Ian Blackford) for bringing this debate to the Chamber. I agree that a marriage between fiscal policy and monetary policy, which works in a constructive fashion, is a fair point. I also agree with the hon. Member for Wycombe (Mr Baker) about the wealth inequality and wealth justice effects of QE, but that is probably as far as our agreement goes given that he is a member of the Austrian school.

As for my hon. Friend the Member for Bishop Auckland (Helen Goodman), she is always lively and insightful on these matters. She talked about inequality per se and the regional inequalities in particular, and how QE may be able to overcome them. The hon. Member for Kirkcaldy and Cowdenbeath (Roger Mullin) is modesty itself, and was as interesting as ever. Again, he talked about inequality and a better balance between fiscal and monetary policy. He said that the unintended consequences of QE must be a focus of attention. Finally, the hon. Member for East Lothian (George Kerevan) also talked about the unintended consequences of QE.

In response to a question about his confidence in the efficacy of quantitative easing, Ben Bernanke, the former chairman of the Federal Reserve, half-jokingly said that it worked in practice but not in theory. Such an off-the-cuff comment had some validity to it, but to an extent it is a moot point, and that is the very essence of today’s debate. Many Members will recall the former Labour Chancellor, Lord Darling, standing in this Chamber in 2009 talking about quantitative easing, or QE. Difficult times called for resourceful measures and the Labour Government had to consider all the potential policy responses to prevent or ameliorate a recession. This was not an isolated action; other countries have taken a similar path to some degree or other.

As Members will know, the first round of QE resulted in several tranches of gilt purchases—that was referred to earlier. By the 2010 general election, around £200 billion

[Peter Dowd]

had been added to the Bank of England's balance sheet, which still remains there to date. The predictions of wild hyperinflation, which came from some quarters, have been long forgotten. As I will suggest later, the precise effects of this relatively new approach are still being hotly debated, but we should all acknowledge the willingness of the Labour Government to consider policy measures outside the usual range.

Not long after taking office, the then Chancellor, the right hon. Member for Tatton (Mr Osborne), restarted the QE programme, giving authority to the Bank of England to print almost another £200 billion for the purchase of Government bonds. However, unlike the QE process under the last Labour Government, the post-2010 QE incarnation took place at the same time as the coalition Government were budgeting, year after year, for more and deeper cuts to public spending. As alluded to earlier, opinion remains sharply divided about the effectiveness of QE, but to judge its effectiveness, we must first agree, if possible, on what its aims were. However, there is little consensus on even that matter.

First, if the goal was to support nominal demand and prevent a deflationary spiral, there would seem to be broad agreement that inflation should have been lower without QE. Academic studies have consistently indicated that inflation, some five years ago, was around 1 percentage point higher than it would have been without QE.

Secondly, if the aim of QE was to support real GDP growth, there is, unfortunately, little agreement. The Bank of England estimates that economic growth would have been at least 1.5% lower in the absence of the first round of QE. Other economic studies have ranged from close to zero—no real effects at all—to around 2 percentage points of extra growth. The debate is likely to continue for some time, and of course the Labour party will watch developments closely.

A third potential motivation for QE was to increase the supply of credit. There is still considerable uncertainty about the extent to which QE has achieved this aim—a point touched on today. Last July, a post on the Bank of England's blog argued that there was little evidence of QE having boosted the supply of credit:

“we find no evidence to suggest that QE boosted bank lending in the UK through a bank lending channel”.

Of course, other opinions are available.

When we look at the success or otherwise of QE, we must of course take into account the circumstances in which it happened. The first round of QE took place under conditions of supportive fiscal policy, as was referred to. Unfortunately, the Chancellor of the Exchequer between 2010 and 2016 adopted a fiscal approach at odds with that of almost every respected macroeconomist; he repeatedly targeted a smaller deficit, even when austerity measures failed to achieve their stated aim. His record will not be looked on favourably by history.

The Labour party welcomed the statement by the new Prime Minister and her Chancellor that they would ignore the only remaining target of the latest charter for budget responsibility, which lies in tatters after less than a year. A dawning realisation that a surplus is unlikely to be achieved in 2020 may have finally put an end to the failed economic approach that has characterised the past six years, but we remain in the dark about what will

replace it. Britain is on hold while we wait for another two months to find out even the most basic outline of the new Government's fiscal policy. The Labour party, and millions more nationwide, will hope that the new Chancellor, who sat at the Cabinet table throughout the last Administration, does not repeat the mistakes of the past.

Until the Chancellor pulls his finger out and finally outlines his plans, the Bank of England has sole responsibility for ensuring that the economy gets through the post-Brexit uncertainty. Last month, the Monetary Policy Committee announced the restarting of QE, including further purchases of £60 billion of Government bonds and up to £10 billion of corporate bonds. It is obviously too early to say whether these actions, which the hon. Member for East Lothian referred to, have delivered against any of the criteria mentioned earlier. Indeed, the statement of the MPC today in essence indicates that the Bank continues to keep a watchful eye on the effects of QE in particular and, more generally, the broader macroeconomic environment.

Last year, the European Central Bank began its own full-speed QE programme, similar in many regards to our own; it, too, includes bonds issued by institutions and agencies, including the European Investment Bank and the Nordic Investment Bank. Of course, if we had a UK national investment bank, another possible policy tool would be made available to the Bank—a point alluded to by my hon. Friend the Member for Bishop Auckland. Any decision about the potential use of QE in the context of a national investment bank would be made by the MPC.

My hon. Friend the Member for Hayes and Harlington (John McDonnell), the shadow Chancellor, pointed out in a recent *Financial Times* article that

“The operational independence of the Monetary Policy Committee is sacrosanct.”

That would include any decisions about QE, conventional or otherwise. However, set against any benefits of QE, there must be a serious consideration of any distributional impacts. As early as 2012, the Bank of England released a report looking at potential outcomes. It raised questions about the effect on pension schemes, especially those already in deficit. It concluded that the QE that had already taken place amounted to an increase in wealth of £10,000 per person, if it was equally distributed. Of course, as was said today, few think that the benefits of that increase in wealth have been equally distributed.

The Bank's research suggests that as the action increased the value of assets, those who already hold assets will have benefited disproportionately. It notes that the wealthiest 5% of the population hold 40% of non-pension assets, but no one should be surprised by that: one of the aims of QE has always been to push down interest rates, and one of its effects has unquestionably been to push up the value of shares and other assets, including housing, and ownership of shares and other financial assets is distributed unfairly.

We would welcome any further study, to be conducted by the Government or others, on the effectiveness of unconventional monetary policy, so we support the motion. Most importantly, however, the country needs a signal from the Chancellor about his intentions for future fiscal policy, and waiting till November is not good enough. We know that lowering assumptions about

future interest rates will keep down public borrowing, but we need to know whether or not the investment that the country urgently needs is finally on the way. We cannot afford to rely on the Bank of England alone to take responsibility for managing the macro economy.

4.50 pm

The Economic Secretary to the Treasury (Simon Kirby):

I thank the hon. Member for Ross, Skye and Lochaber (Ian Blackford) for securing the debate. The subject of quantitative easing attracts a wide range of opinions, as has been convincingly demonstrated in the Chamber today. This Back-Bench business debate has been an example of something that is small but perfectly formed. It has been a very interesting debate. The topic is extremely important to our economy and I know that Members across the House will join me in thanking the hon. Gentleman for giving us the opportunity to discuss it.

Let me begin by setting out briefly the Bank of England's role in the monetary policy of this country. The first thing to stress is that the Bank of England, and its Monetary Policy Committee, are rightly independent from the Government. The MPC holds responsibility for setting monetary policy to meet its clearly defined objectives, as set out in law. Its primary objective is to maintain price stability, defined by the Government's inflation target of 2%, as measured under the consumer prices index. The MPC is empowered to deploy unconventional policy measures, such as quantitative easing, when necessary, to meet this objective. Wherever such instruments are used, the committee is expected to work with the Government to make sure that appropriate governance arrangements are in place to ensure its accountability.

Following the financial crisis in 2009, as Members are aware, the Bank of England was authorised to begin quantitative easing, establishing an asset purchase facility to improve liquidity in credit markets. This provided an additional tool by which the Bank's committee could adjust our monetary policy. In August this year, the MPC judged that in the absence of monetary stimulus, there would be undesirable volatility in output and employment, and a sustainable return of inflation to the target in the medium term was less likely. As a result, the MPC expanded its programme of asset purchases and established the term funding scheme as a mechanism to ensure that banks passed on the benefits of low interest rates to our businesses and to the public as a whole.

Although financial markets have reacted positively to the latest round of quantitative easing, it will take several months before we know how the economy has responded, as is always the case. Time will need to pass before it is possible to make a full assessment of the latest round of asset purchases. Both the Government and the MPC place enormous weight on the need to research the wider impacts of our monetary policy across our society. In line with our determination to make sure that this is a country that works for everyone, we want to ensure that our businesses and the general public all benefit from the lower borrowing costs established through the Bank's monetary policies.

Let me deal with some of the points raised. The hon. Gentleman, the modest crofter from Skye, mentioned the need for fiscal stimulus. Monetary policy tools are

the first line of defence against a macroeconomic shock, and the Government will set out their fiscal plans in the usual way in the autumn statement. The hon. Gentleman suggested that there had been little growth in M4 in the past eight years since QE was introduced. However, the relationship between monetary aggregates and inflation is tenuous, and monetary aggregates are not systematically targeted by central banks. To target monetary aggregates, there would have to be a direct relationship between the monetary supply and inflation. For this to be the case, there would have to be a degree of stability in the velocity of money—the speed at which money circulates around the economy. I hope that is clear.

The hon. Gentleman mentioned the impact on savers. Building a strong economy is in everyone's interests, and the MPC's remit makes clear that ensuring price stability is the prerequisite for economic prosperity. He also mentioned pensions, and the best possible protection for pensions comes from strong, sustainable employers and a buoyant economy, so it is important that action is taken to support that economy.

My hon. Friend the Member for Wycombe (Mr Baker) speaks with passion on this subject, and it is obviously of great interest to him. I have looked at his excellent website, stevebaker.info, where he considers, among other matters, whether the whole economic system runs on funny money. He mentioned wealth inequality and wealth justice, and those are two very important areas. The Governor of the Bank of England has stated that this package will ensure a better economic outcome for all. Economic recovery will boost incomes and help all individuals, including those at the lowest end of the economic distribution. Inequality is lower—we should not forget this—than it was in 2010.

Helen Goodman: Will the hon. Gentleman give way?

Simon Kirby: I would rather not give way, because I am genuinely trying to answer everyone's points. I do not have a lot of time, because everyone has been so full in their contributions, but the hon. Lady can speak to me afterwards. If she wants to raise an additional point, I would be really pleased to deal with that.

The hon. Lady mentioned that QE is the responsibility of the MPC of the Bank of England. She questioned whether that was right, and she questioned the accountability of the Bank of England. I say to her that Members have the opportunity to engage with the MPC through, for example, the inflation report hearings of the Treasury Committee. The MPC is also accountable to the public. For instance, in October the Governor and the deputy governors will spend the day in the midlands meeting a wide cross-section of society to listen to the feedback and ideas of the public, and I am sure that they will take that feedback and those ideas very seriously.

The hon. Member for Kirkcaldy and Cowdenbeath (Roger Mullin) was very interesting—perhaps the most interesting point was the description of the crofter from Skye. He clearly feels passionately about this subject, and he made a useful contribution to the debate.

The hon. Member for East Lothian (George Kerevan) wanted to hear more about the autumn statement. I am very sad to tell him that he will be disappointed; he will just have to wait and see, as happens every year in the normal manner, no matter who is in government.

[Simon Kirby]

The hon. Member for Bootle (Peter Dowd) reminded us of what is now a dim and receding memory—the last Labour Government. He talked about how there was going to be hyperinflation and it did not happen, and about how the whole issue of QE was hotly debated at the time. I imagine that it is something that we will continue to hotly debate for some time.

To conclude, the independent MPC of the Bank of England has a hugely important role to play in these difficult times in maintaining monetary stability in this country. It has taken a range of steps to achieve this objective and will be closely monitoring the impact of this action. Let me remind the House once again that Members can take an interest; the MPC remains accountable to Parliament, and I would suggest that many more people take an interest in the inflation report hearings of the Treasury Committee.

4.59 pm

Ian Blackford: I thank the Backbench Business Committee for granting this debate and all the Members who have participated. We have had a well-informed, fascinating debate. I hope that this the start of something whereby we have signalled to the Bank of England, which I am sure will be getting a report of our proceedings, that we wish to see a more fundamental analysis of the outcomes of the QE programme. There has been a very clear message to the Government—as shown by all the actions that we have seen internationally, with the words from the OECD and even from the US authorities—that there has to be a linkage between monetary and fiscal policy. A number of Members have delivered a very strong message that we really have to make sure that we deal with wealth inequality. I look forward to carrying on this debate, and look forward to the Government addressing the issue in the autumn statement.

Helen Goodman: On a point of order, Mr Deputy Speaker. Five minutes ago, the Minister said at the Dispatch Box that inequality in this country is lessening.

On some measures of income inequality, that is true, but this afternoon we were debating wealth inequality.

Mr Deputy Speaker (Mr Lindsay Hoyle): The hon. Lady has been here a long time, and she knows that is not a point of order. I cannot continue the debate because it is now past 5 o'clock. If she had not wasted time when she was trying to make the intervention, she could have got her point across.

5.1 pm

Motion lapsed (Standing Order No. 9(3)).

Richard Arkless (Dumfries and Galloway) (SNP): On a point of order, Mr Deputy Speaker. I apologise for the late notice of my point of order, but it is about a situation that has been developing this afternoon. Dozens of my constituents have approached me this afternoon having had their tax credits withdrawn arbitrarily by Her Majesty's Revenue and Customs through the Concentrix contract. HMRC has designated a team of people to deal with these issues, which are apparently UK-wide. It takes a 45-minute call to deal with one case. I have dozens of constituents this evening who literally have no money to feed themselves or get the kids out of the door tomorrow morning. I am very concerned that the House is rising at this point and I will not be able to bring these matters to the attention of the Department for Work and Pensions or the House today, tomorrow or on Monday, to cajole some action to get this fixed. There are people who are literally about to starve and the House is about to disappear on recess. Is there anything that you could offer me by way of advice?

Mr Deputy Speaker: One thing I would say is that you have got it on the record. I think that Ministers are listening and they have got the point. This issue has been debated this week on a couple of occasions; in fact, there was an urgent question on it yesterday. There are still Ministers here, and I would have thought that the message will be going straight back to HMRC. I think there has been an indication from the Minister to say, "Let's have a conversation," so if nothing else, at least you have made progress in making him aware now.

Financial Services: EU Markets

Motion made, and Question proposed, That this House do now adjourn.—(Chris Heaton-Harris.)

5.2 pm

Chris Leslie (Nottingham East) (Lab/Co-op): Twelve per cent. of our country's economic output derives from financial services. We have over 2 million jobs in the financial services sector, mostly outside the capital city. In Nottingham alone, companies such as Experian, Capital One and Ikano, and over 500 other firms, operate in the financial services sector. Crucially, it generates £60 billion of revenue for the Treasury—money that, in turn, pays for schools, policing, and the NHS. We have more exports of financial services, and more financial services headquarters, than any other country. In short, Britain excels at financial and related professional services: not just banking but insurance, accountancy, legal services, asset management, and much more besides. We all rely on the future success of this sector.

We cannot forget, of course, that the banking crisis shook confidence in the sector—not just among traders and businesses themselves but among the public—and taxpayers were left to pick up the pieces. Since 2008, the UK has seen its markets hit, with fewer IPOs—initial public offerings—and stiff competition internationally. This is far from a static sector, and there are so many opportunities for the UK in a positive sense, from fintech and from innovation flowing from sharing economy developments. Yet the competitors are circling, with big growth in Asian financial centres and New York expanding very quickly into investment management. Now the sector faces a virtually existential challenge: how to exit from the European Union without undermining this important cornerstone of our economy.

Some parts of the financial services sector will be more affected than others. Domestic retail banking may be marginally affected, but for some in the wholesale sector, leaving the single market would not mean tariffs rising by 10% or 40%, but ending their right to sell products in such markets completely. I wanted to raise this issue with Treasury Ministers, and I wrote to them in advance of this debate to ask specifically about five points of particular concern.

The first point, which may seem blindingly obvious, is that we need to retain the UK as the global financial centre. It is essential that we do nothing to undermine the UK in that leading role. That may seem an obvious request to make to Ministers, but it is worth getting them to put on the record a commitment to maintaining our country's front-runner status. Will the Government commit to maintaining our breadth of specialisation in this unique cluster of services? An erosion in the economies of scale or in our concentration of skills and services would be detrimental to the wider economy at large. That is the first commitment I am looking for from the Government.

The second point it is vital to talk about is alignment. Are the Government aiming to maintain as much of our existing access to the single market and European economic area as possible, or will they look to adopt a lower regulation, lower tax approach relative to the countries in the rest of the European Union? This is a crucial point because maintaining an equivalent and comparable regulatory framework with the rest of the

EU will help us to retain crucial access to those markets. If Britain takes the divergent path, we not only risk having market access restricted, but increase the hazard for our taxpayers, who need robust regulation to protect them from any future financial disaster. I therefore urge the Minister not to listen to, for example, the noble Lord Lawson, who wrote in the *Financial Times*—last week, I think—that

“the benefit of intelligent deregulation...which we demonstrated in the 1980s...offers the prospect of the greatest economic gain.”

I do not believe that the Government should follow that path, and I hope the Minister will resist such siren voices.

If we allow Brexit to cloud our judgment or take it as a chance to forget the catastrophic impact of excessive risk taking, opaque products and reckless behaviour, we will be taking a big step backwards and unlearning the lessons of the financial crisis. Britain was the driving force behind the creation of the global Financial Stability Board after the G20 in 2009, after the financial crisis hit, and Ministers should reiterate a commitment to linking in to its principles and ensuring worldwide compliance for those transacting business in the UK. I believe this is a crucial political choice, as well as one about access to markets. There is a happy coincidence in that choosing the right path for robust regulation will help to maintain the best access for trade. Maintaining rights to passported sales depends on retaining equivalent standards, so I want the Minister to recommit to this broad set of standards, which exist for a reason, and which Britain was at the forefront of creating.

The third question on which I want to press the Minister is about stability. Keeping rights to trade must be a permanent situation. Some people just shrug and say that there are lots of directives—MiFID 2, CRD4—and other EU rules, such as AIFMD, meaning that third countries outside the European Union have rights to trade if they have “equivalent” regulation. However, not all parts of the sector have equivalent rights, so such directives do not cover all parts of the sector; many of the rights are still quite theoretical, because they have not yet been put into practice in lots of cases; and what the European Commission grants, it can very easily take away.

Will the Minister therefore acknowledge that a stable, long-term settlement for access to EU markets is essential, and that leaving others the power unilaterally to disallow equivalence, perhaps with only a few weeks' notice, would represent a great risk for business? The Treasury should ensure that the passporting of financial services or equivalence arrangements cannot be terminated without consultation and several years' notice. Our membership of the European Economic Area or a bilateral treaty between the UK and the EU must be based on a long-term commitment to mutual recognition. Ministers should acknowledge the reciprocal nature of these markets. Just as we seek long-term commitments from the EU, many European organisations are looking for long-term access to the UK because of our position as a financial centre of excellence right on the doorstep of the rest of the EU.

My fourth question relates to sectors in which we currently excel, such as clearing and settlement—an area that is crucial to the fabric of connectivity in the networks of financial transactions across the world. I urge the Minister to acknowledge that it is essential that

[Chris Leslie]

the UK continues to have rights for euro-denominated clearing, because of its importance in creating the wider environment and infrastructure that are so valuable to other financial services, be they underwriting, syndicating, trading, execution venues or banking.

Last year, the Treasury successfully fought off the attempt by the European Central Bank at the European Court of Justice to limit rights in the clearing of euros outside the eurozone, but I suspect that that issue will rear its head again. There is a danger that the UK and the EU will lose out entirely if the wholesale market decides to up sticks and go to New York, which has the right infrastructure to present a competitive opportunity for many in that sector. Maintaining the UK's rights to euro-denominated clearing is therefore important.

My fifth question is about the orderly transition that we need to have whatever the new arrangements are. I have raised this with the Secretary of State for Exiting the European Union and it is important that the Treasury commits to it again. I hope the Government will agree that we must have parallel negotiations on our new trading and regulatory relationships during the Brexit process and reject the notion of sequential dialogue. The need for an orderly transition to new arrangements means that although we have to talk about the divorce process—Brexit—and how we leave, we must simultaneously talk about what our new relationships and rules will be. There is a case for making it clear that if we are to trigger article 50, there should be a condition on the concept of parallelism to ensure that we can have the discussions simultaneously.

Tulip Siddiq (Hampstead and Kilburn) (Lab): My hon. Friend is outlining a lot of concerns that have been raised by my constituents in Hampstead and Kilburn. The Office for National Statistics found that 1,000 of my constituents are employed in financial and insurance services. During this divorce, as he puts it, their daily commute is riddled with uncertainty, because of the possibility of relocation or, much worse, redundancy. Does he agree that securing our vital passporting rights is crucial in ensuring that my constituents gain back control of their own future?

Chris Leslie: Absolutely. My hon. Friend represents many people who work in this sector, as do all right hon. and hon. Members in the Chamber, because this is something that affects not just the City of London, but all parts of the country.

In respect of transition, I worry very much about what some people call the “boiling the frog” syndrome. After the referendum, people said, “There wasn’t a cliff edge. What’s the problem?” This is a process that will take many years and we might see a steady decline in our opportunities and our economy; it will not necessarily happen in one go overnight. However, there are serious cliff-edge worries, particularly if we do not have parallel discussions during the transition. I hope that we can secure regulatory co-operation with countries in the EU and continue with the current arrangements, as far as is possible, during the transition. That should be the Government’s objective.

There are other issues that I would have raised with the Minister if there had been time. For example, the UK is a centre for investment management activities,

which require worldwide access and, crucially, regulatory co-operation. Many funds are located in jurisdictions around the world, but at present they can delegate many of the actual tasks of fund management into the UK. Continuing those rights to delegation is very important in an area where long-term guarantees are needed.

There is also a very big question regarding what would happen if those who work in the sector and are currently able to move to and work in the UK, which is part of our appeal, faced restricted access. A conclusion needs to be reached soon on the rules for skilled employment movement between the UK and the rest of the EU. That is an important piece of that jigsaw. Other EU countries also face reform of the general concept of free movement, and a skills-based approach may be an option for common agreement.

Britain must not fashion itself as a new, low regulation, offshore haven. Our history—trust, the rule of law, the perfect location, our word is our bond, specialist services and professionalism—is our best selling point. We need to opt for the path that wins businesses through high-skilled, high-calibre and well-regulated products, and not be tempted by diluting important protections and chasing the mirage of undercutting.

Ministers have a crucial choice to make, and it will certainly divide those on the right of the political spectrum. That is one of the key issues on which I want to press Ministers. I urge the Treasury to choose the path that remembers the lessons of the financial crisis and that, as a happy consequence, also gives us access to EU markets and business opportunities, in the best interests of jobs and growth across the UK, not only in the City of London, but in other great cities, such as Nottingham.

5.16 pm

The Economic Secretary to the Treasury (Simon Kirby): May I start by thanking the hon. Member for Nottingham East (Chris Leslie) for highlighting the importance of passporting in financial services and for securing this debate? He has made a reasonable case and I thank him for his thoughtful and vital questions. He will not be disappointed to hear that I fully attend to answer all of them, although not necessarily in the order that he asked them. Indeed, if he wishes to raise any other issues, I am always willing to sit down and discuss them with him.

This is a very important issue, not just for the City, but for ordinary people who work in the sector and its related professions up and down the country. Many of those services are provided by more than 2 million people in this country, and they pay a lot of tax. I am very happy to commit to doing all I can to maintain the UK’s global financial status. That is clearly very important. The issue also matters to many more of the British electorate who benefit from the £66 billion of tax revenues that financial services provide each year, and the role that they play in financing businesses up and down the UK and around the world.

I share the hon. Gentleman’s view that the financial services industry brings considerable benefits to the UK economy as a whole, and we want to retain them as we forge our new relationship with the EU. In general terms, the financial services passport means that firms authorised in one member state or in part of the European economic area are able freely to passport their services

across the whole of the EU. Alongside the passport, other rules affect how firms operate outside the EU, interact with it and have access to the European market. Those are collectively called equivalence regimes, whereby the EU assesses whether foreign rules are broadly compatible with its own and can be used instead as the basis to provide services to and across the EU.

I make those points as part of achieving a shared understanding of what matters when we talk about passporting and access to the single market, whether on the basis of a pure passport or an equivalent mechanism, to ensure market access to the EU. That is necessary for us to consider together the options available to the UK when it enters its negotiations, and to recognise that there are various precedents for accessing the EU market on which we can and should draw.

It is worth dwelling on why we shall seek the best possible deal for financial services in the EU negotiations. Under current arrangements, based on the UK's membership of the EU, UK firms hold over 5,000 different financial services passports across various sectors and activities. They are not all actively used, but it is clear that a significant number of UK-based firms depend on access to the European market today, offering global services to a global client base at least in part via the EU passport. Around a third of UK services' exports are in financial services, of which about a third are to the EU—about 11%.

For larger internationally active financial institutions, access to the EU is critical to their business model. I have certainly met a few of them in my new role to date. Even those with a large UK client base might find themselves needing to offer a European and a global service to their UK clients. Many of these are major employers across the UK as a whole. For them, the whole of the UK is important; the City is important, but financial services span the length and breadth of the country.

The UK is home to a genuinely international financial centre, resulting in a £55 billion trade surplus in financial services last year. This global hub means that the City is, put simply, greater than the sum of its individual parts. It has a critical mass. It relies substantially on the clustering of expertise in one place and the presence of a number of firms that are highly dependent on one another and inter-connected. Financial services provide capital-efficiency to the real economy because of this market concentration.

To illustrate my point, I note here the concern raised by the right hon. Gentleman about euro-denominated clearing—the ability to net very complex networks of trades in different currencies against one another saves the market billions in capital each year. The London

stock exchange believes it has saved global clients around \$25 billion-worth of regulatory capital. That is not a small sum. In short, European firms looking to raise finance for investment and growth rely on the UK's deep capital markets. If this market is allowed or encouraged to fragment, the result is likely to be a reduction in businesses' ability to secure investment right across the spectrum.

It is also important to financial stability to ensure that we and our European partners understand the effects of possible business restructurings, so we can continue to ensure that the sector is properly regulated and supervised. Getting this wrong is in the interest neither of the UK nor the EU. I hope that that reassures the right hon. Gentleman, who raised the importance of the UK's specialist cluster. There are benefits—not only to the UK, but to Europe—of the City remaining a cluster of expertise that can serve the EU. Financial services is highly interconnected activity that depends on economies of scale.

I agree with the right hon. Gentleman—actually, I am not sure whether the hon. Member for Nottingham East is honourable or right honourable.

Chris Leslie: Honourable.

Simon Kirby: It is only a matter of time, I am sure.

I agree with the hon. Gentleman that we will need to look carefully at the structures needed to ensure regulatory cohesion and stable, long-term access to EU markets, which I believe is in both the UK's and the EU's interests. The EU benefits from the deep pockets of the UK's financial centre status, and the UK benefits from access to the EU in acting as its financial centre. High quality and consistent regulation is an essential underpinning of a stable, competitive, global financial sector.

In conclusion, I want to reassure the House that we are working as hard as we can to consider the opportunities ahead, to safeguard UK financial services for the long term not just the short term. We understand the importance of market access, transition and continuity—points that the hon. Gentleman raised—and we also understand that access to skilled workers internationally will be essential to this sector.

Lastly, I want to reassure those looking perhaps from around the world that we are the same outward-looking, globally minded, big-thinking country we always have been.

Question put and agreed to.

5.25 pm

House adjourned.

Westminster Hall

Thursday 15 September 2016

[GRAHAM STRINGER *in the Chair*]

Prison Safety

1.30 pm

Robert Neill (Bromley and Chislehurst) (Con): I beg to move,

That this House has considered in the Sixth Report from the Justice Committee of Session 2015-16, on Prison Safety, HC 625, and the Government response, HC 647.

It is a pleasure to serve under your chairmanship, Mr Stringer, and to welcome the Minister to his place. I think this is the first time he has had the chance to reply to a Westminster Hall debate on this topic.

I am grateful to the House for this opportunity to debate the Justice Committee's report; I thank all my Committee colleagues for their work, and other hon. Members from across the House who have a long-standing and informed interest in justice. I am particularly pleased to see the former prisons Minister, my hon. Friend the Member for South West Bedfordshire (Andrew Selous), to whom I pay tribute for his work in an always difficult and intractable area of public policy.

Dr Rupa Huq (Ealing Central and Acton) (Lab): There are two former Ministers here!

Robert Neill: Indeed. I was referring to the immediate former prisons Minister with whom the Committee worked. The right hon. Member for Delyn (Mr Hanson) graces us on the Select Committee and we have had the benefit of his input.

Let us be blunt. Prison safety is terrible. Those are not my words, but those of the former Secretary of State, my Friend the right hon. Member for Surrey Heath (Michael Gove), in a prompt and frank response to our inquiry. He is entitled to credit for that.

The difficulty, which the current Minister will recognise and accept, is that prison safety was terrible when our report came out and it has got worse. I have hesitated until now to talk about a crisis in prison safety, but I think we are now at that stage. I say that because on every measure, safety has deteriorated and has continued to do so over a long time. That cannot be regarded as a one-off blip and we see no sign yet, despite considerable Government endeavour and intervention—which I do not dispute—of the situation or the underlying reasons being turned around. The situation has become grave and our report is particularly timely. That is important for two reasons.

First, whatever one's view about the purpose of prison and how much emphasis we place on rehabilitation on the one hand and retribution or prevention of danger to the public on the other—all legitimate considerations to put in the mix—when the state legitimately takes it upon itself through proper process to incarcerate someone for their wrongs against society, there is an element of punishment in doing that properly, but we also take on

board responsibility for ensuring that they are treated not only humanely, but safely. If the state fails in that, it fails in one of its primary obligations.

Secondly, in respect of broader policy, the current Secretary of State, like her predecessor, and the Minister, like his predecessor, are committed to a policy of prison reform. I hope that all of us in Westminster Hall today are committed to a policy of prison reform. The reality is that the less safe the prisons are, the harder it is to achieve reform. If we want real rehabilitation, real change and to reduce reoffending, a raft of interventions in prison is required, which can be properly delivered only if prisons are safe to start with.

John Howell (Henley) (Con): In the context of what my hon. Friend is saying, does he share my disappointment with the Government response? It seems to paraphrase what we said in our report without giving any substance to our recommendations or to what we want to achieve.

Robert Neill: I agree. Although the response runs to several pages, the substance is not yet there. As I will say to the Minister in due course, I am glad that the Secretary of State has talked in terms of a prison reform and safety plan. That is good. There is movement on publishing statistics, but what are absent are the matrices that we said are critical to any proper monitoring. There is also a disconnect in the timeframe of those statistics being available and being made available to the House for scrutiny.

Those were important parts of our report—I will develop the point—because, for a number of reasons, many of us are increasingly questioning the sustained ability and capacity of the National Offender Management Service, as currently constituted, to bear down on this issue. Frankly, NOMS needs a continuing light of scrutiny on it and I know the Secretary of State is keen to achieve clear delivery markers against which progress can be measured. She is right to want that and it is disappointing that we have so little detail so far. I will return to that issue in more detail. My hon. Friend is entirely right.

We have seen a period of decline, not just in the view of the House and the Committee, but independently. Report after report from Her Majesty's Chief Inspector of Prisons, the prisons and probation ombudsman and a raft of criminal justice non-governmental organisations have all spoken of the real difficulties and decline. We have had debates in the House and urgent questions. NOMS has put in place various measures, but the truth is that it does not seem to be delivering on some of the key issues. That is why I say we have reached a crisis point. We need urgent action to identify those difficulties.

My other concern about the Government response is that there is no sense of urgency that, if I may be blunt, we did get from the initial response of the previous Secretary of State, my right hon. Friend the Member for Surrey Heath, in his swift reply to us. I am not insinuating that good will and good intentions have gone away. It is classically said that there are no votes in prison reform, and one of the tasks of a Justice Department is to keep it at the top of the agenda, to make the case publicly and perhaps to challenge some long-entrenched practices. A sense of urgency must be engendered, not least because the deliverability of the whole broader prison agenda depends on getting safety right so that there is a stable environment in which to deliver it.

Alex Chalk (Cheltenham) (Con): On deliverability of the ambitious and welcome programme, does my hon. Friend agree that a healthy and safe ratio between staff and prisoners is vital and that ultimately we must grasp the nettle? There must either be more prison officers or fewer prisoners to get the ratio back into equilibrium.

Robert Neill: My hon. Friend is right. There is no other solution but to grasp the nettle. Some will assert that we should increase the staff, and they have to grasp the nettle that that means more public spending. I do not think most of the public are in the mood for that, but I think the public mood towards prison reform has changed markedly in the last 20 years. It has changed during my time in the House. It was apparent in debates during the last Parliament that people are, rightly in my judgment, much more open-minded now about the need for prison reform. No one is beyond rehabilitation—that is an exaggeration: precious few people are.

I spent 25 years practising at the criminal Bar. I dealt with some very nasty people indeed and some dangerous people, some of whom needed to be locked up and kept away. I also dealt with some stupid people. *[Interruption.]* I leave aside members of my profession or even the judiciary, but I dealt with some people who were stupid and got themselves into trouble because of that. I dealt with people who did not have an education or skills and who made certain choices. They got their lives into a mess through drugs, alcohol and disrupted families. I suspect that they make up the majority. Whenever I visit the women's estate and talk to women prisoners, I find that the vast majority of one kind or another have certain issues in their lives—often mental health problems and related issues.

We cannot treat this matter in a simplistic fashion. Simply saying, "Keep the numbers up and just produce more staff" makes no sense to my mind as a Conservative given the need to keep public spending under control, because we would be giving a demand-led blank cheque; it also makes no sense in terms of the ambitious agenda for social reform that the Prime Minister, the Secretary of State, the Minister and I believe in.

It seems to me that the answer to the question from my hon. Friend the Member for Cheltenham (Alex Chalk), based on his own considerable experience as a practising barrister and his having seen exactly the same people, is yes, we must grasp that nettle. It is pretty obvious to my mind that the answer is a greater emphasis on rehabilitation, education and reform, and that is why getting safety right is all the more critical.

I think that all or almost all of us share the same objectives, but the question now is about willing and providing the means to achieve them, and that is what our report was about. I hope that the Minister will tell me that the Government response was a measure of work in progress. I quite understand that when a new ministerial team come in, they need to reflect, take stock, review priorities and consider, in the light of the circumstances that they have inherited, the shape that they want progress to take, but if he told me that, it would be further reassurance that the progress will be genuine and speedy. The Secretary of State talked about reform proceeding "at pace". Can we have a bit more flesh on the bones of what is there? We ask that in a spirit of complete good will towards the Government's intentions.

John Howell: My hon. Friend may recall that at a recent Justice Committee meeting, I asked the Secretary of State how she would deal with the legacy of the previous Secretary of State's reforms and the actions that he had taken to deal with prison safety. The response that she gave caused the press to argue that she was going back on the commitments that he had made. Does my hon. Friend share that view?

Robert Neill: When I was a Minister, I was sometimes portrayed unfairly in the press, so I shall adopt a practical approach: let us see what happens. But I do think it important that we do not, any of us, send any signals that reform is less pressing or less important. Were that to be the case, it would be disappointing and, I think, an error. I am conscious of the clarification that the Secretary of State issued after her appearance before the Justice Committee, and I will take her at her word on that, but we need the measures that we talked about to be brought forward swiftly. If Brexit means Brexit, to adopt a phrase, pace means pace, but pace requires detail in order for there to be credibility in how things are delivered. That is the approach that I take—we want to be constructive and assist the Government on what I think is the right path, provided that it is followed through consistently.

I shall touch on just a few more matters before I finish so that other hon. Members can speak—this is a well-attended debate. First, I have referred to the matrices showing that everything is going in the wrong direction at the moment, such as on assaults, self-harming and deaths in custody. All those figures are going the wrong way. The data are set out well in a report that is readily available in the public domain, so I shall not cite a raft of figures, because I suspect that that would not add a great deal, but the trend is clear.

Secondly, despite genuine efforts by NOMS to recruit staff, the number of new staff coming in is significantly offset by the lack of retention. The problem is that we are very often losing some of the most experienced officers—some of the coolest heads. When there are difficulties to do with safety, such as dangerous situations arising on a wing, one wants to have experienced prison officers around to deal with it.

The fewer there are, the greater the risk that things will escalate rather than being brought back under control, so there is a direct link between retention and safety, which we highlight in our report. That is one thing that the Government need to do more to address. We are not convinced that NOMS has a deep-seated understanding of what causes that lack of retention, why recruitment is increasingly difficult and what underpins both those factors, so we need more flesh on the bones of that.

Let me deal briefly with some other matters. Steps have been taken—again, let us recognise that—on the possession of knives and new psychoactive substances in prison, but I am not sure that we are fully on top of that issue, either, particularly in relation to those new substances. The issue is one of technology: the ability to fly in substances and a raft of other things with drones is enormous.

Of course, that brings us back to the circular issue referred to by my hon. Friend the Member for Cheltenham. If, as we have seen on our visits, people are locked up in their cells for 23 hours a day, and if there are illegal

substances in prisons, prisoners' ability to make use of them is all the greater given their close confinement and the growth of gang culture and peer pressure. The more that people are out of their cells and doing something purposeful, the better it is to combat the misuse of substances. That cannot be done sustainably with the current prison population, which is a very important issue.

The direction is right, but we need to be more vigorous and radical in tackling some of those important issues. That brings me back to a point made by my hon. Friend the Member for Henley (John Howell): we are disappointed about some of the detail in the Government response. We called for the Ministry and NOMS jointly to produce an action plan on prison safety, addressing the underlying factors behind violence, self-harm and suicide. We said that that plan should include preventive and punitive measures, because those two things have to be in the toolbox of any prison governor. We also wanted objectives and indices. The Secretary of State is right to commit to a prison safety and reform plan—that is good—but it is the missing detail that people need to see urgently.

We asked for quarterly reports on progress on the plan, rather than the six-monthly reports suggested in the Government response, not as a matter of caprice but because we wanted the reports to coincide with the publication of the quarterly safety in custody statistics. Otherwise, frankly, they are pretty meaningless. The whole point of transparency and scrutiny is to have the two sets of figures together so that we can compare and contrast. That is why I urge the Government to rethink their response on that matter. The information is collated, and there is no doubt that it is available—I am sure it is available to Ministers on a regular basis. There is no practical reason at all why it cannot be made available in the way we suggest in our report. It is not an expensive or a difficult ask, in other words.

We are also looking for specific information on incidents of disorder in prisons, including the deployment of the national tactical response group; a more comprehensive set of data about staffing; and performance ratings for individual prisons. We do not know yet whether the previous Secretary of State's league table initiative will continue, but certainly we want performance ratings for prisons. I accept that it is not always easy to make complete comparisons, but on safety it is, actually. We can compare data on safety even if we cannot do so for rehabilitation in a particular prison, so there is no reason why those data cannot be available.

The same goes for data on the average number of hours each day that prisoners spend locked in their cells—I stress that in particular. I mentioned this earlier, but the amount of time that people spend locked up is entirely linked to safety levels. Boredom, the abuse of substances, the internet and a raft of other things, and the peer pressure of groups of people locked up together in a confined space for long periods all contribute directly to a deteriorating safety environment.

Alex Chalk: Is it not also the case that meaningful rehabilitation does not take place inside a prison cell? It is only when people are outside their cells and engaging in courses—be they on anger management, substance abuse or whatever—that they can truly come to terms with the problems that may, in some cases, be the reason why they got into prison in the first place.

Robert Neill: That is entirely correct. Heavens, one would have thought we had learned that lesson from the failures of the old Victorian silent and solitary system. Rehabilitation can only ever work when people are out of their cells and in workshops and education classes. Unless they do that, they will not get anywhere, and the regime has to be safe for the officers to get them out of their cells. That is why we have to tackle this problem at root.

Richard Arkless (Dumfries and Galloway) (SNP): Will the hon. Gentleman give way?

Dr Huq: Will the hon. Gentleman give way?

Robert Neill: I will give way to the hon. Member for Ealing, Acton and Shepherd's Bush first.

Dr Huq: That is not yet the redrawn boundary—my constituency is Ealing Central and Acton at present, although it may be changed.

I thank the hon. Gentleman for giving way and pay tribute to him for his sterling work chairing our Select Committee. He mentioned how things are interlinked with education. That point has been vividly brought home to us on the many visits we have made, in particular to Aylesbury and Wandsworth, where we heard that prisoners sometimes want to go on educational courses but there are not the staff available to relieve others so that they can do it. It seems to be a Catch-22 situation, and people are locked into a cycle. They want to get education, but there are not enough staff to supervise the groups travelling across the courses. That means that courses are often cancelled, which is an unacceptable situation.

Robert Neill: The hon. Lady is right. I am probably so old in politics that I can remember a constituency configured that way in the past. She is quite right—it comes back to this same circle.

People who say that the only answer is more and more imprisonment and more and more lockdown perhaps ought to go into prisons more. There are an awful lot of people—even people who, frankly, deserve to be in there for some time—who are none the less interested in engaging in purposeful activity. That makes them less inclined to behave in a way that threatens safety and gets them involved in gangs or other forms of violence. It is a win-win at every level. Whatever the level of the sentence, providing such activity is a good and, basically, a morally right thing to do. However, we cannot put prison officers or instructors into environments where it is not safe for people to be out of their cells to get that education and personal activity. That is why getting the regime safe is critical to everything.

Richard Arkless: I add my voice to those of others on the sterling work that the hon. Gentleman has done in leading the Justice Committee since my election in May last year.

I reiterate the point about the vicious cycle that the hon. Member for Ealing Central and Acton (Dr Huq) touched on. The lack of resources means that prisoners are locked in their cells for 23 hours a day and cannot get purposeful activity—there are not enough prison officers to construct it. The lack of purposeful activity

[Richard Arkless]

then means they are predisposed to violence and to not being rehabilitated through the system. Clearly, the hon. Gentleman will agree that it is a vicious cycle. The key, as the hon. Member for Cheltenham (Alex Chalk) said, is to grasp the nettle by either reducing the prison population or resourcing prisons properly, so that prisoners come out into society rehabilitated.

Robert Neill: The hon. Gentleman is entirely right. I am grateful for his support for all our work on the Justice Committee, because although justice and prison matters are devolved to Scotland, we can learn lessons from each other about how things work across the whole of the United Kingdom. We do have to break that vicious circle. Resource is important, and to be fair, when our report was published, the Government did put in extra resource, which is welcome and to be commended. We are now saying that we have to see the detail of how we can monitor the use of that resource, so that it is used to the very best advantage. That is the most important thing that we need to be saying as we go forward.

I know many Members wish to speak, so I will conclude. I am glad that there is going to be a prison safety and reform plan in the autumn, and I gather that legislation is likely to be brought forward. I understand that the shape of it is not always possible to commit to greatly in advance, but it is really important that we maintain the pledge made in the Queen's Speech that prison reform would be a key part of the Government's agenda. I hope the Minister will bear that in mind. I am not going to press him now to say what the shape of the legislation will be, but he could give us commitments to provide more details following the Government response.

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): I thank the Chairman of the Justice Committee for giving way to me so early in the debate. I assure the Select Committee that prison reform, which was a key plank of the Queen's Speech for this Session, remains so. That commitment still exists.

Robert Neill: I am grateful to the Minister for a considered, and therefore authoritative, intervention. That is appreciated, and I think it will be welcomed by everybody on the Committee and everybody in the sector. I promise the Minister that the Committee will continue to work constructively with him and his colleagues in delivering that; it is an important message, for all the reasons that I have set out.

The Minister provides an appropriate point for me to bring my remarks to a conclusion. I hope we will soon have an idea of what shape the legislation is going to take. Are we going to continue along the route of governor autonomy? Will we progress down the route of reform prisons? Are there alternative routes?

In particular, we urge the Minister to do some things that would not require primary legislation, such as working on earned incentives and privileges regimes, and making appropriate use of the release on temporary licence scheme. Those things could be delivered fairly quickly and could be consistent with the thrust of the forthcoming legislation. I apologise if I have taken some time outlining the Justice Committee's report, but

we regard this as an important issue. I commend the report to the House and look forward to the Minister's response.

Graham Stringer (in the Chair): The Minister has asked for and received the Chair's permission to take his jacket off. If other right hon. and hon. Members wish to take their jackets off, they also have the Chair's permission.

1.57 pm

Mr David Hanson (Delyn) (Lab): I echo the support for the Chairman of the Justice Committee, the hon. Member for Bromley and Chislehurst (Robert Neill), for helping to steer the members of the Committee to produce this report on a very important issue. Prison safety is important for the people who are arrested and sentenced and are in the state's care in prison. It is also an extremely important issue for those who work in the estate, be they formal prison officers or people working in health, education or associated trades in the prison service. That is a key driver of the Select Committee's decision to look at prison safety.

Let me say at the outset that nobody says this is easy. Ensuring prison safety is a very difficult task. Let us look at the performance measures. The Select Committee has drawn the attention of the House to concerns over prison safety because some key performance measures drawn up by Her Majesty's inspector of prisons, the prisons and probation ombudsman, our own inquiries, and the Prison Officers Association have deteriorated over the recent period.

If I may, I will add some flesh to the bones of the concerns about prison safety. If I said that there were, for example, six homicides in prisons in the 12 months to 2016—the highest number on record—that would be a matter of concern to the prison estate and to this House. If we added to that the fact that serious assaults in prisons have more than doubled in the last three years, to over 2,197 prisoner-on-prisoner assaults and 625 serious assaults on staff in 2015, that would be of concern to the Prison Service and to this House. The number of sexual assaults has doubled since 2011 to more than 300 cases in 2015.

The Chairman of the Committee—my hon. Friend, if I may call him that—mentioned the national tactical response group, which has dealt with 400 serious disturbances in the financial year. The tactical response unit is not brought out unless the incident is extremely serious. Emergency services were called out to prisons more than 26,000 times in 2015 and the number of fires in prison has increased by 57% in the past year.

The rates of self-harm in prison are at the highest level ever recorded, with 32,313 self-harm incidents in 2015; in itself, that is a 40% rise over the previous two years. The Minister particularly needs to think about a policy issue relating to sentences of imprisonment for public protection, which were introduced by the Government I served in—although not when I was there.

The highest level of self-harm in prison is currently among those who are on IPP sentences. I suspect that that is largely because they do not have any date for when they will be released, which creates additional pressure on their mental health—never mind the challenges

that brought them into prison in the first place. Women—even though the number of women in the prison population is small—now account for 23% of all incidents of self-harm across the board.

Those are difficult, staggering statistics, which show a deterioration over a number of years, but which are backed up by the position taken by the former chief inspector of prisons, Nick Hardwick. In his 2014-15 annual report—this is damning stuff—he said:

“You were more likely to die in prison than five years ago. More prisoners were murdered, killed themselves, self-harmed and were victims of assaults than five years ago. There were more serious assaults and the number of assaults and serious assaults against staff also”—

increased in that period. The former independent chief inspector of prisons also said, and I will return to this point in a moment:

“It remains my view that staff shortages, overcrowding and the wider policy changes described in this report have had a significant impact on prison safety.”

As hon. Members have indicated in interventions, there are two reasons why prison safety might deteriorate. The first is changes in the cohort of prisoners. We undoubtedly have prisoners with more drug problems and more mental health challenges, who are in for more serious crimes. However, when that is coupled with the reduction in staff and the pressures on staffing and on the Prison Service to meet those objectives in a time of great change, there are additional strains.

Nick Hardwick said:

“I share the conclusion of the Justice Committee report”.

I do not need to repeat it all, because the Chairman has outlined it, but it states:

“We believe that the key explanatory factor for the obvious deterioration in standards over the last year is that a significant number of prisons have been operating at staffing levels below what is necessary to maintain reasonable, safe and rehabilitative regimes.”

The hon. Members for Henley (John Howell) and for Cheltenham (Alex Chalk) have indicated strongly in interventions that the purpose of prison is not just punishment but rehabilitation. If we cannot provide rehabilitation and work and monitor some of the challenges that people face every day as a result of prison numbers, the challenges and frustrations will grow, and ultimately they will be taken out in prisoner-on-prisoner attacks, prisoner-on-staff attacks, self-harm, deterioration and in very tragic cases, suicide.

The current chief inspector of prisons said on the release of his annual report this year that the “simple and unpalatable truth” is that

“too many of our prisons... have become unacceptably violent and dangerous places.”

That is a very damning statement, which the Government should, will and, I hope, can respond to.

The prisons and probation ombudsman joined in the commentary on the current state of prisons, backing up what has been said so far. He said:

“resources and staffing in prisons are undeniably stretched”

and

“it is disappointing how often—after invariably accepting my recommendations—prisons struggle to sustain the improvement I call for.”

This is a difficult, challenging area, as anyone who has ever worked in the prison system will understand. I know that hon. Members who have held the post of

prisons Minister in the past, or hold it now, will want to see improvements, and the key thing we need to look at is what those improvements are.

The hon. Member for Henley said that the Government’s response was a bit thin. Without being tedious in my repetition, it was indeed a bit of a thin response to the challenges identified in this report. The Government said—this is valuable and welcome, and the Minister will no doubt repeat this later:

“Prison safety is the Department’s top priority and is fundamental to making the radical reforms... We need decisive action to improve upon the current unacceptable levels of violence, self-harm and self-inflicted deaths.”

In saying that, the Minister confirms not just the statistics that we have—the statistics that, for example, the Prison Reform Trust have brought before us, and what the Minister’s chief inspector of prisons and the prisons and probation ombudsman have said—but what is common knowledge among prison officers who work in the system. They have said that assaults are rising and prisons are more dangerous, with more deaths and more self-harm.

I hope that the Minister can put some flesh on the bones of the Ministry of Justice’s thin response. Let me start with the statement that:

“The autumn plan will include specific steps for improving safety in prisons. It will detail the urgent steps required to improve the security in our estate”.

Well, leaves are falling off trees now; we are technically into autumn. Could we have some indication—not just in the future—of what will be in that plan? What are the plan’s key features and its direction of travel? If urgent steps are required, they were required when the prisons inspector’s report was published, so will the Minister give some indication of what that means?

The response also says that the Government are:

“Monitoring the effectiveness of the recent investment of an additional £10 million in the Prison Service”.

Monitoring the investment they have put in place is hardly an action plan. I would like to know what that £10 million has been spent on, whether it is sufficient to meet the existing challenges and whether the Minister has secured further investment to increase that £10 million. Presumably that £10 million is meeting some objectives to help reduce the challenges we face, but I am not clear what they are.

The response then gets a little more disingenuous. The Government say that they will enhance

“the recruitment, and training, of prison officers. We have appointed more than 3,100 new Prison Officers since January 2015”.

and that the overall number, therefore, will rise “by 300”. From January 2015, the number of prisoner officers is rising by 300, but it is not unknown to the Committee that prison officer numbers in March 2010 were 49,230 and that the prison officer numbers in March 2016 were 43,530, which means approximately 7,000 fewer prison officers are in place now than were in place six years ago. The Government say that prison officer numbers have increased by 300 because of their investment, but that is not really making a dent in the real issues and challenges that have been identified by the chief inspector of prisons, the prisons and probation ombudsman, the Prison Officers Association and not least, by the Chairman of the Select Committee and ourselves as Members.

Dr Huq: My right hon. Friend is painting a very compelling picture and giving a timeline. Does he agree that the logical consequence of the bleak picture he paints is more incidents such as the walkout in May at Wormwood Scrubs prison by staff, who felt so unsafe that they downed tools? That prison is on the border of my constituency—it is next door, in the constituency of my hon. Friend the Member for Hammersmith (Andy Slaughter). The situation has been described as “Dickensian squalor” by the current chief inspector, Peter Clarke, whom the Committee interviewed. I know this lot—the Government—are into Victorian values, but this is the wrong value to go for.

Mr Hanson: Self-evidently, if prison officers feel so unsafe in their place of work that they walk out, it is for them to express that concern. I hope they find mechanisms other than walking out because not being there does not make the prisoners any safer.

The key thing—this is linked to the previous point—is that six years ago there were 1.73 prisoners for each prison officer. Now, there are more than 2.015 prisoners for each prison officer, which affects the amount of investment and time they can put in. The Government’s response shows that a lot of people are walking away from the Prison Service. We have appointed 3,100 new prison officers in the past year but, overall, there has only been a rise of 300 officers. As well as the Government dealing with the issue of having sufficient prison officers, I would welcome their view on retention. Ultimately, we face a situation whereby some prisons have experienced prisoners and inexperienced prison officers, which is not a good mix if the system is to be managed effectively.

If we are losing the number of prison officers that the Minister’s report says we are in just one year—we have a net increase of only 300 prison officers after recruiting 3,100—what steps is he taking to incentivise people to stay, to ensure we retain recruitment and to keep experienced officers in place? Given the age profile of prison officers, will the trend be such that the Minister really has to ramp up recruitment because people will want to retire as they approach natural retirement age? What profiling has he done and will he confirm to the Justice Committee that his recruitment numbers will have a real impact given the number of prison officers we have lost?

The Government’s response puts in a word about mobile phones, which is a perennial problem that we have all dealt with during our times in the Ministry of Justice. They also make points about drugs in prison and about detection, which is equally important. They then come to the next issue, which is:

“Building five new prisons by 2020 to modernise the prison estate and close the most inefficient out of date jails.”

Perhaps the Minister will tell us, apart from Her Majesty’s Prison Berwyn, which is 10 miles down the road from my constituency, which are the other four prisons? When will he put bricks on the ground and which are the inefficient and out-of-date jails? At what stage will those predominantly Victorian prisons, possibly even some that have been mentioned today, be closed and what is the transition period for that? What measures, including staffing numbers, design, education and input, is he building into the new prisons, such as HMP Berwyn, to make them safer?

We can all sit here and pontificate on what should be done, but it is clear from the tone of the debate and the information to date that there has been serious deterioration

over a range of measures and indices over the past five—and particularly the past two to three—years. A range of things can be done regarding staffing ratios, retention, drugs, mobile phones, education, mental health and the cohort of prisoner numbers, but it comes down to points made by my fellow Justice Committee members, the hon. Members for Cheltenham, for Henley and for Bromley and Chislehurst. If we are going to continue to imprison people at the rate that we are, sufficient resources must be put in to manage that in an effective way to provide rehabilitation.

Looking into ways of taking people out of the Prison Service and into short-term community sentences might take some of the pressure off prison numbers. We cannot have a situation whereby there is an increased cohort of difficult, challenging prisoners with mental health, drug and alcohol problems, who are in for violent offences, and for longer sentences for a range of offences, when the way in which prison operates is dealt with by an ever-diminishing number of staff who are more poorly trained than and not as experienced as the people they are replacing, and whose safety, along with those who are in prison, is paramount.

Will the Minister put a bit more meat on the response now or indicate to the Justice Committee at what stage a bit more meat will be put on it? I look forward to the Committee being able to assess indices of success so that we have clear measurements of where improvements will be made.

With due respect to the document, rather than blind assurances that the Government will produce a plan, monitor effectiveness, look into increasing the number of prison officers, deal with drugs and phones, and build some new prisons, I would like a bit more detail. If the Minister is not able to give that today, will he commit to reporting back to our Committee at a time of his convenience with a detailed plan, including detailed indices for improvement and detailed financing for those indices, so that we can measure what happens in the future, rather than just take assurances, which, while well meant, may not actually meet the objectives we have set?

2.15 pm

Philip Davies (Shipley) (Con): It is always a great honour to serve under your chairmanship, Mr Stringer, and to follow the right hon. Member for Delyn (Mr Hanson), for whom I have a great deal of respect. As others have done, I commend our Chair of the Justice Committee, who does a great job in marshallling sometimes disparate viewpoints on the Committee.

When I say “disparate viewpoints”, what I am really referring to is me. As on many issues, I tend to have a very different view of the world—particularly the world of prison and sentencing—from that of many of my colleagues, so I might put a slightly different viewpoint from theirs. That is not to say that I do not have a great deal of respect for their views and expertise on these matters; we just happen to draw different conclusions.

One thing that never gets talked about with regard to prison safety that I want to talk about, and that I raised with the Secretary of State on her initial performance before the Justice Committee last week, is the change brought in under the last Labour Government: it has done immense harm not only to public confidence in the criminal justice system, but to safety in prisons.

That Labour Government passed a law, and this is a welcome opportunity to make a public service announcement to the many people who are not aware that it is on the statute book. The law stated that everybody who had reached halfway through their prison sentence had to be released from prison, irrespective of how disruptive they had been and whether they were still considered a danger to the public. Those prisoners have to be released halfway through their sentence.

The law had nothing to do with any great rehabilitation revolution, or with making our prisons or streets safer; it was introduced because the last Labour Government got themselves into a crisis over prison numbers and could not meet the capacity. They were desperately looking for ways to reduce the prison population. Anything would do.

One method they used was letting everybody off 14 days before the end of their prison sentence. The second method was to say that people had to be, by law, automatically released halfway through their sentences. It does not take a genius to work out that that will have—and this has proved to be the case—a negative impact on safety in prisons.

If prisoners have a six-year sentence, become eligible for release after three but could still serve the whole six years, the chances are that there will be an incentive for them to behave themselves in prison, get their heads down, work hard and do the things that are asked of them; if they do, the parole board may well let them out of prison when the three years come up. If they know they will be released from prison after three years no matter how well or badly they behave, what on earth is the incentive to behave in prison? There is none at all. It does not take a genius to work out that that is pure common sense.

If the Government want to get to grips with safety in prisons—and, as a by-product, instil a bit more public confidence in the criminal justice system—they must deal with that issue. They must repeal that terrible law and say to prisoners once again, “You become eligible for release halfway through your sentence, but only if you are considered to be safe to release to the public and if you have been behaving yourself in prison.”

I remember when the last Labour Government introduced this law—the Conservative party was apoplectic. What have we done in our six years in government? Absolutely nothing. That is a disgrace—certainly for the millions of people who have gone down to the polling station to vote Conservative at a general election. Those people would expect a Conservative Government to deal with this, and I hope the Minister will not only address the issue in his remarks but will act on the situation in his time as prisons Minister.

Alex Chalk: My hon. Friend is setting out his characteristically robust and principled position, with which I do not disagree. But even if that welcome repeal were to happen, is not the difficulty that it would lead to such additional pressures on the prison system that, frankly, we would not be in a position to absorb the extra numbers at this juncture?

Philip Davies: I understand my hon. Friend’s point, but he is looking at it from a perspective different from mine. My view is that we should not manage the prison population to fit an arbitrary figure that we have decided

is the limit that we will allow in prison; we should imprison the people who should be in prison, and it is the Government’s job to build the capacity in the prison system to cope with those people. That is the bit on which the Government need to get a grip.

I was going to come to this later but, as we are on the subject, I will deal with it now. One area on which I happen to disagree with the Chairman of the Select Committee, although it pains me to do so, is the size of the prison population. We have to address the myth that has been perpetuated that the UK has a very high prison population. The fact of the matter is that we do not, and I will explain why. Yes, the absolute number of more than 80,000 represents a high prison population, but the UK is a very highly populated country so of course we have a high prison population. That is a meaningless measure.

If we look at the number of people in our prisons as a proportion of the population as a whole, we are not at the top of the table by any means, but I concede that we are above average. We are in the highest quartile but, again, it is a meaningless measure. The only meaningful measure of prison population is the proportion of criminals that we send to prison. In other words, for every 1,000 offences committed in the UK how many people go to prison? That is the most meaningful measure of whether we send a lot of people, or not many people, to prison. Comparing those figures with the figures for other countries across the world shows that we have a very low prison population. For every 1,000 crimes committed in the UK, we send some 18 people to prison. I challenge anyone to name four or five countries that send fewer people to prison, because they will be hard pressed to do so.

Our prison population is very low, so we have to end the myth that has been built up by these prison reform groups, which frankly just do not like anybody being sent to prison. We have to address the myth that has built up over the years that we have a high prison population. We send very few people to prison. Everyone knows that it is difficult to be sent to prison in the UK. People get community sentence after community sentence—the only people sent to prison are either very persistent offenders or very serious offenders. Courts bend over backwards not to send people to prison. We have to nail that myth.

Contrary to what my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) said in his opening remarks, I do not think that public opinion is that we should have fewer people in prison. I do not think public opinion has moved an awfully long way. Clearly, my hon. Friend is much more expert than I about public opinion in Bromley and Chislehurst, and I bow to his superior knowledge, but I invite him to come up to Shipley. He can knock on the door of any 100 houses he wants to ask people, “Do you want to see more criminals or fewer criminals in prison?” I suspect that a number in the high 90s would say that they would like to see more criminals in prison, not fewer. I accept that Bromley and Chislehurst may differ, but I am here to represent Shipley.

Robert Neill: I respect my hon. Friend’s point, but I want to put my point to him in a different way. I suspect that both his constituents and mine would like to see fewer victims of crime and fewer crimes being committed,

[Robert Neill]

so they also might like to see people in prison being more effectively rehabilitated so that they reoffended less. Does he accept that overcrowding in our prisons prevents rehabilitation? Reducing such overcrowding would be in his constituents' interest.

Philip Davies: I agree with one part of what my hon. Friend says, which is that we should be doing our best to rehabilitate people while they are in prison. I do not see how anyone could possibly disagree with that. What I do not accept is that we should have fewer people in prison. I want more people in prison.

The Minister and I were discussing this not too long ago, and we observed that the UK prison population has increased quite substantially over the past 20 or 30 years. Lo and behold, what has also happened in the UK over the past 20 or 30 years is that the crime rate has gone down. Members here might want to try to pretend that those two things are alien to each other, but I contend that one follows from the other.

To be honest, it is not rocket science. It is blindingly obvious, certainly to most of my constituents, that the more criminals there are in prison, the fewer criminals there are out on the streets committing crimes. It is obvious that the more criminals we lock up, the less crime we will have. I accept that we want people to be rehabilitated while they are in prison, but I do not accept that the answer is to send fewer people to prison in the first place. In my opinion, it is too hard to be sent to prison and most people are not sent to prison for long enough.

The idea that short sentences do not work is another myth. The reoffending rate for people on short sentences is 60-odd per cent. Virtually every single person in prison on a short sentence has had community sentence after community sentence. The reoffending rate for that cohort while they were on a community sentence was 100%, which is why they ended up in prison in the first place, so a 60-odd per cent. reoffending rate for the cohort on short sentences is actually a rather good record compared with the alternative. We do our prisons a disservice. The longer people spend in prison, the less likely they are to reoffend. That point is made clear by all the Government statistics.

Prison safety is also undermined by fixed-term recall, which is little known. We have a system in the UK whereby people are released halfway through their sentence. If a prisoner reoffends, most people would expect them to go to prison to serve the remainder of their original sentence, but I am afraid not. The last Labour Government did for that, too. They introduced fixed-term recall, whereby people are sent back to prison not to serve the remainder of their sentence but to serve 28 days. Again, people have no incentive to behave themselves when they go back because they know they will be out in 28 days, come what may—that is the whole principle of fixed-term recall.

There is no incentive in our sanctions for these people to behave themselves when they go back into prison, and there are lots of them—I think there were some 7,000 people on fixed-term recall last year. In fact, many of them make a point of going back into prison just to see how their illicit operations have been doing while they have been out. They know that they will get

only 28 days if they commit another offence, which gives them enough time to see what is going on before they are back out again. The whole thing is an absolute scandal. These are the things that the Minister needs to get a grip on if he is to do anything about prison safety.

Drugs are clearly a massive issue in our prisons, and the number of people who take drugs for the first time in prison astounds me. It cannot be beyond the wit of the Government to address drugs in prisons. They have to be much more robust on that, too.

Members will know that I have an interest in the comparative treatment of men and women in prisons. More women than men, per 100 of the prison population, have been punished for disciplinary offences while in prison. There were 130 adjudications per 100 women prisoners, compared with 106 adjudications per 100 men prisoners, according to the Ministry of Justice's publication "Statistics on Women and the Criminal Justice System 2011". We have a massive problem with violence by women offenders in our prisons. This is not a men-only problem.

The other thing that I wanted to mention is radicalisation in our prisons, which is a massive cause for concern. I put in a freedom of information request to the Ministry of Justice a year ago asking which prisons had reported instances of or concerns about religious radicalisation in the last year. The MOJ's reply did not tell me which prisons had had such reports; it told me which prisons had not, because there were so few of them. When I totted them up, there were only seven prisons in the whole UK that had not reported instances of or concerns about radicalisation. If we are to do something about prison safety, tackling radicalisation in our prisons must be a top priority for the Government. It is a massive area of concern. We cannot let political correctness be an excuse for inaction; we must get to grips with that particular problem.

I agree with the right hon. Member for Delyn about prison officers. We clearly need more of them in our prisons. To me, that is blindingly obvious. They do a valiant job of trying to keep order in our prisons in difficult circumstances; we cannot keep cutting their numbers, as has been done in recent years, and expect there to be no consequences. We must invest in our prison officers.

In summary, I look at the issue from a different point of view from the Chairman of the Committee, my hon. Friend the Member for Bromley and Chislehurst. He said that he did not think the public wanted more public spending on prisons. I disagree; I think that our constituents do want it. They want less public spending on things like international aid and more spending on locking up criminals in our prisons. I genuinely think that that is the public mood. They do not think that too many people are being sent to prison; they think that it is too easy for people to get out of prison, or not to be sent there in the first place. We should be wary of getting out of touch with public opinion on this issue.

There are many areas that the Minister can attend to in order to improve prison safety while also improving public confidence in the criminal justice system. He must not be seduced by the bleeding-heart liberals whose basic agenda is that they want fewer and fewer people in prison because they do not believe in sending people there. He must be robust and stick up for public

opinion a bit more, ensuring that criminals are in prison and that they serve the sentences handed down by the courts, preferably in full.

The Minister certainly should not allow them to be released halfway through their sentences when they are still a danger to the public and have behaved badly in our prisons. That is not fair to the public, and it is not fair to the prison officers who have to deal with such people and see them released halfway through their sentences, much to their disgust. I welcome the Minister to his position, and I trust he will tackle some of those issues and not be seduced by the bleeding-heart liberals.

2.32 pm

Andy Slaughter (Hammersmith) (Lab): It is a pleasure to see you in the Chair this afternoon, Mr Stringer. Although it is tempting to enter into debate on the alternative worldviews of crime and punishment in Shipley and Bromley, I think I will return to the report and the subject of the debate.

I thank the Chair of the Justice Committee and its other members for the report, and I thank him for his remarks today. I also thank the Minister for already having made a clear statement that prison reform remains a priority for the Government. I hope that we may hear—I think we are all waiting to hear—a bit more in his response, and that there will be some flesh on those bones.

I think that every Member who has taken part in this debate knows how serious the matter is. We are probably all familiar with the statistics quoted by my right hon. Friend the Member for Delyn (Mr Hanson), so although I have them in front of me, I will not repeat them. We are also well aware of comments like the one that he quoted from the current chief inspector of prisons, Peter Clarke, who said in his very first annual report that prisons had become unacceptably violent and dangerous places, and that it was a grim situation that had become even worse during the short time that he had been in charge. We are also aware, as the Chairman of the Justice Committee said, of the candour of the previous Secretary of State, who was always prepared to admit that safety conditions in prisons were terrible and getting worse. Most of all, I suspect that those of us who visit prisons regularly or have prisons in our constituencies are aware of that from those experiences and from talking to prison officers and governors.

I have asked three urgent questions on the matter this year, as well as a whole book of written questions. We also had a major debate about it. Members from all parties are now paying it a lot of attention, which is a good thing. The former Secretary of State, although he was in the job for only a year, was well informed on the issue, took it seriously and appeared committed to resolving it. He proposed a number of initiatives, including taking old prisons out of use and building new ones. He talked about governor-led prisons and prison reform in general, and he engaged with many leading prison reform groups, including the Prison Reform Trust, the Howard League and the Koestler Trust, which exhibits fantastic prisoner art and is based just outside Wormwood Scrubs in my constituency. He was a breath of fresh air compared with his predecessor in the job, the right hon. Member for Epsom and Ewell (Chris Grayling). The caveat to that praise is that we did not see a lot of action

in that period. We saw a lot of general statements and specific ideas, but not a great deal of action. However, I like to think that we would have done if he had continued in post.

I fear—I hope that the Minister will reassure us on this—that we have not yet seen the same level of knowledge or commitment from the current Secretary of State. I have read the proceedings of her interview before the Justice Committee and have been present for some of her performance in the House so far, and I, personally, do not feel that she has quite grasped the seriousness of the issue yet, or exhibited the same zeal for reform as her predecessor. The Government response to the Select Committee report might be an indication of that. I think that the Chairman of the Committee said that there were “a number of pages” in the response; that number is two and a bit. I have written my notes for this debate on the back of those pages, and I think that I have doubled the length in doing so. We need to know a bit more from the Government. I am sure that we will not get everything from the Minister today, but I hope that we get some of it.

I have two specific matters to raise. One is the issue of where the Government intend to go on this issue. What specifically can the Minister say about legislation and policy, and about the continuation and implementation of the policy that has already been introduced? The other is the detail of the issue. The immediate former prisons Minister, the hon. Member for South West Bedfordshire (Andrew Selous), is here. He was a master of detail, and when he came to the House to answer questions, he was always well informed about the particular circumstances of individual prisons. I think the current Minister will learn that that is important in his job. It matters what happens in every one of our individual prisons.

I say that as someone who has in his constituency perhaps the most iconic prison in the country, certainly visually—Wormwood Scrubs. Unfortunately, during the 30 years or so for which I have been involved with it, it has shown some of the worst aspects of the prison system. Of particular concern are some of the disastrous recent reports. It has a new governor, who I know is trying to improve matters, and some incredibly dedicated staff. Despite the cull of prison officers, it still has some long-term staff, who are doing a very good job. However, just this week, the chairman of the Prison Officers Association at Wormwood Scrubs wrote to me about violence against staff, saying that there are an average of 15 staff assaults each month, three to four of which are serious. At that rate, each officer at Wormwood Scrubs is likely to be assaulted at least once a year.

My hon. Friend the Member for Ealing Central and Acton (Dr Huq) referred to what I think she described as a walk-out. More properly, what happened on 6 May this year was that prison officers would not enter the prison on health and safety grounds. An arbitrated meeting was held outside the prison gates, and they went back to work. I think that they behaved responsibly on that occasion. Two days later, indicating the depth of their concern—it was the occasion for one of my urgent questions—two prison officers were hospitalised in a serious assault. In the last two weeks there has been another serious assault, in which three prison officers were hospitalised—as I said, it is a very common occurrence.

[*Andy Slaughter*]

At the moment, Wormwood Scrubs has slightly better staffing ratios than other prisons, but I am afraid that in October we are about to see a reduction of 14 deployable prison officers a day, with staffing levels being reduced in some key areas by 20% to 30%. I ask the Minister to look at that. It is not going to help the situation in a volatile prison that is recovering from some very serious circumstances.

Wormwood Scrubs continues to lack provision for things that I would think basic, such as searches of the grounds to find contraband goods thrown over the wall or full searches, with prison lockdowns, when there are serious assaults involving weapons. Those are the basic but detailed things that the Prison Service has to get right if we are to get the epidemic of violence under control.

A recent BBC documentary about Wandsworth prison showed, pretty shockingly, prisoners openly smoking cannabis because there were so few prison officers available to do anything about it. That is not happening at Wormwood Scrubs at the moment, because prison officer numbers are slightly better than elsewhere, but if we continue to make cuts, it is inevitable that the prison officers will lose control of the prison. That would be an absolute disaster.

All hon. Members agree that we are seeing a downward spiral: with fewer and fewer officers—my right hon. Friend the Member for Delyn set out the numbers—prisoners are locked up for longer periods and levels of stress and violence increase. There is little or no association, education or work—all things that the first Secretary of State in the coalition Government told us would be priorities in rehabilitation. No doubt that goes for the current Government too.

Something has to be done to relieve the situation. The shortage of staff is not the only issue, though it is probably the most crucial. I do not want to take up too much time, but I will mention some others. We should be concerned about the high turnover of prison officers—experienced officers have left and rather more junior officers, who may not be able to cope in the same way, have come in—and about the mismanagement of some prisons, young offenders institutions and secure training centres. We saw the incidents at Medway last year and the withdrawal, which I was pleased to see, of G4S from the secure training centre contract.

The Minister may wish to say something about how we ensure good governance in prisons, and how prison governance that is not working is dealt with at an early stage, particularly in cases of violence and unsuitable behaviour by officers against prisoners, especially young people. That must remain a priority for the Government.

2.43 pm

Victoria Prentis (Banbury) (Con): I apologise that—with your permission, Mr Stringer—I have to leave before the end of the debate so I will not be here to hear the closing speeches. Members of the Justice Committee, and indeed anybody who has met me for longer than 10 minutes, will know that very few things could drag me away from a debate on prison safety, but I am afraid a meeting about the Boundary Commission and boundaries is one of them. I thank hon. Members for their indulgence on that score.

Serving on the Justice Committee is an enormous privilege and most of the time it is a pleasure. However, as is clear from the passion of Members' contributions today, it is not always a pleasure, because we have heard some very disturbing facts and figures about safety in our prisons. I am not a stranger to the Prison Service, having conducted litigation on its behalf for many years—it is nice to see some former clients in the Box today. I know that the Prison Service is staffed by many dedicated individuals, who work hard to ensure that people in their custody are safe, and to rehabilitate them. I also know that the spotlight has never shone so brightly on what is happening inside our prisons.

Although our predecessor Committee felt that the Government and the National Offender Management Service had underplayed the seriousness of the situation, our Committee does not now feel that is the case. This year, the former Prime Minister and former Member of Parliament for Witney gave strong leadership in his speech on prisons. Both the former Secretary of State, my right hon. Friend the Member for Surrey Heath (Michael Gove), and the former prisons Minister, my hon. Friend the Member for South West Bedfordshire (Andrew Selous), were aware of and open about the appalling state of prison safety.

The reform programme is bold and motivated by all the right reasons. In our report we praise the considerable efforts made by the Ministry of Justice and NOMS to alleviate the situation, but political will is very far from being enough. The previous Secretary of State's response to our review was characteristically robust; he acknowledged the extent of the problem and found an extra £10 million to deal with aspects of it.

It has to be said that, in its short time in post, the new prisons team has made it clear that it is fully live to the issues. In its response to our report, it says that prison safety is the Department's top priority. The new Secretary of State told us last week that the position was unacceptable, and the Department has confirmed that legislation will be put in place to continue the reforms set out by her predecessor.

So with all this light, why is the situation getting worse? In my view, my hon. Friend the Member for Cheltenham (Alex Chalk) was right: the ratio of staff to prisoners is critical. I also agree with the hon. Member for Hammersmith (Andy Slaughter)—despite the boundary changes, I will not call him the hon. Member for Wormwood Scrubs.

This is not a time for a debate with my hon. Friend the Member for Shipley (Philip Davies) about whether the size of the custodial population matters, but it is clear that unless we are going to pour new resources into our Prison Service, we have to reduce numbers if rehabilitation is to be effective. I do not say that through a wish to be soft on criminals; rather the opposite. It is in all our interests for those in prison to be changed to stop them offending again. If the upshot of that is that tough diversionary sentences have to be used as an alternative to prison, effort should be put into piloting them. Restorative justice, as the Committee said in a previous report, may well have an important part to play.

Alex Chalk: Does my hon. Friend agree that one of our problems as a society is that we have not quite solved the problem of how to generate a community

penalty that is sufficiently robust that gives members of the public genuine confidence that it is a proper punishment? As soon as they feel that community penalties are a proper punishment, there will not be such an imperative to send so many people to prison.

Victoria Prentis: My hon. Friend is right. He will remember that, on our excellent Justice Committee trip to some restorative justice schemes in the United States, we saw some really good new alternatives to prison that we are extremely keen to see taken up and piloted here. They may well be part of the solution, but public opinion will have to be brought along with us. If results can be shown to be good, I am confident that public opinion will come along too—even in Shipley.

I do not see how it is possible to run safe prisons, let alone rehabilitative prisons, with insufficient staff. Prison officers have only limited time to give to supervision and to building up the relationships that we know help people to change. It is often difficult to find sufficient staff to move prisoners to the classrooms for desperately needed education. We have heard examples of wings where only one officer is now on duty when there were previously two. A body-worn camera, while welcome, is not the same as two sets of eyes. There is concern that lack of patrolling perimeter fencing is making it too easy to smuggle contraband.

We applaud the Department's efforts to recruit more staff, but experienced officers take years of training and greater efforts must be made to retain them. The former prisons Minister, the right hon. Member for Delyn (Mr Hanson), has covered that issue fully; I emphasise his point that it is the net gain in numbers that should always be considered when looking at staffing levels.

The second reason, in my view, for the continued decline in safety is the exponential increase in the use of new psychoactive substances. The prisons and probation ombudsman says that 61% of prisoners use them regularly and that they have overtaken tobacco as the currency of choice inside.

During an excellent session at Reform earlier this summer, a prison officer told us about an inmate who had been found unconscious in his cell. Four officers went inside to assist him and all four of them needed hospital treatment for secondary inhalation. These drugs are not cannabis as some Members of the House may have known it; they are cannabinoids and they are very dangerous mind-altering substances, which are doing extraordinary damage to our prisoners.

The Government have criminalised possession of these substances, but a great deal of resource needs to be put into testing these drugs and searching for them if we are ever to hold back the tide of them. Blocking mobile phone signals, which we now have the ability and the powers to do, is surely a good step to consider, while we fight the organised providers of these drugs. I hope that the body scanner being trialled in Wandsworth works and that this device can be rolled out very speedily to other establishments. The Committee looks forward to hearing further details about it.

As others have already said, it is now for the new team of Ministers to put the flesh on the bones of the reform programme. I am grateful for the taster that we have had of that programme in the Government's response to our report. In my view, prison reform is not a place for dogma, and there is considerable consensus across

the House and on our Committee about what needs to be done. Forgive me for saying so, but we have a captive audience and it should be possible to pilot the best schemes, and to assess quickly the extent to which new ideas work. Historically, a shameful lack of data have been produced by the Ministry of Justice, but slowly that issue is being addressed. Nevertheless, the new ministerial team needs to be very vigilant about it.

To add to the list of those reforms currently under way, which are set out in the Government's response, I would also suggest focusing on improvements to assessment on entry to prison, and asking new prisoners about previous head injuries and traumatic experiences surrounding bereavement, all of which are proven, as we know, to indicate a greater propensity to self-harm. Those prisoners who are recalled should be properly assessed, however many times they have been inside prison before, as we know that they are particularly vulnerable.

Busy prisoners are safer prisoners, and real resource must go into both education and employment. Almost half of prisoners lose touch with their families, yet it has been shown that those prisoners who maintain family relationships through visits demonstrate a 39% reduction in reoffending. Better visits, Skype and in-cell telephones should be seen not as "nice to have" luxuries for lily-livered liberals or prisoners but as a useful tool in the fight against future crime.

Of course, all these ideas need testing and evaluation, and the *Daily Mail* and Shipley will not like them all. I accept that it is difficult to push through major reforms at the same time as managing a dangerous and—quite frankly—unstable situation, but unfortunately the Department does not have time on its side.

2.52 pm

John Howell (Henley) (Con): It is a pleasure to serve under your chairmanship, Mr Stringer.

At this stage in the proceedings, there is perhaps little that one can say that has not already been said, particularly by my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), the Chairman of the Justice Committee. However, I will add my comments to the excellent work that my hon. Friend does in that capacity.

I was also a member of the previous Justice Committee and I say that for a number of reasons. It is not simply because Ministers come and go, whereas we members of the Justice Committee continue examining these issues, which we inherited and which we return to, time and again. I also say it because in the report that we produced at the end of the last Parliament—"Prisons: planning and policies"—we examined safety issues. Indeed, I disagree with my hon. Friend the Member for Banbury (Victoria Prentis), as I think the Government and the National Offender Management Service completely underplayed the deterioration of safety in the prison system.

However, that situation was partially improved—indeed, it became a much better situation—by the previous Secretary of State, my right hon. Friend the Member for Surrey Heath (Michael Gove), who focused on the issue of safety and admitted that our prisons were in a serious crisis. All the speakers today have acknowledged that. Also, a common theme has emerged throughout this debate and it is about the Government response to our report. I will come to that shortly.

[John Howell]

Other speakers have already asked whether we have a higher or different prisoner population, compared with the low staffing numbers that we have in prison. Nevertheless, the point that we made in one of the Justice Committee reports—namely, that those factors had been there all along—means that they are not the answer to the problem and none of them is the overriding factor that determines that the situation is as bad as it is. We have to consider other reasons why the situation is so bad.

If we consider what action has been taken so far, we see that it has principally been around legislative change, without much emphasis on implementation of legislation. It is very easy for us as legislators to introduce legislative change and then just believe that the job has been done, whereas the real job comes in ensuring that any new legislation is implemented.

One issue that the right hon. Member for Delyn (Mr Hanson) raised—fortunately, he did not amplify it, because that means that I can amplify it now—was mental health needs, which fully illustrates this point. It is not operational action that is required to deal with mental health needs, particularly the prevention of suicide; the needs in question go beyond the drugs that are available to treat them, whether those are traditional drugs or new psychoactive drugs. Indeed, the prisons and probation ombudsman, Nigel Newcomen, has said:

“It remains the case that I am frequently obliged to repeat recommendations and lessons and it can be depressing how little traction we appear to have on occasions”.

That statement applies not only to the issue of mental health but to the whole of prison safety. As a Committee, we ourselves have frequently issued “recommendations and lessons”, but there is “little traction” to them and they are rarely taken up. Nevertheless, the mental health needs of the prison population must be taken very seriously. The big area of untapped resource, if you like, is being able to deal with those needs.

Since we are also considering the issue of self-inflicted deaths, I will comment on the Government reaction to the Harris review, which I also found to be a disappointment—indeed, Lord Harris himself found it to be a disappointment. It is a disappointment because the Government have not sought to take into account a number of the recommendations that Lord Harris made and so the issues involved have not been addressed. At a recent session that our Committee had with the Secretary of State for Justice, I asked her whether she was aware of Lord Harris’s report or had talked to him. She was aware of the report; I do not think that she had talked to him at that point, but she needs to do so.

[VALERIE VAZ *in the Chair*]

Let me re-echo the point that others have made by saying that I found the Government response to our report flimsy; it was no more than a holding reply. There was a lot of talk about monitoring and some operational improvements; there was the use of what I would call the bogus figure of a net increase of 300 officers, which disguised the reduction in officers; and there was also the hint that we were building five new prisons. I ask the Minister who is here today to comment on those five new prisons and the progress being made on them,

to say when we are likely to see them come into operation and to explain how they will improve prison safety.

Philip Davies: It is a pleasure to see you in the Chair, Ms Vaz.

I agree with my hon. Friend that the Government response to the Committee’s report was thin and “flimsy”; it would be impossible for anyone to disagree with that assessment, really. However, is he being slightly harsh on our ministerial colleagues, given that the Minister who is here today and the Secretary of State have only just taken up their new positions? Perhaps we should give them some opportunity at least to examine these matters themselves before they rush to a conclusion on the Committee’s report. Perhaps we should just give them a bit of time to get their feet under the table and give these issues serious consideration themselves.

John Howell: I thank my hon. Friend for those comments, but I take a different view. We are still the same Conservative Government who were elected to deal with these issues. Whether it is a new Secretary of State or an old one, the issues are the same. A list of actions was put in place to deal with the issues. I cannot understand why a series of new Ministers want to take the time to throw all those things up in the air and start again. That is precisely what I meant by saying that the Committee has the longevity with these issues to see their continuity on the ground. I do not think I am being too harsh. I bear no grudge against the Minister; I appreciate that he is new to his job, but there are some things that should be continued, and we should be able to pick them up.

One thing that I stress is the changes proposed to the role of prison governor, since those could be introduced pretty quickly. There is a lot in the Government response about empowering prison governors. Can the Minister provide more information on that? I do not mean the detail of how we will empower prison governors or the detail of exactly what powers will be transferred. We should be looking for broader areas of principle to be set out and discussed with the Committee, to show where those are going to go, because governors feel completely left out.

As a Committee, we have come across that issue quite a lot in our visits to various prisons. They see themselves as bit managers of a whole range of different resources that are brought in to their prisons. That situation does not help them get control of their prisons or prison safety. I would like some information about how the role of prison governors will be defined and circumscribed. It will need to be circumscribed, but in the definition we will get the detail of what the Government want for that. What will the nature of the measures be to hold prison governors to account? That is the other side of the question. I do not yet want the specifics of how that will work, but in what areas will that work and how will it continue?

Finally, I want to comment on the action plan. We need considerably more flesh on the bones. That expression has been used by many speakers in this debate. I repeat what I said in an intervention: when we had a meeting with the Secretary of State, I asked how she would take forward the previous Secretary of State’s plans. Her response caused the press to argue that we were going back on our commitment.

I fully accept what my hon. Friend the Member for Bromley and Chislehurst has said about the role of the press, but there is an issue here, and there was no need to put the whole thing into reverse and suggest that we were going backwards on this matter. As the Minister said, dealing with this issue remains a high priority for Government. I am happy to wait to see the detail of the action plan and how it will control safety, but I would like some more information about whether it will move beyond the legislative and the obvious to empower prison officers to take action and get to grips with a major problem in our prisons.

3.4 pm

Andrew Selous (South West Bedfordshire) (Con): It is a pleasure to speak in this debate, Ms Vaz. I assure my hon. Friend the Minister that I will speak as a critical friend who will be willing him and the whole ministerial team on to success in this important area. I completely agree with what the Chair of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), said at the start of this debate about the duty of care that we all owe to prison officers and prisoners. One of the most upsetting parts of my job as prisons Minister was to read the daily operational reports and see that prison officers had sustained broken jaws, broken noses and black eyes in the course of their duty.

Yet again, I put on record the fact that our prison officers are some of the finest public servants in our country. When we talk of public servants, we often mention teachers, doctors, nurses and police officers—rightly so, as they do outstanding work, too—but we need to remember that even though prison officers are behind those tall walls, they are on the frontline of duty in keeping us all safe. We have a duty to keep prisoners safe, too.

I will concentrate on what the Government said in response to the Select Committee. They mentioned a number of specific actions that they are taking to deal with violence. We have had brief mention today of body-worn cameras. I went around HMP Glen Parva to see their use there, and I was told by prisoners and prison officers that they felt that the cameras were reassuring and helpful. I understand that the advice is that body-worn cameras are even more effective if the five-minute intervention—the measure by which every interaction between a prison officer and a prisoner is meant to be rehabilitative and positive—has been rolled out. I know that work is being done on the violence diagnostic tool to understand in detail the different areas of prisons where violence is happening, and the times of the day. There is increased staff training to equip staff better to deal with those issues.

I was pleased to see mention in the Government's response of the important work that the Crown Prosecution Service and the police need to do to protect our brave prison officers. I was upset to hear from prison officers in some prisons that on occasion they have gone down to the front counter of the local police station to report assaults, because it was bureaucratic to do so within the prison.

Just occasionally, the view has grown up within police forces that, "Prisons have prison officers, and we are out there to protect the public and the open community."

That is not the case. Police officers have a duty to ensure that order runs within and without the prison wall. Prison officers and prisoners need the police and the Crown Prosecution Service to take that duty seriously. In my experience as prisons Minister, the relationship between police and local prisons was variable. If there was a good relationship between the borough commander and the prison governor, things were good. Sometimes, that relationship was not as good as it should have been.

The Government rightly talk about the importance of getting the early days in custody, the critical first month, right for prisoners. We know the preponderance of self-inflicted deaths—suicides—within the first month. It is important that we help people, particularly those who are in prison for the first time, to cope with the overwhelmingly strange and traumatic experience of going to prison for the first time. Those are all positive things that the Government have mentioned.

One thing that the Government could do on recruitment is to try to speed up the process from the moment someone expresses an interest in joining the Prison Service. If people have to wait too long—of course, proper checks need to be done—their enthusiasm may wane. They need to put bread on the table to feed their families, so they may go to do something else. We need a speedy process that captures people's enthusiasm to do an outstanding job of public service. We need to ensure that prison officers can get real job satisfaction from doing rehabilitation properly.

On Monday morning, my hon. Friend the Member for Banbury (Victoria Prentis) and I had the pleasure of meeting a former prison officer from HMP Northumberland. He was talking with enormous pride of how, when he walks around Newcastle, people come up to him and say, "You helped me 20 years ago in prison. I now have a job. I am paying a mortgage. I know I was a difficult prisoner, but you showed me the right way." That is why prison officers join. It is an outstandingly important job in which they can make a difference. But new prison officers get frustrated. If they come in and are not able to do the rehabilitative work, they leave to do other things. Empowering prison officers to do the job that they joined to do to the best of their ability is really important.

Robert Neill: I am grateful to my hon. Friend for making such an important point, which is reflected in a concerning statistic. One of the growth areas we have seen in retention issues has been the number of people leaving the service through resignation as opposed to other reasons—it is up from about 37% to 39%. He may know better than I, but perhaps that relates to people coming in and getting frustrated because they are not able to do the job they want to do, and so not being retained in the way we would wish.

Andrew Selous: My hon. Friend makes a fair point. We have improved prison officer training. It is now a 10-week course. It is an increasingly good course and, quite rightly, within that training there is a lot of focus on rehabilitation. The ability to turn lives around and prevent people becoming victims by changing lives is the purpose of the Ministry of Justice. If people cannot do that job, it will lead to frustration, which may lead them to resign and take up other work.

[Andrew Selous]

Mobile phones that get into prisons illegally are a cause of violence that makes prisons less safe. They are used to help get drugs into prisons. It is not just inhaling psychoactive substances that is a problem but the extreme violent behaviour caused by such substances, which give an adrenalin rush that enables prisoners to fight prison officers for longer. That is why such drugs are so evil. Cracking down on phones, which the Government are starting to do by working with mobile network operators, is really important.

I was pleased to see that one of the good things in the Government's response was the recognition on page 3 that phones should be used for legitimate family contact. Phones can be provided in the prison, or perhaps in time there could be a type of in-cell telephony that can be listened into in a legitimate manner using the PIN phone system to enable prisoners to contact their families. Prisoner voicemail could help with that. That is all part of creating a safer environment for prisoners and prison officers.

I have talked about the terrible evil of drugs and the extra violence caused by them. The Department is engaged in developing world-leading technology to detect drugs. We should not underestimate how difficult that is. I was glad to see mention in the Government response of the body scanner at Wandsworth. I am keen to know how the scanner has been assessed. It has been there since just before May 2015, so more than a year and a quarter. I understand that similar scanners are in widespread use in the United States of America. I hope that we will shortly have a full evaluation so that we can decide whether they are value for money, whether we roll them out and whether they are effective in dealing with the terrible scourge of drugs that leads to violence in prisons.

I am pleased to see the commitment to building new prisons. In time I am sure we will be told where they will be built. Equally importantly, new prisons will enable us to close prisons that are not fit for purpose.

There were two issues that I had hoped to see more reference to in the Government's response. The first was jobs for prisoners on release. I remember a prisoner saying to me in HMP Ford, "When I left the prison, I could mop a floor bloody well"—excuse my language, Ms Vaz—"but it wasn't going to pay the bills." I thought that encapsulated powerfully the shift that we need to make within prison industries. Of course we want prisoners out of their cells and doing something productive—that is 100 times better than having them locked up—but I am not satisfied with that, and I want to go a stage further. I want work in prisons to be related to getting a job on release. I could not see reference to that in the Government's response. I hope my hon. Friend the Minister will reassure me that prisons will focus on making sure the work that is done there will help prisoners get jobs on release.

We have some good academies involving individual employers, but why not go a stage further and have sectoral academies for the construction industry, for butchery or for engineering? There are huge skills and labour shortages in the British economy, and prisons can absolutely be at the heart of helping to solve that. When prisoners have a purpose and see the prison regime engaging with them at the start of their sentence, I passionately believe that will help cut down some of

the frustration that leads to the violence that makes prisons less safe—the subject of this debate. An increasing use of release on temporary licence, which I hope the Department will continue, is absolutely part of that.

The Government's response makes reference to the importance of education. People deserve a second, third, fourth or fifth chance in life. If prisoners have not had a good experience of going to school when they were younger, we must not lose the opportunity to give them the education they did not get the first time round. I hope the Government will take forward Dame Sally Coates's excellent recommendations.

I was pleased to see that the Royal Society of Arts has just published a paper by Professor James Crabbe called "Unlocking Skills Inside", which talks about the possibilities of further education colleges linking up with local prisons. I was interested in the five broad themes that Professor Crabbe draws attention to: prison cultures, wellbeing, human capital, social capital and knowledge, and skills and employability. The first four of those relate to the importance of helping prisoners change their mindset so that they engage with the employability agenda as well.

Governor autonomy is absolutely key. I have talked about the importance of prison officers getting job satisfaction from what they do, but giving governors their head to run their establishments is really important. To illustrate that, I went to Aylesbury prison, which is a challenging one—I think the Committee visited it—and saw that one block of that prison has an enabling environment accredited by the Royal College of Psychiatrists. The prison has a much calmer atmosphere than others. Prisoners were doing things for the prison officers. When I asked the young men in there, "What effect has this enabling environment had on the number of assaults and violent incidents here?", they said, "We can't remember the last time there was a violent incident." I think we need many more such enabling environments. I know it takes time to get full accreditation, but why not learn from what has happened in Aylesbury and spread it across the whole estate? That would be valuable.

I compared the Government's response with some of the commitments made by the previous Prime Minister in his speech on 8 February, and some areas concerned me. They were in the speech on 8 February but not in the Government's response. The final paragraph of the Government's response, on page 3, talks about

"a clear set of measures to hold prison governors to account",

but it does not mention holding governors to account on employment or on accommodation outcomes, which were mentioned in the speech on 8 February. It may be an oversight—perhaps the Minister will be able to respond to that. It is critical that we hold governors to account on both employment and accommodation, because that will drive greater engagement with the probation service and the local community, so that we do better in those two critical areas.

I completely agree with what my hon. Friend the Member for Henley (John Howell) said about mental health. We can be encouraged that my hon. Friend the Member for Bracknell (Dr Lee), a qualified doctor, has responsibility for mental health in prisons, and I look forward to his proposals. In mental health, as in education, we should not ignore the capacity of prisoners themselves to be the answer to some of the problems.

One of the dangers of prison is that it infantilises prisoners. At Justice questions, I paid tribute to the outstanding governor of Wandsworth prison, Ian Bickers, who has taken 50 prisoners who have level 3 qualifications and said, “Right, you are now educators in this prison.” He has given them a uniform and a wage. They can lose their job if they muck up, and they are going to work on education in the prison alongside the staff coming in from outside. We can do similar things to help prisoners who are getting depressed or anxious. Prisoners can very much be part of the solution to the issues that we are talking about this afternoon.

I agree with what has been said about IPP prisoners. We have to recognise that that situation is a historic anomaly that is difficult to justify. People are now under a sentence given some time ago for a crime which, if committed today, would be given a different sentence. I know that the Department is looking seriously at that issue.

Lastly, I want to pay tribute to those carrying out the important work of chaplaincy for preventing suicide and generally improving the atmosphere in prisons. The week before last I addressed a conference of Catholic prison chaplains. They made the point that they want some of the work that they do to be allowed to take place within education. That work is important in helping to change prisoners’ mindset about engaging with education and employment in prison.

3.21 pm

Richard Arkless (Dumfries and Galloway) (SNP): It is a pleasure to serve under your chairmanship, Ms Vaz. I think that it is the first time I have done so, but hopefully it will not be the last. I have something of a dual role in today’s proceedings, in that I am a member of the Justice Committee, but I am also the Front-Bench Member summing up for the Scottish National party. I shall take the latter of those roles first because, inevitably, such has been the detail in today’s contributions, much of what I was originally going to say may have been superseded. I will go through some of those speeches before I make any points on matters that may have been missing from the debate.

Ms Vaz, you were not in the Chair when the debate was kicked off by the hon. Member for Bromley and Chislehurst (Robert Neill), the Chair of the Justice Committee. He captured the mood of the Committee and the report succinctly when he said that it was time to be blunt. The situation is “terrible”—to use the word chosen not by him but by the former Secretary of State for Justice, the right hon. Member for Surrey Heath (Michael Gove). The hon. Member for Bromley and Chislehurst also touched on the fact that, to put it even more bluntly, things are at crisis stage. The report clearly indicates that and the Chair has clearly said it. I only hope that the message sinks in with the Government.

The right hon. Member for Delyn (Mr Hanson) gave an extremely eloquent address and provided a useful snapshot of evidence showing how much and how rapidly the situation has deteriorated. He put forward an excellent case to demonstrate that, as most people have said, the Government’s reply was thin at best. He encapsulated the frustration: on one hand the new Secretary of State says that safety in prisons and prison reform is her No. 1 priority; on the other the Government response to the report appears extremely thin, which casts doubt on her assertion about priorities.

I listened with interest, as I always do, to the speech given by the hon. Member for Shipley (Philip Davies) in his typically robust and charismatically dissenting style. I must stress that I would like to distance myself from much of what he said. I am not sure that a holiday home in Shipley is for me, given some of his comments; but of course I assume that his constituents want the best for everyone, as I do. I do not think that we solve any problems by locking people up if, otherwise, they have a chance of rehabilitation. I accept the point that 69% of people who go to prison on short sentences reoffend, but I cannot understand the logic of saying that 100% of people with community sentences go to prison. Not all of them do. Of the people on short sentences, 100% had had community sentences; but that does not mean that 100% of those who served community sentences ended up on short prison sentences. I make that distinction, but I stand to be corrected if I have picked it up incorrectly.

I of course would distance myself from the views of the hon. Member for Shipley on foreign aid and on short sentences. I ask the Minister seriously to consider the example we have set in Scotland, by reducing short sentences as much as possible and recognising that placing someone in jail for the relevant types of offences dramatically reduces their life chances thereafter, with respect to re-employment and other prospects. Those things might be open to them if they had not been incarcerated, but once they have it seems difficult to pedal back. However, I dissent with respect, as always. I was both extremely perturbed and pleased, in the same breath, to have an email from the hon. Member for Shipley yesterday evening saying “I agree with Richard on all counts.” I thank him for his constructive approach.

The hon. Member for Hammersmith (Andy Slaughter), who is not on the Justice Committee, nevertheless has, I understand, a keen interest in the matters in question, on account of the prison in his constituency. I was interested to hear him make a point that we had not focused on in particular detail—the importance of good governance. The hon. Gentleman was right to raise that. It is an important part of the picture.

The hon. Member for Banbury (Victoria Prentis), who has left the Chamber for more pressing constituency boundary issues, was right to say that the spotlight has never shone so brightly on the prison estate as it does now. She has a wealth of experience in dealing with stakeholders from the prison estate, and when she says something in such clear words, people should prick up their ears and listen. She made a poignant point: to say that reducing prison numbers is being soft on criminals gets things upside down. It shows the opposite. If we could manage the prison population and turn prisons into rehabilitative centres we would be giving more protection to wider society; because we would reduce the prospect of criminals leaving prison and reoffending. That is very important.

The hon. Member for Henley (John Howell) gave us an excellent perspective on the continuation of themes from one Justice Committee to the next. I was not fortunate enough to be a member of the previous Committee, and I gained perspective from hearing that the current issues are not arising for the first time. There has been continuity of concern and it is excellent that we had the hon. Gentleman’s experience in the debate.

[Richard Arkless]

The former Minister, the hon. Member for South West Bedfordshire (Andrew Selous), was right to express, as most of us, embarrassingly, failed to do, his appreciation for the public service given by prison officers. I completely agree. He said that he was sad when he spoke to them, and I completely concur. We visited HMP Wandsworth a number of months ago, and when I saw the ashen-faced appearance of the prison officers, I was sad—very sad. They want to do a good job, rehabilitate prisoners and do good in society, but they simply do not have the resource support. The reason why people are being locked up for 22 and 23 hours is that there are not the staff to provide support so that they can be let out to do purposeful activity. Unless we break that vicious cycle, as the Committee Chair discussed, we will, in the colloquial phrase, be banging our heads on a brick wall.

To turn to the remarks that I had planned, I wanted to give a statistical analysis of the situation. I know that the hon. Member for Bromley and Chislehurst said that statistics do not necessarily add anything to the overview; and the right hon. Member for Delyn was very succinct in giving a snapshot of the statistics. However, I beg to differ; I think they are important, because they are the evidence that demonstrates the extent of the problem, which needs to be stated clearly. I will deal with three categories. For deaths in custody, in the 12 months to March 2015 there were 79 self-inflicted deaths in custody. In the 12 months to June 2016 there were 105. In a two-year period there was a jump from 79 to 105; that is no spike. It is a systemic failing.

For assaults, in the 12 months to December 2014 there were a grand total of just over 16,000 assaults in the prison estate. Just over 2,000 were serious. Jumping forward less than two years, in the 12 months to March 2016 the number was up from 16,000 to more than 22,000 assaults in the prison estate, of which 3,000 were serious. Again, I submit that that is not a spike but that it indicates a systemic failing.

In the third category, self-harm, there were 25,000 incidents in the 12 months to December 2014. In the 12 months to March 2016, there were almost 35,000 incidents. Again, that is not indicative of a spike, but is evidence of a systematic failing, and it is not only the Justice Committee that says so. I am very new to the Justice Committee and Committee procedure, but I am a lawyer and have listened to evidence in court cases of who is right and who is wrong. Never have I been involved in a process where the evidence is so catastrophically one-sided. In my view—I stand to be corrected—we did not hear any evidence of the positive outcomes of what the prison estate achieves for our criminals and for wider society. It was an avalanche; everybody seems to agree. After the report was published, Her Majesty's inspectorate of prisons' annual report stated in its main conclusions that, as I have just demonstrated,

“There were continuing high and rising levels of self-inflicted deaths...Violence had once again increased in almost every men's prison reported on. Support for the victims of bullying and violence was generally weak, and resulted in long periods of isolation for many prisoners.”

As we have heard, new synthetic drugs have also become an increasing problem.

Not to put too fine a point on it, the figures are out of control. There is a proposal in the Committee report to which I would like to draw hon. Members' attention.

That is the nature and frequency of the statistics that the Committee receives, which allow us to assess the situation and react accordingly to the developing challenges. We requested quarterly statistics on a range of outcomes and the Government proposed six-monthly statistics. As the hon. Member for Bromley and Chislehurst made clear, this is not some kind of statistical pedantry—it is to coincide information with other statistical releases, so it can be properly collated. At the moment, the statistics are bad, but they might even be worse—we do not know. If the Justice Committee could get the information in a more co-ordinated, consistent and frequent manner, it would allow us to do the work that we are here for—scrutinising the Ministry of Justice—so that it can then, in turn, make sure the problems in the prison estate are fixed. With that, I conclude my remarks and welcome the views of the shadow Front-Bench spokesperson and the Minister on this important issue.

3.32 pm

Jo Stevens (Cardiff Central) (Lab): It is a pleasure to serve under your chairmanship, Ms Vaz, and I welcome the prisons Minister to his new role. This is our first occasion debating opposite each other in Westminster Hall and I hope it is the first of many. I also thank the chair of the Justice Committee, the hon. Member for Bromley and Chislehurst (Robert Neill) for bringing this matter before the House today. I will not comment on the speech of the hon. Member for Shipley (Philip Davies), as much comment has already been made, but there have been very knowledgeable and expert contributions to today's debate. There is a very large measure of agreement, which I hope bodes well for the future of prison policy implementation and scrutiny.

Philip Davies: I am sorry that the hon. Lady is not able to engage in a debate and only wants to deal with people who agree with her. Will she set out for the public's benefit whether she therefore agrees that people should be automatically released halfway through the sentence, irrespective of whether they are still a danger to the public and of how badly they have behaved in prison? Is that Labour's official policy—those people should be automatically released halfway through the prison sentence by law?

Jo Stevens: People are released from prison when they no longer pose a risk to public safety and when the Parole Board considers that they are fit.

There have been some great speeches today. The Chair of the Justice Committee, the hon. Member for Bromley and Chislehurst, spoke of his concern that the less safe prisons are, the harder it is to achieve reform. I think we can all agree on that. He also observed that he does not detect a sense of urgency from the new Secretary of State. I agree with him on that point, and I sincerely hope that he and I are both wrong.

My right hon. Friend the Member for Delyn (Mr Hanson) spoke of the staggering statistics on homicides, violence, self-harm and riots, which illustrate the serious problems in the Prison Service at the moment. I am glad that he also mentioned the unique situation, as did the former prisons Minister, the hon. Member for South West Bedfordshire (Andrew Selous), of IPP prisoners, which is a legacy that needs to be dealt with urgently.

Perhaps the best line from my right hon. Friend's speech was that autumn leaves are falling and we are still awaiting the autumn plan.

My hon. Friend the Member for Hammersmith (Andy Slaughter) talked about the lack of zeal and knowledge that became apparent from the new Secretary of State's appearance before the Justice Committee last week, which is of some concern. He also talked with great knowledge about his local prison Wormwood Scrubs and, most worryingly, the staffing reductions on the horizon in that already very volatile prison.

The hon. Member for Banbury (Victoria Prentis), who has now left her place, talked about the strong leadership and statements on reform from the previous Secretary of State and Prime Minister and the then ministerial team. I echo her view that we need to see that from the new ministerial team. I am sure that we will.

I enjoyed standing across the Dispatch Box from the hon. Member for South West Bedfordshire and we had many exchanges. I was pleased to hear his very knowledgeable and measured comments today, on both what is not in the response to the report and what is. I share his concern that, in terms of holding prison governors to account, accommodation outcomes and employment are missing from that response.

The state of our prisons and the growing levels of violence in them shame our nation. Today, there has been a large measure of agreement, despite party allegiances, that the current state of affairs is simply not acceptable. That is why I, along with my former Front-Bench colleagues in the shadow justice team, welcomed the former Prime Minister's speech and the former Justice Secretary's commitment to place prison reform at the heart of this year's Queen's Speech. We heard a lot about good intentions. Prison staff, prisoners and their families, stakeholders and the public had their expectations raised that finally the need for prison reform was being seen as part of a wider social reform agenda to help people change their lives for the better. It is very unfortunate that they appeared to have been let down last week by the new Justice Secretary in her evidence—but more of that later.

In his last report as chief inspector of prisons, Nick Hardwick stated that prisons were "in their worst state for 10 years."

In his short tenure, the new chief inspector, Peter Clarke has realised that the situation has got "even worse" since then. As the Government presses ahead with cuts to the Ministry of Justice's budget, our prisons become even more dangerous places in which to live and work. I make no bones about putting this on the record—it has been said before. On a daily basis, prison staff are being attacked, prisoner-on-prisoner assaults are increasing, time out of cells for offenders is being cut, more offenders are being forced to share cells, rehabilitation and training programmes for offenders are being cut, education provision is being reduced and services are being privatised or delivered through untested payment-by-results programmes. Prison officers have been living with the reality of working within a prison system that is creaking at the seams, due to starvation of the funds it needs to function effectively and safely. Overcrowded prisons where people spend 23 hours a day locked in cells on wings with too few staff inevitably leads to violence, suicide and self-harm. We need to take bold action to reduce the size of the prison population in order to improve safety.

I welcome the Committee's recommendation that the Ministry and NOMS draw up together an action plan to improve prison safety, but in order for prisons to be safe, secure and the places of rehabilitation that they are supposed to be, we need to employ more prison officers. I cannot stress enough the simplicity and importance of that fact, which has been repeated by many hon. Members in the debate today. There is very little that we can do with high-quality health and education services in our prisons if we do not have enough prison officers to escort prisoners to lessons, to hospital or even—in some cases—just to get their food.

I want to make it clear that I am not criticising those currently working for the Prison Service and I would like to take the opportunity to praise hard-working prison staff across the country. They are vital to ensuring public safety and their work is often overlooked. It is an extremely complex job and the role that they play in rehabilitation is one that we must never underestimate or take for granted. They are a dedicated group of public servants and they do vital work, which is why it is so disappointing that the numbers of front-line staff have been slashed in recent years to meet the budget cuts imposed by the Treasury.

As we have heard, there are 7,000 fewer prison officers than there were in March 2010. The loss of that many uniformed staff from the Prison Service continues to undermine the safety and security of our prisons and puts staff and offenders at even greater risk. We now have the toxic combination of prisons full of inexperienced prison officers and experienced prisoners, which is a recipe for violence.

I share the Select Committee's concern about the Government's failed recruitment drive. Given the growing prison population and the rise in staff assaults, it is no wonder that it is a struggle to recruit into the Prison Service and that retention is so poor. We must properly protect the health, safety and wellbeing of those who work in our Prison Service. I also welcome the Select Committee's call for quarterly progress reports, and I am waiting with interest to hear what plans the Minister has lined up to ensure better and more successful recruitment and retention of prison staff.

I have heard at first hand from countless organisations and individuals about the dangers and implications that the lack of safety in our prisons has for prison staff and prisoners. Each time I raised that issue with the former prisons Minister, the hon. Member for South West Bedfordshire, he agreed that the current safety levels are unacceptable. He said that the new Bill, which we were awaiting, would include measures to tackle those issues.

On 6 September in Justice questions, I raised the issue with the new Justice Secretary, who said:

"I fully acknowledge that we do have issues with violence and safety in our prisons. The levels are unacceptable. I am determined to deal with this issue and I will lay out my plans very shortly."—*[Official Report, 6 September 2016; Vol. 614, c. 202.]*

Yet not even 24 hours later, in her evidence session with the Select Committee, she point blank refused to guarantee that the Government would proceed with prison reform legislation to improve prison safety, much to the astonishment of the hon. Member for Bromley and Chislehurst.

The same evidence session also revealed that, despite the fact that the report was published in May, there had been no response to it. We received the response only

[Jo Stevens]

two days ago. As my hon. Friend the Member for Hammersmith said, it is a paltry two and a bit pages. That does not suggest that the Government really are taking the issue of prison safety seriously. If I were a member of the Justice Committee, I would be pretty insulted by it.

In the same evidence session, the new Justice Secretary said she was looking into a number of urgent issues raised by Committee members. In fact, she said that 39 times. My question for the Minister is, is the plan for prison reform shelved or delayed? When are we going to see it? As far as I can see, there is no strategy for improving a decimated, but previously award-winning, probation service, and no idea about the benefits of our Human Rights Act. What exactly has the Justice Secretary been looking into during the summer recess? It certainly does not appear to have been a proper and timely response to the Justice Committee's report.

The response contains no commitment to meet the Committee's central recommendation of producing quarterly progress reports on prison safety and staffing numbers. To add insult to injury, the Government said that prison officer staff numbers have risen. That is unacceptable. The numbers are clearly lower than they were 12 months ago, as I pointed out to the Justice Secretary during Justice questions on 6 September. We now have 421 fewer full-time equivalent front-line prison officers working in our public prisons than we did a year ago.

I have some questions for the Minister, in addition to those of my hon. Friends, which I hope he will answer. Where is the promised programme of prison officer recruitment, which was to deliver the real and necessary increases to officer numbers required to provide a safe, decent and secure regime? Where is the national strategy, highlighted by the chief inspector of prisons, to help to make our prisons drug-free? Where is the commitment to the plan and the timetable for increases in prison capacity that will see an end to the institutionalised overcrowding of our prisons?

It has been said that we are going to have five new prisons by 2020. I would like the name of the builders—they are obviously very quick at their job, given that they have not done much of it yet. I am very interested to hear from the Minister more detail about where, when and how that is going to happen.

Finally, time after time and at great cost to the public purse, reports into the dangers, problems and failures faced by the Prison Service have made many, often repeated, recommendations for improvements, but they have not been implemented. Will the Minister, in his new role, change that pattern? I hope he will say yes.

Today another 15 prison officers will have been assaulted at work. The same will happen tomorrow and the next day and the next day. We need to take urgent action to put a stop to that. I welcome the Justice Committee's report, and I urge the Justice Secretary and her Ministers to implement its recommendations urgently. We cannot afford further delay on this matter. Lives are being lost, serious injuries are being sustained and livelihoods are being ruined. This issue is too big and important to be kicked into the long grass.

3.45 pm

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): It is a pleasure to serve under your chairmanship, Ms Vaz. I congratulate the Chairman of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), on securing this important and necessary debate.

I am grateful for the opportunity to respond to the debate, although I am filled with slight trepidation, given the number of lawyers in the Chamber, who clearly know the criminal justice system inside out. We also have two former prisons Ministers, no less. My hon. Friend the Member for South West Bedfordshire (Andrew Selous), whom I observed closely, showed a great deal of passion and dedication to the job. His shoes will be difficult for me to fill—both literally and metaphorically.

John Howell: I would like to reassure the Minister that I am not a lawyer either, so I fully share his concerns.

Mr Gyimah: It is encouraging to know I am not the only minority here.

The comments made by the hon. Member for Shipley (Philip Davies) were music to my ears—I am referring not to his comments about early release and so on, but to his recognition that the new ministerial team is in transition. It is worth stating up front that it is eight and a half weeks since the new ministerial team came to post, and in two or three months' time we will be having a very different debate. We are committed to coming forward with a new plan, and I am confident that its contents will be as strong, if not stronger, than the Select Committee expects on the issues that have been outlined.

I would go as far as to say that the Secretary of State should be commended for not doing what is very easy to do in a new job: seek a couple of headline-grabbing announcements that are not based on evidence. The Secretary of State is determined to look at the evidence and come up with a plan that addresses the need for safety in our prisons and also focuses on reform.

Jo Stevens: As all this was set out in the Queen's Speech many months ago, can the Minister explain why work now needs to be done so that he can announce his plans in two to three months' time?

Mr Gyimah: The Queen's Speech was seminal, as has been mentioned, in that it made reform of prisons part of social reform. That reform would give governors freedom in rehabilitation but, as the statistics that have been referred to ad nauseam show, safety and security in our prisons is also a challenge. We need a strategy that deals with both those aspects of the programme. Safety and security were not mentioned in the Queen's Speech. My right hon. Friend the Secretary of State is bringing forward a plan that brings those two things together.

On the issue of reform, let me be clear that the Secretary of State and I are absolutely committed to reforming our prison system, as set out in the Queen's Speech. I am determined to ensure that our prisons are places of safety and reform, where offenders can get off drugs, improve their education and get the skills they

need so they are less likely to offend. Our prison system needs to be fit for today's demands. The improved physical environment, which will be safer, will have better rehabilitative services and will empower governors to focus on delivering better outcomes within their prisons.

Today, a number of comments have been made about the urgency of the task ahead. I assure the House that we do not underestimate the severity of the challenge, and the Ministers tasked with such a huge responsibility feel its fierce urgency. As hon. Members know, we are investing £1.3 billion to reform and modernise the prison estate to make it more efficient, safer and focused on supporting prisoner rehabilitation. Given our commitment to swap old Victorian prisons for new ones, therefore, the great thing is that the money is available. When the Secretary of State comes out with her plan—I will come on to some of the detail in my speech—we will see how that is to be achieved.

We want to see prisons run by governors capable of providing outstanding leadership. It has been mentioned that many governors do not feel that they have the freedom to deal with challenges on the ground, and I want to see governors who have the freedom, ability, time and resources to manage safety and security risks, while rehabilitating offenders.

Our goal is to see frontline staff working in decent, ordered and well organised prisons that treat prisoners with humanity and ensure that those staff are able to spend time helping offenders to develop their potential. We want a system that is better able to identify the emerging factors and threats that will impact on prisons, a system that can address them proactively. This is a particularly important point. We have referred to drugs and to drones, and such threats, including mobile phones, will continue to evolve. In the plan that we will present, we want to address not only the challenges of today, but the emerging threats on the horizon.

Improving outcomes for prisoners is better for us all, as my hon. Friend the Member for Banbury (Victoria Prentis) so eloquently put it. Reducing offenders' reoffending means fewer victims and less crime. The Secretary of State has already assured the House that we will be setting out the Government's plans for prison safety and reform this autumn. Since becoming Justice Secretary, she has been clear that she wants to continue prison reform at pace.

Safety, too, is crucial in our prisons. The right hon. Member for Delyn (Mr Hanson), in a forensic speech, highlighted the safety statistics and how terrible they are. Safe, decent and secure prisons are a fundamental part of our reform ambitions, and I am of course acutely aware of our existing problems.

Anyone who has been prisons Minister knows that we get daily incident reports and, no matter what the time of day, we are woken up if a serious incident that Ministers need to be aware of happens. Prisons Ministers and Secretaries of State live with what is happening in our prisons day in, day out—we cannot ignore it. I am sure that hon. Members agree that the rising levels of violence against prisoners and staff, and self-harm and self-inflicted deaths, are not acceptable and require our immediate and urgent attention.

Mr Hanson: I will try, forensically, to tie the Minister down to something. In his response, he mentioned that we have had a net increase of 300 prison officers since January, on recruitment of 3,300. Given the fall of 7,000 since 2010, what is the number that he expects to recruit—net—in the next one, two and three years so as to return to some level of increased staffing?

Mr Gyimah: I thank the right hon. Gentleman for his question but he will be disappointed with my answer: I will not make a firm commitment on staffing numbers in this debate.

I will also make a general point: no one factor is driving the changes in our prisons. Staffing is one aspect of that, yes, but there are a number of safety issues across the estate, and we are still seeing the violence in prisons, with different cohorts, regimes and staffing, levels so we should be cautious not to suggest that somehow staffing is the problem. For example, dealing with the scourge of mobile phones in our prisons has a technological answer; it is not a staffing issue. To deal with the problem of violence comprehensively, we need to look at all the different issues driving it.

Even in the debate today, a number of reasons for the rise in violence have been posited. My hon. Friend the Member for Shipley talked about the tariff structure and fixed-term recalls, and some people have mentioned staffing or mental health. What that highlights is that if we are to solve the problem, we need to look fundamentally at what is going on in our prisons. We cannot underestimate the scale of the challenge, and I cannot overstate the Government's absolute commitment to deal with it.

Alex Chalk: What does the Minister say in response to the point made by my hon. Friend the Member for Shipley (Philip Davies): that incentives for good behaviour among the prisoner population are insufficient? Does the Minister think that that is part of the issue?

Mr Gyimah: I will come on to the incentive structure in a moment, but I will deal first with the point about staffing.

Any discussion of staffing should acknowledge the brave and invaluable work that prison officers, staff, volunteers and governors do every day. I am determined to see that they, just as much as those in their care, are safe and properly supported. The recruitment and retention of staff in prisons is a high priority and, as I have said, part of the necessary response to the problems. For example, at prisons in the south-east that have presented persistent challenges, we have launched targeted recruitment campaigns to attract and retain the right people. We are ensuring that prison officers have the skills necessary to deal with such issues, which is why training for our prison officers has been increased from six to 10 weeks. We are also examining additional ways to retain high-quality and experienced staff.

My hon. Friend the Member for South West Bedfordshire made an important point about the task required of prison officers today—it is about not just numbers or training but what the job is. That is an important point, because we do not want prison officers simply to be turnkeys, locking people up and letting them out. We want them to have a key worker role, building closer and more professional relationships with prisoners. As my hon. Friend knows, that is very much part of the offender management model that we are looking to roll out across the prison estate.

[Mr Gyimah]

I turn to some of the key threats that have been highlighted in the debate. The House is aware that the dynamic within prisons has changed, contributing to the rises we have seen in levels of violence, self-harm and self-inflicted deaths. In fact, what we see in prisons is a magnification of what we see in society more broadly—in particular, the proliferation of psychoactive substances, and the evolution of technology such as metal-free phones and drones, which enables drugs to be brought within our prison walls.

The Chairman of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst, mentioned the £10 million investment to deal with prison safety issues secured under the previous Secretary of State. That has been distributed to the prisons that are experiencing the worst levels of violence. Over the coming weeks and months, we will provide more information on how that is working for our prison system.

My hon. Friend the Member for Banbury put very well the point that psychoactive substances are having a serious and significant impact on the safe running of our prisons. That view is commonly held, and many in the Chamber are aware of it, as is the chief inspector, Peter Clarke. For the communities inside prisons, however, such substances have dramatically changed the dynamic. There is the impact on an individual's behaviour as a result of taking the drugs, and the impact on driving an illicit prison economy. The power of drugs such as spice and mamba cannot be overestimated. They are dangerous, mind-altering drugs that fuel unpredictable and violent behaviour.

What have we done? The varying ways in which substances can be smuggled into prisons—as tobacco, or even sprayed in liquid form on to paper—contribute to the challenge our professional staff face in keeping such harmful and damaging drugs out. We are, however, taking decisive action to tackle that ever growing threat, and we have introduced new legislation to combat the use of drugs and psychoactive substances in prisons.

The Psychoactive Substances Act 2016 has made these drugs illegal, and we have introduced new criminal offences for the supply and possession of psychoactive substances. In addition, the Serious Crime Act 2015 introduced a new offence of throwing anything into a prison. As a result, those who smuggle packages over prison walls, including of psychoactive substances, can face sentences of up to two years.

Jo Stevens: I am grateful to the Minister for giving way; he is being very generous. Does he think that if there were more staff in our prisons, some of the problems that he has just talked about, such as the smuggling of drugs—of any type, not necessarily just psychoactive substances—mobile phones and other contraband into prisons would be reduced?

Mr Gyimah: I have acknowledged that staffing is part of the response that is needed, but let me take one of the hon. Lady's examples: mobile phones. The best way to deal with mobile phones is to ensure that they cannot work in prisons. I have with me a prop. This book—"Gavin & Stacey"—was sent to a prisoner. I did not realise that there was such a book.

Valerie Vaz (in the Chair): Minister, I am not sure that that is appropriate.

Mr Gyimah: Okay, "Gavin & Stacey" is not appropriate, but I will show hon. Members what was in the middle of the book. This was designed specifically to be easily concealed and avoid electronic detection. That tells us—

Valerie Vaz (in the Chair): Minister, do you want to read into the record what that item is? If you do not, *Hansard* cannot report it, so do you want to explain what you have just shown us?

Mr Gyimah: Ms Vaz, I have just shown hon. Members an example of a mobile phone that is designed to avoid electronic detection and is easy to conceal and smuggle into a prison. That demonstrates the lengths to which people will go to get such things into prisons and how lucrative the market is. I was not aware of that until I got this job. In response to the intervention by the hon. Member for Cardiff Central (Jo Stevens), the way to deal with such things is not necessarily just through staffing; we also need a technological solution. That is why I say that staffing is part of the answer but not the only answer.

To take the hon. Lady's other example, drugs, we are trialling tests for psychoactive substances in 34 prisons. That is particularly important due to the ever changing nature of those drugs. Having an appropriate test allows us to be one step ahead of the game. In addition, we have trained more than 300 dogs to detect such drugs. That is another way in which we can respond to the threats in our prison system.

I have mentioned mobile phones. Technology is a problem, and technology is therefore the answer. We are trying to deal with that problem broadly by working closely with mobile network operators—that initiative was started by the previous prisons Minister and Secretary of State. I want those operators, which are responsible businesses with considerable expertise in this area, to support us in developing solutions to deal with the use of illicit phones in prisons, and I will be meeting them to drive that work forward. However, we are not standing idle and waiting for that long-term solution. We are introducing measures to block mobile phone signals, and new legislation introduced this summer means that mobile phone operators can now block individual handsets. Our work with mobile network operators will allow us to stop any handset operating within a prison.

We do not stop there. We are also concerned about social media—both people outside prisons posting things for prisoners on social media sites and prisoners accessing sites such as Facebook and Instagram. We are already engaging with social media companies to ensure that they act responsibly and work with us to remove material recorded on illicit mobile phones.

Not much time has been spent discussing drones during this debate, but they pose a serious emerging threat that we recognise must be tackled. As I mentioned, prisoners will go to astounding lengths to get mobile phones. We need to do more, and we are exploring what new technologies might offer us against that threat.

Robert Neill: The Minister mentions drones, and I agree with him about technological changes. Will he bear in mind that when we have visited prisons—particularly the older prisons in the estate, such as Wandsworth—one simple thing that we have been told could be done is for

the repair of windows to be sped up? Very frequently, drones are thrown through broken windows on to wings, and greater rigour in inspection and repair would be a fairly cheap win in dealing with that problem.

Mr Gyimah: The Chairman of the Justice Committee is once again spot on. I am particularly concerned about the rate of repairs in our prisons. Carillion is one company that has a contract and receives public funds to perform such work, and I have not been impressed by what I have heard about its response speed. I will meet its management to ensure that it delivers what we expect.

We are taking several other operational measures. They are not glamorous or exciting—not all of them will grab headlines—but they show how gritty we have to be to address the problem of safety in our prisons. We are making operational improvements, such as rolling out body-worn cameras. My hon. Friend the Member for South West Bedfordshire is right that we should be driven by the evidence, which suggests that having cameras does not on its own necessarily solve the problem. Some prisoners say that cameras, on their own, could actually escalate situations, so they should be used with the five-minute intervention system. We are piloting a new case management programme for violent prisoners; updating assessment, care in custody and teamwork—the care planning process for prisoners at risk of suicide or self-harm, which the right hon. Member for Delyn was particularly concerned about—and creating a violence reduction taskforce to support and advise establishments with high rates of violence. We are also trialling a body scanner in Wandsworth prison, as has been mentioned.

Work and education in our prisons are also key; they are valuable in addressing reoffending, and I am committed to that. Today, we announced the transfer from the Department for Education to the Ministry of Justice of responsibility for education and training provision for those subject to adult detention in England. For anyone who was in any doubt that we are committed to reform, that is one piece of proof that we are committed and determined to proceed at pace. That so-called business of government transfer will enable us to give prison governors more power for delivering education in prisons.

Jo Stevens: Does the Minister agree that for someone who is locked up in their cell for 23 hours a day because of staff shortages, getting out to do education is difficult, if not impossible?

Mr Gyimah: The hon. Lady makes absolutely the right point. We want prisoners to have time out of their cells to engage in work, education and training. I want us to have a mature debate, so let us not try to say that staffing is the only response to the challenges in our prisons. I have acknowledged that it must be part of our response, but we need a comprehensive response.

Richard Arkless: I must admit to being concerned by the phrase “part of”. Of course staffing is part of the problem, but that could mean that it is 1% or 99% of the problem. The key thing is how big a part of the problem staff numbers are, and I think the Justice Committee would agree that it is the critical part. People cannot be rehabilitated, because staff are not available to conduct that rehabilitation. The Minister can give prisons all the new education powers, but if

there are no staff to teach people, that simply will not happen. Will the Minister reassure us that he considers staffing to be critical, not just part of the problem?

Mr Gyimah: We in the Ministry of Justice must ensure that we are in a position to deliver the orders of the courts. That means ensuring that there are not only sufficient prison places but adequate staffing. Of course, we cannot run a prison system without adequate staffing, but we face complex challenges and threats in our prison system and there is no simple answer.

Mr Hanson: Will the Minister define what he means by adequate? What prisoner-staff ratio is the Ministry of Justice aiming for?

Mr Gyimah: We will work with prison governors—I have had meetings with the Prison Governors Association—and the Professional Trades Union for Prison, Correctional and Secure Psychiatric Workers to determine what is the right number to enable staff to do their jobs.

The hon. Member for Hammersmith (Andy Slaughter) mentioned Wormwood Scrubs. I was there and met the governor, Steve Bradford, on 30 August. I discussed particular challenges with him, as well as the excellent work he is doing to improve the regime. I was encouraged that he is committed to reform and to ensuring a safe and secure environment. There are a number of issues that any governor will say we need to address if we are to do that.

The nature of political debate is that we want to simplify things to one issue and deal with that. The situation is quite complex and more nuanced than that.

Andy Slaughter: I appreciate the Minister visiting Wormwood Scrubs, and I think everyone in the prison is working to try to turn it around. Will he agree to look again at the staffing reductions planned for next month, which can only harm the attempt to improve the situation?

Mr Gyimah: I, as well as NOMS, am in constant contact with the governor, to work with him to do what is appropriate and what works in order for the prison to function as well as it should.

More broadly on education reform, the recommendations made by Dame Sally Coates have been mentioned. We remain committed to improving prison education and supporting offenders into meaningful employment. We want to learn from the good practice that already exists in our system, such as the recently reported efforts at HMP Swaleside, where there is an ambition to change how education is delivered in prison. The prison’s A-wing is being redeveloped to create an education academy, with the hope that inspiring prisoners to learn will empower them and stop them reoffending.

A number of steps have already been taken to get prison reform under way. Six reform prisons went live on 1 July. The four executive governors, who have been unshackled, took control of their budgets and are now empowered to run their prisons as they see fit, which includes delivering bespoke services and having the option to move away from central contracts and policies.

I have seen for myself what is going on at HMP Coldingley. Contrary to some of the pictures that have been painted, every offender has a job in one of the

[Mr Gyimah]

impressive workshops at that industrious jail, and the governor, Nick Pascoe, is working closely with the community and with rehabilitation companies to help former prisoners even once they have left his care. HMP Wandsworth, which was also mentioned in the debate, is piloting a new “recruit in a day” scheme, which will radically speed up the process of getting new officers into the prison. In addition, HMP High Down has introduced a “recommend a friend” scheme to incentivise current officers to promote available roles to friends and family.

I will turn to a number of points raised in the debate before I bring my speech to a close. One was about our confidence in being able to deliver the estates programme. The Secretary of State will roll out the details, but, to provide assurance, we have closed 15 prisons in the past 10 years. There have also been two partial closures and two re-roles to immigration and removal centres. The Department has got quite good at ensuring that we can close down old prisons and open new ones, such as HMP Berwyn—new for old. As I said, the Secretary of State will set out the detail shortly, because that is a Government commitment.

My hon. Friend the Member for Shipley made a number of points, one of which I will tackle: offenders being released halfway through their sentence. If someone has been sentenced to 10 years, they are eligible for release at five, which is a particular concern of his. I remind the House that, even in those instances, that person remains under licence, so the system still has a hold over them, and if they were to reoffend they would go back to prison. If someone were sentenced to five years, served five years and then left, we would not have any hold over them at all. I want to put that to him as a point of clarification and to add nuance to the point I made earlier.

Philip Davies *rose*—

Mr Gyimah: I knew that my hon. Friend was going to intervene.

Philip Davies: The Minister is giving the impression that if someone is sent to prison for 10 years and are released after five, if they commit another offence they will go back to prison for the remaining five years. If that were the case, some of us may not feel so strongly about it. However, as he well knows, they do not; they go back in for a fixed-term recall of 28 days, which is pathetic. There is not the great deterrence that he suggests.

Mr Gyimah: If they commit another offence, they will not only go in for a period of time but serve the sentence for the new crime they have committed. My hon. Friend suggested that somehow we are managing the prison population to an arbitrary figure, which is simply not the case. Our job, as I said, is to deliver the orders of the court.

On rehabilitation, on which I would say my hon. Friend has quite an exotic view, if we are to be a country that works for everyone, we have to fix prisons. That is particularly important.

Philip Davies: I will give the Minister the same test I gave the shadow Minister. Is he telling me that he thinks it is absolutely right for a prisoner to have to be released by law halfway through their sentence, irrespective of how badly they have behaved in prison and whether they remain a danger to society? As a Conservative Minister, does he think that is right?

Mr Gyimah: What is right is that, before any prisoner is released, there is a careful assessment of the risk they pose to society. That risk assessment is the most important thing—obviously within the confines of the sentence handed down to them by the courts.

Improving safety and reform are two sides of the same coin. We want to empower governors to tackle the challenges they face and support them to run regimes in which they can facilitate the rehabilitation of offenders in a modernised estate. However, if we are to do that, first and foremost prisons need to be safe, decent and secure places to live and work. The ministerial team understands that, and the Government are aware of it.

I am grateful to the Justice Committee for its scrutiny and its report. If there are any points that I have not covered in my speech, I will be happy to deal with them afterwards. I look forward to scrutiny in the weeks and months ahead and to discussing detailed plans to ensure that our prisons are safe and secure places.

Valerie Vaz (in the Chair): The Minister has been on his feet for 32 minutes, so that was a comprehensive reply. I call Sir Robert Neill to wind up.

4.17 pm

Robert Neill: Thank you, Ms Vaz. It is a pleasure to be under your chairmanship. I think your powers of foresight are admirable, if perhaps optimistic.

It is a great pleasure to respond to the debate. I thank all right hon. and hon. Members who have contributed to it. It has been a generally well informed and serious debate about a serious topic—that has been true of all contributions from both sides of the House. We have been assisted in particular by the two former Ministers here, the right hon. Member for Delyn (Mr Hanson) and my hon. Friend the Member for South West Bedfordshire (Andrew Selous). Both of them showed great commitment to that role, and I say to the current Minister that he has done so too. The energy and engagement that he has shown in his Westminster Hall debut in the role have made for an impressive debut, and I, like you, Ms Vaz, am grateful for the detailed and comprehensive reply he gave.

There are a number of issues that we will no doubt wish to return to, and there are specific points in our report that we will wish to press further. Important matters have been raised that I will not detain Members with now, but the Minister knows that they remain to be addressed.

We have received reassurance that the reform proceeds at pace. I will take the Minister at his word, if I may put it that way, and say that if a plan is to be ready in two or three months' time, by my reckoning that will be before the House rises for Christmas. I hope that we will be able to have him before the Justice Committee at our invitation to discuss that plan, and that we will perhaps be able to debate it further in Westminster Hall. Debates

such as this do great credit to serious topics. I am particularly grateful to all members of the Committee and others who have attended the debate. To paraphrase Captain Corcoran in HMS Pinafore, I am pleased to command a right good crew. I am grateful to them for their support.

Valerie Vaz (in the Chair): No singing, then.

Question put and agreed to.

Resolved,

That this House has considered the Sixth Report from the Justice Committee of Session 2015-16, on Prison Safety, HC 625, and the Government response, HC 647.

4.19 pm

Sitting adjourned.

Written Statements

Thursday 15 September 2016

TREASURY

Joint Childcare Service: Trial

The Chief Secretary to the Treasury (Mr David Gauke):

Ahead of the introduction of tax-free childcare in early 2017 and the 30 hours extended entitlement for three and four-year-olds in September 2017, HM Revenue and Customs (HMRC) will trial a new, digital, joint childcare service later this year. The trial will involve around 1500 parents, including some who are eligible for both schemes. It will enable HMRC to extensively test the system and ensure it provides a smooth experience and quality service for parents.

Tax-free childcare and the extended free entitlement are a key part of the Government's overall childcare offer which will provide over £6 billion per annum to working families and those on low incomes by the end of this Parliament.

The Government announced in November 2015 that parents will be able to apply online for both tax-free childcare and the extended free entitlement through a new joint childcare service being developed by HMRC, with their delivery partner National Savings & Investments (NS&I).

The joint childcare service will provide a simple and straightforward way for working parents to access both schemes, avoiding the need to provide the same information twice, and saving them valuable time.

In March 2016, the Government announced that tax-free childcare will be introduced and gradually rolled out during 2017. The service will be made available to all eligible families by the end of that year.

[HCWS160]

Notification of Contingent Liability

The Chancellor of the Exchequer (Mr Philip Hammond):

The Monetary Policy Committee (MPC) of the Bank of England decided at its meeting ending on 3 August to raise the limit on purchases that may be undertaken by the asset purchase facility (APF). This will encompass further purchases of gilts, along with a new scheme to purchase private sector assets and a new funding scheme that will lend central bank reserves to banks and building societies for an extended period at a rate close to bank rate (the term funding scheme).

As set out in the MPC's remit, active monetary policy has a critical role to play in supporting the economy. It is the MPC's view that in the absence of monetary policy stimulus there would be undesirable volatility in output and employment, and it would be less likely to achieve a sustainable return of inflation to the target in the medium term.

The MPC has judged that it would be appropriate to impart further stimulus through additional asset purchases. The MPC expects that purchases of corporate bonds will improve the availability of credit to UK companies and that further purchases of gilts will reduce borrowing costs, raise asset prices, affect expectations and confidence, and thereby support demand in the economy. The term funding scheme should ensure that the very low level of bank rate is passed through to lending rates to households and businesses.

In line with the requirements in the MPC remit, the amendments to the APF that could affect the allocation of credit and pose risks to the Exchequer have been discussed with Treasury officials. The risk control framework previously agreed with the Treasury will remain in place, updated to reflect the changes to the APF.

Oversight arrangements for the expanded APF will be strengthened. These will include enhanced information sharing between the Bank and Treasury to monitor the operation and performance of the facility, and regular risk oversight meetings of Treasury and Bank senior officials. There will also be an opportunity for the Treasury to provide views to the MPC on the design of the schemes within the APF, as they affect the Government's broader economic objectives and may pose risks to the Exchequer.

I have therefore authorised an increase of £70 billion in the amount of assets that the APF is able to purchase financed through the issuance of central bank reserves, of which £10 billion can be eligible private sector assets, bringing the total amount for purchases to £445 billion. I have also authorised an extension of the definition of assets eligible to be held in the APF to include secured lending of central bank reserves. The MPC expects that the value of this lending would increase in line with the amount outstanding in the TFS, which will in turn be determined by usage of the scheme, and could reach around £100 billion. I have therefore authorised an increase in the total size of the APF of £170 billion. This will bring the maximum total size of the APF to £545 billion.

The Government will continue to indemnify the Bank and the APF from any losses arising out of, or in connection with, the facility. If the liability is called, provision for any payment will be sought through the normal supply procedure.

On 4 August I wrote to the Chairs of Public Accounts Committee and Treasury Select Committee and invited them to raise any objections to my decision. A full departmental minute has been laid providing more detail on this contingent liability.

[HCWS164]

Tax: Draft Legislation

The Financial Secretary to the Treasury (Jane Ellison):

The Chancellor of the Exchequer has announced that the date of the autumn statement will be 23 November 2016.

The Government remain committed to improving the tax policy making process through high levels of consultation and legislative scrutiny. Following the autumn statement, draft clauses to be included in Finance Bill

2017 will be published on 5 December 2016. This consultation on draft legislation will be open until 30 January 2017.

[HCWS165]

COMMUNITIES AND LOCAL GOVERNMENT

Local Government Finance

The Secretary of State for Communities and Local Government (Sajid Javid): Today, I am publishing a technical consultation paper on the approach to the 2017-18 local government finance settlement. This will confirm the approach for 2017-18 already set out alongside the 2016-17 settlement, offering local authorities in England that are committed to reform, a four-year settlement offer, which will give funding certainty for the remainder of the Parliament.

The consultation reconfirms the Government's commitment to the four-year settlement offer and seeks views on expanding this offer. It also outlines:

the proposed approach to distributing funding through the improved Better Care Fund to support adult social care, in line with the approach taken in the 2016-17 settlement;

the approach to council tax referendum principles for 2017-18, including once again a core principle of 2% (with additional flexibilities for shire district councils and lower-quartile police and crime commissioners), and a continuation of the adult social care precept of an additional 2%;

a proposal for a referendum principle of 2% for the larger, higher-spending town and parish councils, with consideration being given to extending the principle to all local precepting authorities;

the proposed approach for adjusting business rates retention tariffs and top-ups to cancel out, as far as is practicable, the impact of the 2017 business rates revaluation on local authorities' income.

In line with the Government's work to devolve power and budgets to local authorities, the consultation also proposes measures to enable certain local authorities to pilot 100% business rates retention, designed to ensure that other authorities are not adversely affected by these pilots, together with measures covering the allocation of funding streams within devolution deal areas, if all affected councils agree.

The consultation paper can be found at:

<https://www.gov.uk/government/consultations/local-government-finance-settlement-2017-to-2018-technical-consultation>.

[HCWS162]

CULTURE, MEDIA AND SPORT

Historic Royal Palaces (Borrowing Facility)

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): The departmental minute laid today is in respect of an extension to the period whereby Government act as a guarantor on

behalf of Historic Royal Palaces (HRP) for a borrowing facility of up to £4 million to meet short-term cash-flow requirements.

The renewed guarantee will be available until 30 September 2021 and HRP will only enter into borrowing facilities at such times and within such monetary limits as the Department shall agree.

The guarantee provides a safeguard protecting HRP's business from a sudden and serious decline in economic conditions affecting HRP's admissions income until the savings from its planned rationalisation measures, if such an event should occur, could come through. It would only be used in extreme circumstances. The guarantee has been in place since 2002 and it has never yet been called upon.

Historic Royal Palaces is a charity established by royal charter. By virtue of a contract entered into on 1 April 1998, it carries out the functions of the Secretary of State for Culture, Media and Sport under section 21 of the Crown Lands Act 1851 of managing the unoccupied royal palaces.

I am arranging for the minute to be deposited in the Libraries of both Houses.

It can also be viewed online at: <http://www.parliament.uk/business/publications>.

[HCWS155]

EXITING THE EUROPEAN UNION

General Affairs Council (September 2016)

The Minister of State, Department for Exiting the European Union (Mr David Jones): On 23 June 2016 the UK voted to leave the European Union. Until we leave however, the UK continues to play a constructive role in EU business. The General Affairs Council (GAC) on Tuesday 20 September is expected to focus on the following: follow up to the June European Council; preparation of the October European Council; the European Commission's 2017 Work programme; and the mid-term review of the multiannual financial framework.

Follow up to the June European Council

The presidency will present an update on the progress towards implementation of the June 2016 European Council conclusions on migration, jobs, growth and investment and external relations. GAC Ministers will then hold an exchange of views; this will not be a detailed discussion.

Preparation of the October European Council

Ministers will discuss the upcoming October European Council draft annotated agenda. The agenda currently covers migration, trade and external relations, and EU policy toward Russia. This is an opportunity for the UK to influence and shape the agenda of the October European Council.

European Commission's Work Programme 2017

On 14 September the European Commission sent a "Letter of Intent" outlining the broad content of the Commission Work programme for 2017 (CWP 2017) to the Council and European Parliament. GAC Ministers will have an exchange of views on the contents of the Commission's letter of intent.

The CWP is adopted annually by the European Commission. It contains a list of the legislative and non-legislative priorities that the Commission intends to bring forward in the course of the following calendar year.

Multiannual financial framework

The GAC will discuss the Commission's proposal on the mid-term review of the multiannual financial framework which was published on 14 September.

[HCWS159]

HEALTH

NHS Blood and Transplant Triennial Review

The Minister of State, Department of Health (Mr Philip Dunne): My hon. Friend the Parliamentary Under-Secretary of State for Health (Lord Prior) has made the following written statement:

The Department of Health has completed its triennial review of NHS Blood and Transplant, and is today publishing the associated review report. A copy of the review report can be found online.

The review, which commenced on 25 June 2015, consulted with a wide range of stakeholders. The review concludes that NHS Blood and Transplant is an efficient and high performing organisation, and in the future will seek to increase its contribution to the life sciences industry. The report contains a total of 18 recommendations; five are about the function and form of NHS Blood and Transplant, with the remaining 13 intended to support NHS Blood and Transplant's future performance, efficiency, and governance.

Attachments can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-09-15/HCWS161/>

[HCWS161]

PRIME MINISTER

Committee on Standards in Public Life: Report

The Prime Minister (Mrs Theresa May): "Striking the Balance: Upholding the Seven Principles of Public Life in Regulation", the 16th report of the Committee on Standards in Public Life, has been published by the Committee today. I have laid the report before both Houses.

[HCWS156]

Intelligence Services Commissioner: Report

The Prime Minister (Mrs Theresa May): I have today laid before both Houses of Parliament the Intelligence Services Commissioner's supplementary report on concerns raised by the Intelligence and Security Committee of Parliament (ISC) about the Government's responsibilities in relation to partner counter-terrorism units overseas. The statutory responsibilities of the Intelligence Services Commissioner, the right hon. Sir Mark Waller, include

oversight of compliance with the consolidated guidance to intelligence officers and service personnel on the detention and interviewing of detainees overseas, and on the passing and receipt of intelligence relating to detainees ("the consolidated guidance"). I am grateful to Sir Mark for his detailed examination of the allegations regarding the detention of Michael Adebolajo in Kenya in 2010, which were raised in the ISC's November 2014 report about the intelligence relating to the murder of Fusilier Lee Rigby. I welcome the fact that he has firmly rejected any suggestion of a conspiracy by the security and intelligence agencies in Mr Adebolajo's detention and that he has found no evidence to support the allegation that he was subject to mistreatment at the hands of the Kenyan authorities. The Government will look carefully at Sir Mark's detailed analysis of the handling of this case and will take steps to address the issues where he has identified shortcomings in the response at the time, drawing upon the report's recommendations. In particular, Sir Mark has noted that the consolidated guidance, though still fit for purpose and carefully followed by intelligence officers and service personnel, could benefit from further clarification in certain aspects. The Government will consider further what changes could be made to the consolidated guidance to address the points Sir Mark raises.

[HCWS157]

Machinery of Government Change: Offender Learning

The Prime Minister (Mrs Theresa May): Policy responsibility for education and training provision for those subject to adult detention in England will transfer from the Department for Education to the Ministry of Justice from 1 October 2016.

[HCWS158]

WORK AND PENSIONS

Housing Benefit

The Secretary of State for Work and Pensions (Damian Green): Supported accommodation plays a vital role in the lives of many vulnerable people. A safe and stable and supportive place to live can be the key to unlocking better outcomes for people and for many it is a stepping stone to independent living in the longer term. The Government value the role supported housing plays and are committed to encouraging further development to meet future demand.

Over the past number of months, we have spoken to providers, local authorities, charities, representative bodies and the devolved Administrations about the future funding arrangements for the sector. We are also grateful for the extensive input from these groups into our evidence review of supported accommodation in Great Britain, jointly commissioned by my Department and the Department for Communities and Local Government at the end of 2014. The review has provided a helpful insight in to the scale, scope and cost of the sector and we will publish it shortly alongside a consultation document.

We have heard the concerns regarding the application of the local housing allowance (LHA) rates to social rents from 2018. So I can announce today that we will be deferring the application of this policy for supported housing until 2019-20. At this point we will bring in a new funding model which will ensure that the sector continues to be funded at current levels, taking into account the effect of Government policy on social sector rents. I can also confirm that the deferral until 2019-20 will extend to fully mutuals/co-operatives, almshouses and community land trusts while we consider whether any additional arrangements will be necessary for this group in the longer term.

It is our intention that from 2019-20 core rent and service charges will be funded through housing benefit or universal credit up to the level of the applicable LHA rate. This will apply to all those living in supported accommodation from this date. I can also confirm that the shared accommodation rate will not apply to people living in the supported housing sector, in recognition of the particular challenges this would have placed upon them.

For costs above the level of the LHA rate, Government will devolve in England an amount of funding for disbursement locally. In Wales and Scotland, an equivalent amount will be provided and it will be for those Administrations to decide how best to allocate the funding.

In England, we will devolve funding to local authorities to provide additional “top up” funding to providers where necessary, reflecting the higher average costs of offering supported accommodation, compared to general needs. This will give local authorities an enhanced role in commissioning supported housing in their area. This will also allow local authorities to ensure a more coherent approach to commissioning for needs across housing, health and social care, using local knowledge to drive transparency, quality and value for money from providers in their area.

Different types of supported housing provision and services are commissioned by different bodies locally, such as clinical commissioning groups. It will be important to ensure that these bodies can access funding to deliver their commissioning objectives. We will work with relevant agencies and Departments across Government to design this fund to make sure that we maximise the opportunities for local agencies to collaborate.

In recognition of the need to manage the transition to a new funding regime carefully, we will ring-fence the top-up fund to ensure it continues to support vulnerable people. The amount of top-up funding will be set on the basis of current projections of future need. This will also help to provide certainty for providers that reductions in funding via the benefits system can be met elsewhere as well as to give greater assurance to developers of new supported housing supply. We will also consult on appropriate safeguards to ensure that this funding continues to support vulnerable people and promotes supply of supported housing. We will also consider what level of new burdens funding would be appropriate to enable local authorities to fulfil their new role.

As the Prime Minister made clear, we are working to ensure that vulnerable people in refuges are not adversely affected as a result of the LHA rates. While we are confident that this model will meet the needs of the majority of the sector, we recognise some particular

challenges may remain for very short-term accommodation, including hostels and refuges. We will work with the sector to develop further options to ensure that providers of shorter-term accommodation continue to receive appropriate funding for their important work. While the mechanism may be different, funding for this type of accommodation will benefit from the same protection as supported housing in general.

We recognise the vital importance of ensuring that providers are able to develop new, much needed, supported housing and we want the long-term funding model to support this. We will seek views through the consultation on how this objective might best be achieved through the design of the model.

In March 2016, we introduced a one-year deferral for supported housing, fully mutuals/co-operatives, almshouses and community land trusts from the reduction of social rents in England of 1% a year for four years from 2016. It is important that providers can continue to provide high-quality and cost-effective supported housing to meet the needs of their tenants. However, it is also important that supported housing should make efficiency savings in the same way as the rest of the social sector.

Therefore, I can confirm that, as planned, we will apply the rent reduction to supported housing, with rents in these properties decreasing by 1% a year for three years, up to and including 2019-20.

The existing exemption for specialised supported housing will remain in place and will be extended over the remaining three years of the policy for fully mutuals/co-operatives, alms houses and community land trusts and refuges.

For those affected by the social sector rent reduction policy, the Welfare Reform and Work Act 2016 includes provision that allows a social landlord to be exempted from the requirement to reduce rents by the Secretary of State for Communities and Local Government or the social housing regulator—in the case of private registered providers—if complying would result in serious financial difficulty or jeopardise their financial viability. This provision provides a safety net for those providers who do not have the capacity to offset the decrease through efficiencies or from elsewhere in their business.

Supported housing is of vital importance to vulnerable people and we want to continue to work with providers to ensure that services are as good as they can be. We want to build on the work of excellent providers to drive all quality and value for money up to the level of the best. These reforms, giving local areas greater control and strategic oversight, represent the first step towards that goal, while giving the sector the necessary certainty over the total amount of funding available nationally. We also want quality and a focus on individual outcomes to play a greater role in how we fund the sector.

We will continue to work with the sector to develop the detail that underpins the new funding model and to ensure that any accompanying regulatory reform is effective and proportionate. It is important that we get the detail right and we want to continue the extensive conversation we have begun with the sector to do this. A formal consultation document will be published shortly.

**Pension Protection Fund/Financial Assistance Scheme:
Long Service Caps**

The Parliamentary Under-Secretary of State for Pensions (Richard Harrington): I am pleased to announce that today I will launch a consultation on the draft regulations needed to ensure the long service cap in the Pension Protection Fund—the PPF—will operate as intended in all circumstances. The consultation will last for eight weeks and, after I have considered the responses, it is my intention to put before Parliament amending regulations, with the expectation that the PPF long service cap will be in place from April 2017.

I am also pleased to announce that it is the Government's intention to introduce an equivalent cap for the financial assistance scheme—the FAS—from April 2018.

The PPF provides compensation based on 90% of the person's accrued pension if they are below the scheme's normal pension age when the company becomes insolvent. This 90% is subject to a maximum, which would, currently, mean a maximum amount of compensation of £33,678 per annum at age 65.

The Pensions Act 2014 contains provisions to increase this cap in the PPF at 3% for every year of pensionable service in the scheme above 20 years, subject to a new maximum of twice the standard cap. This legislation

has not yet been brought into force, as some changes were needed to secondary legislation. It is these changes on which I am now consulting.

The FAS provides financial support for those who lost significant amounts of pension because their defined benefit occupational pension scheme collapsed underfunded. Generally the FAS helps those schemes which were affected before the introduction of the PPF and ensures a person gets at least 90% of the pension due at the point the scheme collapsed. This calculation is subject to a maximum cap. It is our intention to amend this cap so that it will, like the PPF cap, increase by 3% for each full year of pensionable service, over 20 years subject to a new maximum of twice the standard cap.

I will, in due course, be putting before Parliament regulations to implement this new cap. So that the FAS scheme manager has sufficient time to plan for these changes, it is our current intention that the FAS changes will apply from April 2018. Those already being paid assistance will get the uplift applied to their cap amount from the implementation date although, as in the PPF, this increase will not be backdated.

A copy of the consultation document will be placed in the Library.

[HCWS163]

ORAL ANSWERS

Thursday 15 September 2016

	<i>Col. No.</i>		<i>Col. No.</i>
TRANSPORT	1013	TRANSPORT—continued	
Airport Expansion	1019	Midland Main Line (Electrification)	1016
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