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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Wednesday 26 October 2016

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Northern Ireland Economy

1. **Graham Evans** (Weaver Vale) (Con): What recent assessment he has made of the strength of the Northern Ireland economy. [906757]

3. **Jack Lopresti** (Filton and Bradley Stoke) (Con): What recent assessment he has made of the strength of the Northern Ireland economy. [906759]

The Secretary of State for Northern Ireland (James Brokenshire): Before I answer the questions, I am sure that the whole House will want to join me in condemning the murder of Joe Reilly last Thursday in Belfast. My sympathy is with his family and with the local community. It is a stark reminder of why we must all continue to work together to ensure that this sort of violence has no place in Northern Ireland.

The UK and Northern Ireland economies are fundamentally strong. In Northern Ireland, economic activity increased by 1.6% over the year and 64,000 more people are in work compared with 2010. That means that we are well placed to build a stronger economy that works for everyone.

Graham Evans: I welcome the growth of the Northern Ireland economy, and particularly the fact that unemployment has fallen to its lowest levels since Labour's great recession. I also welcome last week's excellent news of the investment from Thales. Will my right hon. Friend continue to prioritise making the case for Northern Ireland as a great place to live, work and do business?

James Brokenshire: I entirely endorse my hon. Friend's comments. I will not tire in talking up the Northern Ireland economy and underlining what a great place it is to do business. He highlights investment; outside London, Northern Ireland is the leading UK region for attracting inward investment across a range of sectors. He is right to highlight the new and innovative investment from Thales, with its space propulsion facilities in Belfast, which underlines what a great place Northern Ireland is to do business.

Jack Lopresti: The Northern Ireland economy is doing well, but does my right hon. Friend agree that the devolution of corporation tax offers further opportunities to boost the private sector and to build a stronger economy for everyone?

James Brokenshire: I certainly underline to my hon. Friend that we stand by our commitment to the devolution of corporation tax powers, subject to the conditions around fiscal discipline and financial stability agreed in the Stormont House and "Fresh Start" agreements. The Northern Ireland Executive have indicated that they would like corporation tax to be set at around 12.5% from April 2018, and they estimate that that could create 30,000 more jobs.

Mr Nigel Dodds (Belfast North) (DUP): I join the Secretary of State in his comments about the recent murder. It is important that we all redouble our efforts to ensure that such events are a thing of the past.

Does the Secretary of State agree that, to build and strengthen the economy of Northern Ireland, investment in infrastructure is absolutely vital? The announcement by the Minister for Infrastructure in the Northern Ireland Executive that he was delaying the major York Street interchange project—for access to ports, an airport and a major road thoroughfare through Belfast to the rest of Northern Ireland—is a bit of a blow to that strategy. Will the Secretary of State take the opportunity to reiterate to the Minister for Infrastructure that all EU projects that are signed off before we leave the EU will be funded even if they continue after we leave the EU?

James Brokenshire: The right hon. Gentleman makes an important point about the continuance of EU funding. He will have noted the statement, which he has referred to, from the Chancellor of the Exchequer underlining that the Government will guarantee funding for structural and investment fund projects that are signed off until the point at which the UK leaves the EU, even where projects continue after we leave. It is important to underline that message. There should, therefore, be more projects coming forward, and we should continue to benefit from EU funding up until the point at which we depart.

Mr Dodds: I am grateful to the Secretary of State for underlining that important commitment, which should allow investment in that much-needed project to go ahead.

On the question of exporters, who have received a boost as a result of the revaluation of the pound, Northern Ireland was the only area last year that grew its exports, by 9.5%. Will the Secretary of State make a commitment that the new Department for International Trade will work closely with Invest NI to continue that really positive news for Northern Ireland, along with many other very positive economic indicators for the Province?

James Brokenshire: The right hon. Gentleman is right to underline the fact that the value of goods exported from Northern Ireland increased to £6.6 billion, which emphasises the strength of the Northern Ireland economy. The Secretary of State for International Trade has underlined his all-UK approach to his work, and he will want to work with Invest NI and the Executive to ensure that there is that clear message of seeing further investment and further exports coming from Northern Ireland.

11. [906767] **Kevin Brennan** (Cardiff West) (Lab): Manufacturing is very important to the Northern Ireland economy. Given the recent job losses at JTI

Gallagher and Michelin, what is the Secretary of State doing to safeguard current manufacturing jobs and to help to create more manufacturing jobs in Northern Ireland?

James Brokenshire: The hon. Gentleman is right to highlight the role that manufacturing plays in the Northern Ireland economy. It directly contributes more than 85,000 jobs—some 10% of employment—and, clearly, it provides high-skilled jobs. As a Government, we will continue to work with the Executive on the issues of skills and pathways into employment. It is notable that we have seen record employment levels. We want to work with the Executive to ensure that that very positive picture continues, underlining the fact that we want to see further investment in the economy.

Deidre Brock (Edinburgh North and Leith) (SNP): The Secretary of State will be aware that the financial and related professional services industry provides jobs for some 31,000 people in Northern Ireland and generates more than 6% of economic output. What are the Government doing to ensure that Northern Ireland will have the benefits of passporting for financial services after the UK leaves the EU so that that industry is not damaged?

James Brokenshire: I underline the work I have done as Secretary of State to reach out to the business community. Indeed, I have established a new advisory group, and one of the sectors we have met is the financial services sector. We are listening keenly to the information that it is providing us with as we frame our all-UK approach to the negotiations that lie ahead with the EU.

Mr David Anderson (Blaydon) (Lab): On the back of the Chancellor's comment to Nissan that it will be compensated for losses due to Brexit, the Secretary of State for Scotland said at the Dispatch Box two weeks ago:

"whatever support is put in place for businesses in the north of England will apply to businesses in Scotland."—[*Official Report*, 12 October 2016; Vol. 615, c. 287.]

Given that the manufacturing sector plays such a pivotal role in Northern Ireland, will the Secretary of State confirm to the House that his Government's policy will apply to Northern Ireland in the same way as it appears to apply to Scotland and the north of England?

James Brokenshire: We take an all-UK approach. That is the way in which the Chancellor has been approaching his announcements about support post the departure from the EU, ensuring that we do have such a UK-wide approach, and indeed his preparations for his autumn statement. The approach will be to support the UK, with Northern Ireland being a core part of that.

Armed Forces Covenant

2. **Jim Shannon** (Strangford) (DUP): If he will take steps to work with the Secretary of State for Defence to enhance future funding for the armed forces covenant in Northern Ireland. [906758]

The Parliamentary Under-Secretary of State for Northern Ireland (**Kris Hopkins**): The armed forces covenant is making a real difference in Northern Ireland. Bids for funding from the armed forces covenant fund have been

more successful in Northern Ireland than in any other part of the UK. Grants that have been made include £450,000 for Combat Stress to help veterans with mental health support, and £600,000 for the Somme Nursing Home in Belfast to enable it to add more bed spaces for veterans requiring nursing care.

Jim Shannon: I thank the Minister for his response. Northern Ireland is in 10th place among all the regions of the United Kingdom for small grants. Beyond the Battlefield has applied for LIBOR funding for four years running, with a substantial and detailed business plan, but it has not been successful. Does the Minister consider that to be fair? What steps will he take to address that imbalance, and to help groups and bodies such as Beyond the Battlefield to prepare successful applications?

Kris Hopkins: I commend the hon. Gentleman and his hon. Friends for making sure that they have secured the largest proportion of the big pot, although I appreciate that he is now going after the small pot. His point about how to secure the funding is really important, and I am more than willing to sit down with him to talk about how we can support that package.

Lady Hermon (North Down) (Ind): Will the Minister confirm that he and the Secretary of State have the determination and the will to eliminate all impediments to the full implementation—I do mean the full implementation—of the armed forces covenant in Northern Ireland?

Kris Hopkins: I do not think I need to go further to reassure the hon. Lady than to say that I want the best possible services for our veterans. I want the covenant to be implemented in full, and I will do everything I can to ensure that that happens.

Anna Soubry (Broxtowe) (Con): May I add to the comments of the hon. Member for North Down (Lady Hermon) and to those of other hon. Friends representing Northern Ireland? When I went there as the Minister with responsibility for veterans, I was, frankly, deeply struck—perhaps only an English person can say this—by the complete lack of drive to ensure that all its local authorities signed up to the military covenant, as local authorities have done across the whole United Kingdom. There is no reason why the covenant should not be in effect in Northern Ireland just as much as it is elsewhere in the United Kingdom.

Kris Hopkins: I agree with my right hon. Friend that every council should participate. I get the opportunity to meet lots of councils, and I know that a lot of them are making a massive contribution, but where they are not I reassure her that I will push those councils to do so.

Danny Kinahan (South Antrim) (UUP): May I disagree with the Minister? The armed forces covenant is not working especially well in Northern Ireland. There is £100 million in the LIBOR funds for the whole military covenant. Can some of that be used to make sure that the mechanisms work—that is, that we get a nominee on to the covenant reference group, that the reserve forces and cadets association gets the support it needs to help all soldiers and that the champions get some help?

Kris Hopkins: I know that there are opportunities to get on to the committee that the hon. Gentleman mentioned, and I will support him if he wants to do that. I know it is a big issue, and I say this as ex-services personnel myself: I want to make sure that this works, and that every partner—not just councils but health authorities and housing authorities—works together. But this is devolved, and it is up to the Executive to make it work. However, as someone with a history in this area, I will assist him in every way I can to ensure that that is delivered.

Stephen Pound (Ealing North) (Lab): The shadow of the past hangs heavily over the questions that have been asked and there are many unquiet graves still on the island of Ireland. Bearing in mind that it is now 42 years since the atrocity of the Dublin-Monaghan bombings and in view of the vote in the Dáil Éireann, what contact and communication is the Minister having with the Irish Government on this question?

Kris Hopkins: I agree that that act 42 years ago was appalling, and offer my sympathies to the families of those who were lost. There is a continuing dialogue with the Irish Government and their Foreign Minister. We will continue that and I am quite happy to have discussions with the hon. Gentleman if he wants further information about the progress we are making.

Leaving the EU: Republic of Ireland

4. **Craig Whittaker** (Calder Valley) (Con): What recent discussions he has had with the Government of the Republic of Ireland on the UK's decision to leave the EU. [906760]

6. **Jeff Smith** (Manchester, Withington) (Lab): What discussions he has had with the Government of the Republic of Ireland on the Government's negotiations on the UK leaving the EU. [906762]

7. **Michael Tomlinson** (Mid Dorset and North Poole) (Con): What recent discussions he has had with the Government of the Republic of Ireland on the UK's decision to leave the EU. [906763]

The Secretary of State for Northern Ireland (James Brokenshire): I have met and will continue to meet counterparts in the Irish Government as we work through the challenges ahead. The UK-Irish relationship has never been stronger. It is a unique relationship, and in the coming months we will strengthen co-operation to help to secure the best outcome from the EU negotiations.

Craig Whittaker: I think my right hon. Friend will agree that both the common travel area and the open border between the Republic of Ireland and Northern Ireland have served us well for decades. Will he do everything he can to ensure those arrangements continue and that there is no establishment of hard borders within the island of Ireland or within the UK?

James Brokenshire: I agree with my hon. Friend that the common travel area has served us well over many years; indeed, we were party to it before we joined the European Union. It is a priority that we do not see a return to the borders of the past.

Jeff Smith: I am pleased to hear the Secretary of State reassure us that the common travel area is a key priority. Does not the fact that citizens of EU countries will be able to move freely to live and work in the Irish Republic make a nonsense of the leave campaign claims that Brexit means that somehow we can take back control of our borders?

James Brokenshire: No. This Government are very clear that the EU referendum underlined that free movement cannot continue as it does today. We are considering carefully the options in relation to migration policy as well as border policy, to ensure that both work in the best interests of the United Kingdom.

Michael Tomlinson: Security co-operation between our two countries is vital to fight against organised crime and terrorism. As we leave the EU, will the Secretary of State ensure that that continues to be a priority in his ongoing discussions?

James Brokenshire: I entirely agree. There are very strong relationships and connections between An Garda Síochána and the Police Service of Northern Ireland and other UK Government agencies. Those have been and will continue to be really valuable and we are determined to maintain them.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): A number of institutions have been established for discussing these matters with the Government of the Irish Republic, including the North South Ministerial Council and the British-Irish Parliamentary Assembly. Will the Secretary of State ensure that those are the bodies through which discussions take place, and not some ad hoc arrangement?

James Brokenshire: The right hon. Gentleman rightly highlights the structures that have been in place since the Belfast agreement, such as the North South Ministerial Council and the British-Irish Council, which will meet again in a few weeks. They are really important and valuable structures that can and will be used in supporting the negotiations ahead; there is of course the new Joint Ministerial sub-committee as well.

Mr Laurence Robertson (Tewkesbury) (Con): Given that Her Majesty's Government, the Irish Government and political parties in Northern Ireland want to see the special relationship and soft border continue, is it not incumbent on the European Union to allow us to exit on terms that will enable us to preserve that relationship?

James Brokenshire: My hon. Friend underlines a very significant point, which is the support that other EU member states have provided to the political process in Northern Ireland over many, many years. That is a point we have underlined and the Irish Government have underlined. We will continue to do so as we look towards the negotiations.

Mark Durkan (Foyle) (SDLP): Charlie Flanagan said in Derry on Friday night:

"I view my role as a co-guarantor of the Good Friday Agreement as a solemn duty and—together with the Taoiseach—will be working to ensure that all aspects of that international agreement

are fully respected in the new arrangements between the EU and the UK. Ireland has a seat at the EU table which we will use in the best interests of the whole island.”

Does the Secretary of State recognise that that will include the need for a bespoke and explicit reflection of the key constitutional precepts in annex A of the Good Friday agreement in any new EU-UK treaty?

James Brokenshire: The Irish Government and the UK Government are co-signatories to the Belfast agreement. I have said on a number of occasions that we stand behind our commitments. There are unique circumstances that operate on the island of Ireland: the common travel area, the single electricity market and so on. We are determined to find the right solutions that serve Northern Ireland well and all of the all-Ireland issues.

10. [906766] **Alex Cunningham** (Stockton North) (Lab): In the recent referendum, Northern Ireland voted to remain. In large part, that was due to issues relating to the border with the Irish Republic. This is a key issue for the Secretary of State, but more so for working families, so will he tell us what the Government’s policy is in relation to the border?

James Brokenshire: As I have already underlined, the Government are determined not to see a return to the borders of the past. We want to strengthen the common travel area. Work with the Irish Government has been ongoing for many months and will continue, reflecting the important issues the hon. Gentleman highlights on the movement of people, the movement of goods and services, and the sense of politics and identity, which is why this is such a priority.

13. [906770] **Graham Jones** (Hyndburn) (Lab): The Secretary of State says he wants to take back control of our borders, in particular this border. At the same time, he says he wants to keep the common travel area and the current arrangements. Is that not contradictory nonsense? In the end, will it not be the EU that decides, because it is the Republic’s border? What conversations has he had with the EU on that matter?

James Brokenshire: The hon. Gentleman wants to get into negotiations that have not yet started. I underline the shared will and commitment of ourselves, the Irish Government and the Northern Ireland Executive to support the common travel area and to ensure we do not return to the borders of the past. That is the work we have ahead of us.

Mr David Anderson (Blaydon) (Lab): We have already heard the huge concerns in Northern Ireland about the specific problems posed by Brexit. One fundamental issue that has not been addressed so far is the fate of the Good Friday agreement, which is an international agreement formally registered with the United Nations. Will the Secretary of State tell the House today what specific measures he and civil servants in Northern Ireland have taken to ensure that this important issue is not left behind in the wake of Brexit?

James Brokenshire: The Government remain fully committed to the political settlement and the institutions set out in the Belfast agreement and all its successors.

The key principles established there, the details that have been taken over successive Governments, are things that we do not want to unsettle and that we will maintain. I assure the hon. Gentleman of the focus we are giving to this matter.

Leaving the EU: Northern Ireland Economy

5. **Toby Perkins** (Chesterfield) (Lab): What assessment he has made of the potential effect on the Northern Ireland economy of the UK leaving the EU. [906761]

The Secretary of State for Northern Ireland (James Brokenshire): Following my appointment, I established an advisory group to ensure the voice of business is heard. It is clear that our focus now needs to be on what we can achieve in terms of trade, jobs and exploiting the opportunities of the UK’s exit from the EU.

Toby Perkins: The Secretary of State referred a few minutes ago to taking a whole-country approach to the EU referendum negotiations. The Chancellor recently spoke to the British Bankers Association about the specific needs of the banking industry. If special privileges in terms of the single market are afforded to the City of London, will the Secretary of State be asking for the same privileges for Northern Ireland?

James Brokenshire: I set up the advisory group and am speaking to individual sectors within the Northern Ireland economy precisely to ensure that their voice is heard as we prepare for the negotiations ahead, and to ensure that, where there are specific issues and concerns, they are heard as part of those preparations and are reflected in the negotiations.

Bob Blackman (Harrow East) (Con): Does my right hon. Friend not agree that leaving the European Union will enable the Northern Ireland economy to be rebalanced in favour of the private sector rather than the public sector? [Interruption.]

Mr Speaker: Order. There are far too many noisy private conversations taking place in the Chamber. I could scarcely hear the dulcet tones of the hon. Member for Harrow East (Bob Blackman), and I feel considerably disadvantaged.

James Brokenshire: My hon. Friend identifies—I think rightly—the opportunities for bringing about greater focus on enterprise in the Northern Ireland economy, where there has been significant reliance on the state to support employment. We need to work with the Executive on skills and opportunities, which is precisely what we will be doing. [Interruption.]

Mr Speaker: Order. We are discussing matters appertaining to Northern Ireland. Northern Ireland Members must be heard.

David Simpson (Upper Bann) (DUP): I am sure that the Secretary of State would agree that the innovation and entrepreneurial spirit of the businesses in Northern Ireland, especially the small and medium-sized enterprises, are second to none, and that whatever they face with Brexit, they are up for the challenge.

James Brokenshire: I have heard that message very clearly. There are some fantastic, innovative businesses and some great family businesses in Northern Ireland. We want to support them to take that next step, to grow their business and to look at the new opportunities for exports. I think they now have a great opportunity to do that.

Leaving the EU: Northern Ireland Economy

8. **Dr Alasdair McDonnell** (Belfast South) (SDLP): What discussions he has had with the European Commission and Governments of other EU member states on the free movement of people, goods, capital and labour between Northern Ireland and the Republic of Ireland after the UK has left the EU. [906764]

The Secretary of State for Northern Ireland (James Brokenshire): The Government take part in regular direct discussions with the Irish Government through a number of forums, including the upcoming British-Irish Council. We will ensure that we engage closely with all relevant partners to secure the best outcome for Northern Ireland.

Dr McDonnell: I welcome the Secretary of State's earlier comments about the increase in employment, which is very important, but in light of the significant damage to the British economy, the dramatic fall in the value of sterling and the increase in the price of food and fuel as a result of the referendum, does he accept that many businesses in Northern Ireland are frightened that damage to the Northern Ireland economy will be magnified relative to the British economy?

James Brokenshire: I reiterate for the hon. Gentleman the strong base that we see, with record levels of employment, exports that have grown significantly and continuing foreign direct investment. I will continue to champion business in Northern Ireland and to underline the fact that Northern Ireland remains open for business. A number of firms are continuing to invest and create jobs, which we will continue to welcome.

Tom Elliott (Fermanagh and South Tyrone) (UUP): Four counties in the Republic of Ireland border my constituency, so what specific issues will the Secretary of State raise with his counterparts in the Republic of Ireland to ensure that cross-border trade can continue?

James Brokenshire: I have already had two meetings—with the Taoiseach and with the Irish Foreign Minister—and there are more meetings and discussions to come. The British-Irish Council meeting is coming up in just a few weeks' time. Border issues such as protecting the common travel area and not seeing a return to the borders of the past are a priority, and also a shared objective between the two Governments. [Interruption.]

Mr Speaker: If I may say politely to the hon. Member for East Londonderry (Mr Campbell): spit it out succinctly, man.

Mr Gregory Campbell (East Londonderry) (DUP): Thank you, Mr Speaker.

Does the Secretary of State acknowledge that over the past few months there have been reports from the retail trade in Northern Ireland of a veritable multi-million

pound boom along the border in shoppers from the Irish Republic, and that we should do more to encourage that as business continues to make progress?

James Brokenshire: Yes, I have seen those reports. When I visited towns in and around the border area, they certainly underlined some of the growth in business opportunities that they were seeing—something we clearly warmly welcome.

Security

9. **Sir Henry Bellingham** (North West Norfolk) (Con): What recent assessment he has made of the security situation in Northern Ireland. [906765]

The Parliamentary Under-Secretary of State for Northern Ireland (Kris Hopkins): The threat from Northern Ireland-related terrorism continues to be "severe", meaning that an attack is highly likely. Our response to terrorism and paramilitary activity is co-ordinated, effective and fully resourced. This Government's focus is on keeping people safe, and we will ensure that terrorism never succeeds.

Sir Henry Bellingham: Does the Minister agree that it is damaging both to the security situation in Northern Ireland and to the peace process when former members of the armed forces who have been cleared on multiple occasions are now arrested for offences that are alleged to have taken place more than 40 years ago? Will he agree to meet me to discuss the broader issues surrounding the case of Corporal Major Dennis Hutchings?

Kris Hopkins: Criminal investigations and prosecutions are a matter for the police and the prosecuting authorities, who act independently of Government and politicians. The Government therefore cannot comment on individual cases. However, I am more than willing to discuss with the hon. Gentleman the broader issue that he has raised.

Ian Paisley (North Antrim) (DUP): In the past two years, 1,631 police officers—a quarter of Northern Ireland's police force—have been injured or assaulted while on duty. When will the Northern Ireland Office fund and support a new recruitment drive to return the number of officers to the 7,800 required under the Patten settlement?

Kris Hopkins: I condemn all those attacks. They are absolutely appalling. This is, however, a devolved matter, and it is for the Northern Ireland Executive to make decisions on recruitment and numbers.

Ms Margaret Ritchie (South Down) (SDLP): Does the Minister agree that the best way of tackling paramilitarism and criminality in Northern Ireland is to adopt the community-wide approach that was outlined by the SDLP during last year's Stormont House talks, rather than throwing money at paramilitary organisations?

Kris Hopkins: I understand what the hon. Lady is saying, but I can give her some comfort. We have ensured that £25 million is available specifically to counter paramilitary activity, and we are working with the Executive to deliver that. We look forward to seeing the report in the near future.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [906807] **James Morris** (Halesowen and Rowley Regis) (Con): If she will list her official engagements for Wednesday 26 October.

The Prime Minister (Mrs Theresa May): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

James Morris: In the black country, in the west midlands, we are very proud of our long industrial heritage. We are also very proud of the recent revival in the fortunes of the black country, which is seeing new jobs and investment in the local economy. Does the Prime Minister agree that one way to create an economy that works for everyone is to devolve further powers and funds to the west midlands to drive investment, and to combine that with the strong leadership and vision that can only be provided by Andy Street, the Conservative candidate for the position of west midlands mayor?

The Prime Minister: My hon. Friend speaks up well for the black country, and I am pleased to echo his comments about economic growth in the west midlands. Since 2010, we have seen the creation of over 220,000 more jobs and 55,000 more new businesses in the region. However, he is right to say that the devolution deal is important. It is the biggest devolution deal that is being done for the west midlands. A crucial part of it is the election of a directly elected mayor, and I think that, given both his local knowledge and his business experience, Andy Street will drive economic growth.

Jeremy Corbyn (Islington North) (Lab): Let me start by welcoming the child refugees who have arrived in Britain in the last few days. They are obviously deeply traumatised young people, and we should welcome, love and support them in the best way that we possibly can.

Irrespective of party, when Members go through health problems we reach out the hand of support, solidarity and friendship to them. I pay tribute to the hon. Member for Grantham and Stamford (Nick Boles) for the message that he sent through social media this morning. It showed amazing humour and bravery. We wish him all the very best, and hope that he recovers fully.

There are now to be regular sessions of the Joint Ministerial Council to discuss Brexit, but it seems that the Prime Minister's counterparts are already feeling the same sense of frustration as Members of the House of Commons. The First Minister of Wales, Carwyn Jones, has said that there is a "great deal of uncertainty", but that it is clear that there must be "full and unfettered access" to the single market. Can the Prime Minister help the First Minister of Wales—and, indeed, the other devolved Administrations—by giving them some clarity?

The Prime Minister: Let me first—in response to the right hon. Gentleman's opening comments—commend the Home Office for working so carefully and in the best interests of the child refugees so that they have the

support that they need when they come to the United Kingdom. Let me also join the right hon. Gentleman in commending my hon. Friend the Member for Grantham and Stamford (Nick Boles) for his willingness to be so open about his health problem. We wish him all the very best for the future, and for his place here in the House.

On the issue of clarity on the Government's aims in relation to Brexit, I have been very clear and I will be clear again. There are those who talk about means and those who talk about ends; I am talking about ends. What we want to see is the best possible arrangement for trade with and operation within the single European market for businesses in goods and services here in the United Kingdom.

Jeremy Corbyn: I thought for a moment the Prime Minister was going to say "Brexit means Brexit" again. [*Interruption.*] I am sure she will tell us one day what it actually means. The Mayor of London also added that this is causing "unnecessary uncertainty".

It would also be very helpful if the Prime Minister provided some clarity over the Northern Ireland border. Will we continue membership of the customs union or are we going to see border checks introduced between Northern Ireland and the Republic?

The Prime Minister: The Leader of the Opposition tries to poke fun at the phrase "Brexit means Brexit", but the whole point is this: on Brexit, it is this Government who are listening to the voice of the British people. "Brexit means Brexit" means we are coming out of the European Union. What the right hon. Gentleman is trying to do is frustrate the will of the British people by saying that Brexit means something completely different.

In relation to the Northern Irish border, a considerable amount of work was already taking place with the Irish Government to look at the issues around the common travel area, and that work is continuing. We have been very clear, the Government of the Republic of Ireland have been very clear, and the Northern Ireland Executive have been very clear that none of us wants to see a return to the borders of the past, and I simply remind the right hon. Gentleman that the common travel area has been in place since 1923, which was well before either of us joined the European Union.

Jeremy Corbyn: On Monday the Prime Minister said that the customs union was "not a binary choice". I cannot think that whether we have a border or do not have a border is anything other than a binary choice; there is no third way on that one. On Monday her friend the right hon. Member for Broxtowe (Anna Soubry) expressed concern about the automotive and aerospace industries, while the British Bankers Association said that its members'

"hands are quivering over the relocate button."

Every day the Prime Minister dithers over this chaotic Brexit, employers delay investment and rumours circulate about relocation. This cannot carry on until March of next year; when is the Prime Minister going to come up with a plan?

The Prime Minister: The fact that the right hon. Gentleman seems to confuse a customs union with a border when they are actually two different issues shows—

[Interruption]— why it is important that it is this party that is in government and dealing with these issues and not his.

The right hon. Gentleman talks about the plan. I have been very clear that we want to trade freely—both trade with and operate within the single European market. I want this country to be a global leader in free trade; the Labour party is against free trade. I want to introduce control on free movement so that we have an end of free movement; the Labour party wants to continue with free movement. I want to deliver on the will of the British people; the right hon. Gentleman is trying to frustrate the will of the British people.

Jeremy Corbyn: There was no answer on the border, which was what the question was about. On Monday the Prime Minister told the House:

“We have a plan, which is not to set out at every stage of the negotiations the details of those negotiations”.—*[Official Report, 24 October 2016; Vol. 616, c. 31.]*

I have been thinking about this for a couple of days, and—*[Interruption.]* I think when we are searching for the real meaning and the importance of the Prime Minister’s statement, we should consult the great philosophers. *[Interruption.]* The only one I could come up with—*[Interruption.]*

Mr Speaker: Mr Cleverly, calm yourself. You are imperilling your own health, man, which is a source of great concern to me.

Jeremy Corbyn: The only one I could come up with was Baldrick, who said that his “cunning plan” was to have no plan. Brexit was apparently about taking back control, but the devolved Governments do not know the plan, businesses do not know the plan and Parliament does not know the plan. When will the Prime Minister abandon this shambolic Tory Brexit and develop a plan that delivers for the whole country?

The Prime Minister: I am interested that the right hon. Gentleman chose to support Baldrick. Of course, the actor who played Baldrick was a member of the Labour party, as I recall. I will tell the right hon. Gentleman what we are going to deliver. We are going to deliver on the vote of the British people. We are going to deliver the best possible deal for trade in goods and services, both with and operationally in the European Union. And we are going to deliver an end to free movement. That is what the British people want and that is what this Government are going to deliver for them.

Jeremy Corbyn: Three years ago, the United Kingdom backed Saudi Arabia for membership of the United Nations Human Rights Council. On 28 October, there will again be elections for the Human Rights Council. A UN panel has warned that Saudi Arabia’s bombing of Yemen has violated international law. Amnesty International has stated that

“executions are on the increase...women are widely discriminated against...torture is common...and human rights organisations are banned”.

Will the Government again be backing the Saudi dictatorship for membership of that committee?

The Prime Minister: As the right hon. Gentleman knows, where there are legitimate human rights concerns in relation to Saudi Arabia, we raise them. In relation to

the action in the Yemen, we have been clear that we want the incidents that have been referred to properly investigated, and if there are lessons to be learned from them, we want the Saudi Arabians to learn those lessons. I reiterate a point that I have made in this House before: our relationship with Saudi Arabia is an important one. It is particularly important in relation to the security of this country, to counter-terrorism and to foiling the activities of those who wish to do harm to our citizens here in the UK.

Jeremy Corbyn: Taher Qassim, a Yemeni man who lives in Liverpool, told me this week:

“Yemen is quickly becoming the forgotten crisis. If people aren’t being killed by bombs, it’s hunger that kills them. The UK needs to use its influence to help the people of Yemen”.

Bombs exported from Britain are being dropped on Yemeni children by Saudi pilots trained by Britain. If there are war crimes being committed, as the United Nations suggests, they must be investigated. Is it not about time that this Government suspended their arms sales to Saudi Arabia?

The Prime Minister: The issues are being investigated, and we have taken action. The right hon. Gentleman is right to refer to the humanitarian crisis in the Yemen, and this country is one of those at the forefront of ensuring that humanitarian aid is provided. That is a record of action of which I believe this country and this Government can be proud around the world. There was a cessation of hostilities in the Yemen over the weekend. It lasted 72 hours. As I said in the House on Monday, I spoke to the Crown Prince of Abu Dhabi at the weekend, and one of the issues we discussed was the importance of trying to find a political solution in Yemen and to see whether that cessation of hostilities could be continued. It has not been continued, but we are clear that the only solution that is going to work for the Yemen is to ensure that we have a political solution that will give stability to the Yemen.

Q2. [906808] **Mr Christopher Chope** (Christchurch) (Con): Twenty years ago, a Conservative Government agreed that the Christchurch and East Dorset Councils could retain their sovereignty, independence and control over their own destiny. Will my right hon. Friend assure the House that the Government will not agree to the abolition of either Christchurch Council or East Dorset Council against the will of my constituents?

The Prime Minister: My hon. Friend is right to speak up for his constituents. He is also right that there is no single model that will work in every part of the country. That is why it is important for local people to come together to determine what is right for them. My hon. Friend is trying to build a consensus in Dorset on the right way forward. It is right that local people are able to respond to the consultation and that their concerns are listened to.

Angus Robertson (Moray) (SNP): The Scottish poppy appeal launches today for parliamentarians, so may I take this opportunity to praise all the fundraisers, volunteers and veterans involved? I am sure that colleagues in other parts of the House will commend the efforts to raise money for the poppy appeal in the rest of the United Kingdom.

One of the biggest humanitarian catastrophes of our time is in Syria, specifically Aleppo, where we expect the ceasefire to end shortly and an onslaught to begin. Will the Prime Minister tell us what efforts the UK is currently undertaking not only to support a peaceful resolution to the conflict, but to deal with those who are exacerbating the situation?

The Prime Minister: I join the right hon. Gentleman in commending and praising the work of all those across the United Kingdom who give their time and effort to raise money for the poppy appeal. It is important that we never forget those who have given of themselves for our safety and security through many conflicts. It is important that we recognise that and give generously to the poppy appeal across the country.

On Syria, it is important to approach the matter on a number of tracks. My right hon. Friend the Foreign Secretary has been involved in discussions with the US Secretary of State, Senator Kerry, on such issues, looking for the way forward. I raised the issue of Russian action in Syria, in particular the bombing of Aleppo, at the EU Council at the end of last week, where it was on the agenda only because the UK had raised it. As a result of that discussion the EU agreed that, should the atrocities continue, we will look at all available options for taking action to put pressure on Russia in order to stop its indiscriminate bombing of innocent civilians.

Angus Robertson: I commend the Prime Minister for those endeavours, but it is widely expected that the onslaught on Aleppo will be unleashed by the Russian airpower that is aboard the Admiral Kuznetsov, currently steaming across the Mediterranean with its battle group. In recent years, more than 60 Russian naval vessels have refuelled and resupplied in Spanish ports, so will the Prime Minister join me and EU and NATO allies in unequivocally calling on Spain to refuse the refuelling?

The Prime Minister: The right hon. Gentleman refers to the passage of Russian naval ships. They are of course able to travel as they wish on the high seas—although they were accompanied by royal naval vessels when they went through the English channel. We have sadly seen that the Russians are already able to unleash attacks on innocent civilians in Syria. What matters is that we put pressure on Russia to do what everybody agrees is the only way that we are going to resolve the issue, which is to ensure that we have a political transition in Syria. That is where we should focus our attention.

Q4. [906810] Wendy Morton (Aldridge-Brownhills) (Con): My constituency forms part of the new west midlands combined authority, where new powers will be devolved to the authority and the mayor. Will the Prime Minister tell me how those new powers will help my constituents and local businesses in sectors such as manufacturing, the automotive industry, and bricks and ceramics?

The Prime Minister: I can confirm to my hon. Friend that the proposed deal will provide the west midlands with £1 billion over 30 years to spend on local projects that will drive economic growth. That is the important part of the deal and is why it is so important to have a mayor, Andy Street, who not only understands the local area but has business expertise to ensure that those economic projects are developed with the interests of

the locality as the prime focus. The deal will deliver more jobs and economic prosperity across the west midlands. It is good for the west midlands and her constituents. It is good for the rest of the country as well.

Q3. [906809] Helen Hayes (Dulwich and West Norwood) (Lab): The independent inquiry on child sexual abuse was established to deliver long-awaited justice for victims and survivors, and to do so it must have their confidence. The Shirley Oaks Survivors Association represents more than 600 survivors of abuse that took place in Lambeth Council-run children's homes and has recently raised serious concerns about changes to the inquiry. Will the Prime Minister meet me, my hon. Friend the Member for Streatham (Mr Umunna) and representatives from the Shirley Oaks Survivors Association to discuss their concerns and take action, so that confidence can be restored?

The Prime Minister: The hon. Lady makes a very important point: the whole purpose of this inquiry was to be able to provide justice for those whose voices had not been heard for too long and who felt that people in positions of power and institutions of the state, and other organisations, had not heard their voice, and had not been prepared to listen to them and properly to investigate what had happened to them. It is important that victims and survivors have confidence in the inquiry. Of course, the inquiry is an independent inquiry and it is up to its chairman to work with survivors and victims, as I know the inquiry chairman has been doing. But I will ensure that the Home Secretary has heard the representations the hon. Lady has made, and we will take what she has said to us today away and consider it very carefully. We all want this inquiry to work properly, and to work in the interests of survivors and victims.

Q9. [906815] Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): The Prime Minister will be aware that our nation's commitment to our current and former armed forces personnel and their families by way of the armed forces covenant is a work in progress, and that although we have made important moves there is still much more to do. Will she take this opportunity to assure this House of her personal commitment to the values and promises set out in the covenant, and to pledge to lend her support to efforts to continue the good work begun, and to ensure that personnel, veterans and their families face no disadvantage arising from their service and the sacrifice they have all made for our country?

The Prime Minister: My hon. Friend is absolutely right, and I know she has championed the armed forces covenant and is a great proponent of our veterans and the armed forces. It is absolutely right to say that everybody in this House owes a great debt of gratitude to our veterans and to those serving today in our armed forces for what they do to keep us safe and secure. That is why it is so important that the covenant is not just a responsibility for the Government, but a national responsibility; we should all be working to ensure that those who have served us, and served us well, do not face disadvantages. That is why we have been doing things such as putting money into a forces Help to Buy scheme to help them with houses—I believe the figure is

£200 million. We must continue to do this, and I absolutely commit to ensuring that this is a Government who continue to support our veterans and the members of our armed forces.

Q5. [906811] **Karl Turner** (Kingston upon Hull East) (Lab): . Last year, my 25-year-old nephew Matty committed suicide after a very short period of depression. His GP had referred him for talking therapy counselling but warned him that it would be at least six months before he got an appointment. These treatments in the NHS are often a waiting game—a dangerous waiting game—and a postcode lottery. What is the Prime Minister doing to sort this crisis out?

The Prime Minister: First, I recognise and commend the hon. Gentleman for raising his personal experience of the terrible tragedy that can occur when mental health problems are not properly dealt with. He raises a very serious issue—it is a serious issue for everybody in this House—about how the NHS treats mental health. This is why we have established the concept of parity of esteem for mental health and physical health in the NHS, and why we are seeing record levels of funding. He raises the question of talking therapies, which are very effective, and we have been introducing waiting time standards in relation to them. However, I accept that there is more for us to do in this area to ensure that those with mental health problems are properly treated, and are properly given the care and attention they need. This is an issue not just for them, but for the whole of our society.

Q12. [906818] **Sir David Amess** (Southend West) (Con): . My right hon. Friend became Prime Minister in dramatic and extraordinary circumstances, and she has proved more than capable of rising to the many challenges that—[*Interruption.*] It was not her fault that the Chilcot report took seven years and cost more than £10 million, but now that we know that Parliament was misled will she reassure me that she has a cunning plan to ensure that action is taken?

The Prime Minister: I thank my hon. Friend for his comments. The Chilcot report was an important task. Although it looked at and criticised the way in which information had been handled, it did not say that people had set out deliberately to mislead, and it is important to recognise that. It is important also that we learn the lessons from the Chilcot report, which is why the National Security Adviser is leading an exercise to do precisely that. This was a long time coming. It was a serious report. There is much in it, and we need to ensure that we do learn the lessons from it.

Q6. [906812] **Dr Alasdair McDonnell** (Belfast South) (SDLP): The Prime Minister will be aware that much of the foundation and many of the elements of the 1998 settlement and peace agreement in Northern Ireland were referenced and rooted in EU approaches and processes of laws and that leaving the EU will significantly destabilise the foundations of that settlement. Has the Prime Minister given any consideration to the extent of the potential damage the withdrawal from the European Union could do to that Good Friday/Belfast agreement and the 1998 political settlement? Does she have any plan at this stage to protect that settlement?

The Prime Minister: There is no reason to believe that the outcome of the referendum will do anything to undermine the absolute rock-solid commitment of this Government and the people of Northern Ireland to the settlement that was set out in the Belfast agreement. There is, and remains, strong support for the entirely peaceful future for Northern Ireland. That has been determined by democracy and consent. We remain committed to that and to work with others to ensure that entirely peaceful future.

Q13. [906819] **Jeremy Lefroy** (Stafford) (Con): General Electric has shown its confidence in the UK economy and my constituents by starting construction of the second of its two new world-class research and manufacturing facilities on Staffordshire County Council's Redhill Business Park. Will the Prime Minister meet General Electric and other west midlands manufacturers to hear just how important supply chains and markets free of tariffs and bureaucracy are to them and their hundreds of thousands of staff?

The Prime Minister: I am delighted to hear of the commitment that GE has made to Stafford, but it is more than a commitment to Stafford; it is a commitment to the United Kingdom and to the future of our economy. I understand that the Secretary of State for International Trade and President of the Board of Trade has already met GE to discuss its interests in trade and what we can be doing to promote free trade. As I said earlier, I want the UK to be a global leader in free trade. We are listening to businesses around the country and to the importance that they place on free trade as we look at the negotiations for exiting the EU.

Q7. [906813] **Jim Dowd** (Lewisham West and Penge) (Lab): Is the Prime Minister aware of the recent reports showing the continuing and alarming increase in average alcohol consumption in the UK, particularly among women? Given the numerous health risks associated with excessive alcohol consumption, will her Government, together with the drinks industry, re-examine the case for mandatory health warnings on all alcoholic products?

The Prime Minister: I recognise the point that the hon. Gentleman makes from the figures that we have seen recently, particularly the figures in relation to women and the use of alcohol. As Home Secretary, I was part of the development of the alcohol strategy that the Government produced a few years ago. I am pleased to say that, at that time, we were working well with industry to encourage it to ensure that it could take steps to impact on the drinking habits of the nation.

Q14. [906820] **Maggie Throup** (Erewash) (Con): Given the imminence of the final decision on the eastern route of HS2, phase two, it is imperative that we invest in new road infrastructure to support the additional traffic that that will bring to the areas around the new station hubs. With that in mind, will my right hon. Friend back my campaign for a new junction 25a of the M1 to ensure that Erewash residents do not get stuck in a jam?

The Prime Minister: I seem to recall that I first met my hon. Friend when she was campaigning in relation to motorways. She is right that in order to support the

rail infrastructure, we need to ensure that the right road infrastructure is in place. That is why we are investing £15 billion in the road investment strategy, which is about boosting local economies and further economic growth. I understand that Highways England is looking at the issues in the east midlands and at bringing forward significant new road enhancements around the expected site of the new east midlands HS2 station. Going forward it is looking at an audit of roads in the area. I trust that on this issue my hon. Friend will make her voice heard, and that of her constituents, as she has in the past.

Q8. [906814] **Alison McGovern** (Wirral South) (Lab): May I take the Prime Minister back to the answer that she gave to my hon. Friend the Member for Kingston upon Hull East (Karl Turner)? The Conservative manifesto promised shorter NHS waiting times for those who need help with their mental health, but as prescriptions for anti-depressants continue to rise my constituents in Wirral who need talking therapies have to wait a month for referral and well over four months for treatment. Was that Tory manifesto just words, or will the Prime Minister ever deliver?

The Prime Minister: I gave a serious answer to the hon. Member for Kingston upon Hull East (Karl Turner), which is that we have been looking at the whole issue of talking therapies, their availability and the waiting times for them. We do want to improve the options that people have for access to talking therapies, precisely because they have been shown to be so successful in so many cases. The Government are working on this and we will continue to work on it to provide, as we have said, that parity of esteem between mental health and physical health in the national health service.

Q15. [906821] **Stephen Hammond** (Wimbledon) (Con): As a former Wimbledonian, my right hon. Friend will understand the significance of transport for south-west London and in particular for Wimbledon. Can she assure me that the Government still support Crossrail 2, and will she ask the Secretary of State for Transport to set out the timetable for the delayed consultation?

The Prime Minister: I can absolutely give the commitment that we continue to support Crossrail 2. We are waiting to see a robust business case and a proper funding proposal for Crossrail 2. My right hon. Friend the Transport Secretary will in due course set out the timetable for that, but as a former Wimbledonian I can assure my hon. Friend that we are well aware of his interest in the Wimbledon to Waterloo aspects of the project, and that the needs of the local area are being taken into account.

Q10. [906816] **Yasmin Qureshi** (Bolton South East) (Lab): In Indian-occupied Kashmir over the past three months 150 people have died, 600 have been blinded by the deliberate use of pellet guns, and more than 16,000 injured, many critically. There have been unexplained disappearances and shortages of food and medicine. Will the Prime Minister meet me and cross-party colleagues to discuss the human rights abuses and the issue of self-determination for Kashmiri people, as was set out in the UN resolution in 1948? Will she raise the matter with the Indian Prime Minister?

The Prime Minister: The hon. Lady sets out her case and the issues that she has identified. I take the same view as this Government have taken since they came into power and previously, which is that the issue of Kashmir is a matter for India and Pakistan to deal with and sort out. The Foreign Secretary has heard her representations and I am sure will be interested in taking up those matters with her.

Jack Lopresti (Filton and Bradley Stoke) (Con): Several months ago I raised with the former Prime Minister at his last Prime Minister's questions the issue of enhanced medical assistance for the Kurdish peshmerga. I then wrote to the new Prime Minister. Now, with the campaign to liberate Mosul under way, will my right hon. Friend agree to meet with me and representatives of the Kurdistan Regional Government to discuss whether we can provide specialist medical facilities here in the UK—for instance, 10 beds for seriously wounded peshmerga—and to ensure that the forces on the ground are getting all the support they need? I understand that they are short of heavy weapons and basic infantry kit such as helmets and body armour.

The Prime Minister: My hon. Friend is right and I recognise that this is a matter that he has raised before. We have seen that the coalition activity that is taking place is having some impact, and is having an impact, as we wish it to, in relation to Daesh. There are no plans at present either to do what he suggested in his question or to provide a field hospital and field medical capabilities from the United Kingdom, but we continually review what we are doing in support of the coalition, and the training that we are providing for the peshmerga includes training in the provision of medical facilities.

Q11. [906817] **Owen Thompson** (Midlothian) (SNP): I am sure that we all recognise that the removal of the camp at Calais is not a long-term solution to the ongoing humanitarian crisis. What will the Government do to learn from the experiences in Calais and speed up the acceptance of vulnerable individuals, as they committed to do under Lords Dubs's scheme?

The Prime Minister: Individuals are already being brought to the United Kingdom under the Dubs amendment, in addition to the resettlement scheme for vulnerable Syrians—the 20,000 who will be brought here over the course of this Parliament—and in addition to the 3,000 vulnerable people, children and others, who will be brought here from the middle east and north Africa. We are working with the United Nations High Commissioner for Refugees to ensure that it is right for those individuals to come to the UK and that they have support when they get here. I remind the hon. Gentleman that this country is the second biggest bilateral donor of humanitarian aid in the Syrian region, and we are able to support and provide for more people in-region, which I think is absolutely the right thing to do.

Dr Tania Mathias (Twickenham) (Con): Around Heathrow legal air quality limits are being breached, and over Twickenham noise pollution has increased, according to Heathrow data. Can the Prime Minister explain how a third runway can be delivered and comply with legal pollution requirements? Does she agree that, environmentally, Heathrow is not good enough and cannot possibly be both bigger and better?

The Prime Minister: The Government looked very closely at the issue of air quality and the environmental impact of all three schemes proposed by the Airports Commission. We took extra time, from the decision to increase airport capacity in the south-east, because we wanted to look particularly at the air quality issues. The evidence shows that air quality standards can be met, as required by all three schemes, including the north-west runway at Heathrow. My hon. Friend raises an issue that is actually about more than airports, because air quality is also about road transport. That is why we are looking to do more in relation to air quality. It is why, for example, I am pleased to see that we are at such a leading edge in the provision of electric vehicles.

Hywel Williams (Arfon) (PC): The Prime Minister's real plan for Brexit seems to be to pick winners: to cut a special deal for the City of London and let the bankers avoid the dire consequences of leaving the economic union. Wales has an exporting economy, with a £5 billion trade surplus last year, and 200,000 jobs dependent on trade with the European Union. It is a soft Brexit for her friends in the City, and a hard Brexit for everybody else. Will she cut a similar deal for Wales?

The Prime Minister: I will be cutting the best deal for the United Kingdom—all parts of it.

George Freeman (Mid Norfolk) (Con): Every year, hundreds of people are diagnosed with, suffer and usually die prematurely from rare diseases such as cystic fibrosis and rare cancers, for which there has been no treatment, or for which the latest drugs are prohibitively expensive. This week sees the final report of our accelerated access review, which sets out a new model for the NHS to use its genetic and data leadership to get quicker access and discounted prices. Will the Prime Minister join me in welcoming the review, which is strongly supported by patients, charities and the life sciences sector, and in encouraging the National Institute for Health and Care Excellence and NHS England to implement it speedily?

The Prime Minister: I certainly join my hon. Friend in welcoming the publication of the review. This is important in enabling patients to get quicker access to drugs and treatments. The United Kingdom has established a leading role in life sciences, and I pay tribute to my hon. Friend for the role he has played in that. I know that the Department of Health will be looking very closely at the report's specific recommendations, recognising that where we can take opportunities through the national health service to encourage the development of new drugs to benefit patients, we should do so.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): The Prime Minister has just told us that record levels of spending are going into our mental health services. Her Health Secretary stood at that Dispatch Box on 9 December and told us that the proportion of funding going into mental health from every one of our clinical commissioning groups should be increasing. Why is it, then, that 57% of CCGs in our country are reducing the proportion of spend on mental health? It is yet another broken promise. When will we have real equality for mental health in our country?

The Prime Minister: The fact that I set out—that we are spending record levels in the NHS on mental health—is absolutely right, but I have said in response to a number of people who have questioned me on this that we recognise that there is more for us to do in mental health, and I would have thought that we should have cross-party support on doing just that.

Helen Whately (Faversham and Mid Kent) (Con): Speaking outside 10 Downing Street on the day she became Prime Minister, my right hon. Friend said:

“If you suffer from mental health problems, there is not enough help to hand.”

I welcome her commitment to mental health, expressed on that day and in her responses today. What steps is she taking to make sure the bold ambitions of the Government's five-year forward view for mental health are achieved?

The Prime Minister: I am pleased to say that, in fact, what we see—far from the impression that is given by some of the comments from Opposition Members—is that, since 2009-10, around 750,000 more people are accessing talking therapies and 1,400 more people are accessing mental health services every day, compared to 2010, so that is up by 40%. But my hon. Friend, who I know has a particular interest and a particular expertise in this area, is right that we need to do more, and that is why we are continuing to invest in mental health services and continuing to increase the standards that we provide.

Greg Mulholland (Leeds North West) (LD): Just 20 children are diagnosed with inoperable brain tumours as a result of tuberous sclerosis every year. Yet, despite earlier indications, NHS England turned treatment down for funding, despite it being affordable. Will the Prime Minister meet me, the Tuberous Sclerosis Association and families to discuss how we can get through this blockage and get the treatment that these children need?

The Prime Minister: I am very happy to look at the issue that the hon. Gentleman has raised and to look in detail at what can be done to take that forward.

Maternity and Paternity Leave (Premature Birth)

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

12.42 pm

Mr Steve Reed (Croydon North) (Lab): I beg to move,

That leave be given to bring in a Bill to amend Part 8 of the Employment Rights Act 1996 to make provision about maternity and paternity leave for parents of babies born prematurely; and for connected purposes.

Having a premature baby is one of the most traumatic experiences that any parent can go through. Instead of bringing home the healthy baby they had longed for, their tiny baby is put inside an incubator, fighting for its life, surrounded by tubes, wires and beeping monitors. Instead of holding their baby close, these parents can only watch as their baby struggles to breathe, dependent on life support and intensive care. This can go on for weeks and months before a baby is well enough to go home. The stress, anxiety and worry lead two in every five premature mums to suffer mental ill health. Parents fall into debt from the unplanned expense of daily journeys to hospital, overnight accommodation or eating in expensive hospital cafes.

One mum told me her baby spent three months in intensive care, and that time was all taken out of her statutory maternity leave. So her baby suffers twice: first, from the serious health complications of being born too soon and, secondly, from having less time at home with mum and dad—vital bonding time that can affect a child's development for many years to come.

I spoke to another mum who told me that once she had gone back to work, her employer would not give her the extra time off she needed to deal with her

premature child's frequent illnesses. She lost her job, and her family lost that vital extra income. I spoke to a dad who had to go back to work the day after his baby was born three months too soon and was fighting for her life in an incubator. Most people would agree that his family needed him more at that time than his employer did, but the law did not give him the support he needed to be there with his family. We should give the parents of premature babies all the support they need to cope at one of the most traumatic times they will ever experience.

I pay tribute to a Croydon mum and tireless campaigner, Catriona Ogilvy, who started campaigning on this issue after her two beautiful little boys were born prematurely. Over 100,000 people have already signed her online petition. I should also like to recognise the outstanding work of the charity Bliss, which campaigns for the rights of premature babies and their families.

It is time the law recognised the special needs of premature babies' parents by extending their leave so that they can give their vulnerable, tiny babies all the love and care they need and deserve. This measure commands growing support in the country, it is the right thing to do, and it deserves the support of this House.

Question put and agreed to.

Ordered,

That Mr Steve Reed, Norman Lamb, Heidi Allen, Chris Philp, Wes Streeting, Dan Jarvis, Stella Creasy, Mr Gareth Thomas, Jenny Chapman, Lyn Brown, Heidi Alexander and Lisa Nandy present the Bill.

Mr Steve Reed accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 16 December, and to be printed (Bill 81).

Opposition Day

[10TH ALLOTTED DAY]

Concentrix

12.47 pm

Rebecca Long Bailey (Salford and Eccles) (Lab): I beg to move,

That this House notes that Concentrix has not fully met the performance standards set out in its contract with the HM Revenue and Customs to correct tax credit claims, and welcomes the announcement that the services performed by Concentrix will be brought back in-house to HMRC next year; and calls on the Government to conduct a comprehensive investigation into the performance of Concentrix under its contract with HMRC, which includes a consideration of the potential effect on other HMRC services, take urgent action to compensate people who have erroneously had tax credits withdrawn by the company, and in doing so mitigate any adverse effect or reduction in service for claimants.

The topic of today's first Opposition day debate affects every single hon. Member's constituency. I have received many case studies from Labour Members, and I thank them for their hard work on this issue. I welcome the comments in the amendment tabled by Scottish National party Members; I am very pleased that we are on the same page on this issue. We have heard how constituents of Conservative Members have been affected by this scandal too. My own inbox and postbag have seen a surge in the number of anxious and distressed families needing my help after their tax credits have been stopped. I put on record my thanks to my right hon. Friend the Member for Slough (Fiona Mactaggart) and my hon. Friend the Member for Sheffield, Heeley (Louise Haigh), and to the Chairs of the Public Accounts Committee, the Work and Pensions Committee and the Treasury Committee, for their hard work in shining the spotlight on this very serious issue.

I am sure that Members will assist the Minister by illustrating their own cases, but I will begin by outlining a shocking yet typical case study brought to my attention recently. The lady in question is a single parent with three children and a job, although at the time of her exchanges with Concentrix she had just had a baby and was on maternity leave. This lady had been accused on two separate occasions of living with an undisclosed partner. On both occasions, she had never met the person. The first time, she was accused of living with a man who turned out to be the former tenant of the housing association flat that she now lives in. This was sorted out fairly easily. We can imagine her shock, though, when only months later she received another letter accusing her of living with another undisclosed partner. When she phoned Concentrix, she was told that she was living with a woman of whom she had never heard. The lady pointed out that there was absolutely no truth in that allegation and sent all the requested documentation, by recorded delivery, to Concentrix. She received no response. She gave birth to her third child two weeks later.

When the claimant phoned Concentrix, she was told that the documents that she had sent were not on the system, and she then received a letter cancelling her tax credits. That left her with only maternity allowance to live on and a demand to repay £4,100.

The lady in question obtained replacement documentation, after Concentrix appeared to have lost the originals, and sent a request for mandatory reconsideration, again by recorded delivery, to Concentrix. By this time, she was running very short of money and contacted her Member of Parliament for help. When the parliamentary office investigated the matter, it was told that there was a backlog of mandatory reconsiderations, so it could take six weeks for the case to be looked at.

By this time, the lady in question had been waiting for three months for a resolution to her case—that is three months in complete stress and turmoil, on the breadline, when she should have been enjoying those precious early moments of her child's life.

Peter Kyle (Hove) (Lab): I am grateful to my hon. Friend for giving way so early on. I was contacted not long ago by a woman in a similar situation. Her tax credits were cut because Concentrix accused her of having a lesbian relationship with her sister. It took her coming to me as her Member of Parliament and calling Concentrix myself before it started to believe the truth. Is it not absurd that it takes a direct intervention from a Member of Parliament before this ridiculous company takes these people seriously?

Rebecca Long Bailey: I thank my hon. Friend for his comments. The term, "It beggars belief" springs to mind. Unfortunately, his case is not an isolated one.

After much chasing, it was eventually confirmed that the lady had no connection to this mystery woman. She was paid all the money she was owed, and the demand to repay the £4,100 was withdrawn.

Clive Efford (Eltham) (Lab): We all have examples of constituents with similar stories, but the Government are showing a complete lack of urgency. People are left destitute by these decisions, for no good reason. We want to hear the Government say that they are going to put in extra resources to expedite investigations so that these people are paid and compensated, if necessary at the expense of Concentrix.

Rebecca Long Bailey: I could not agree more. The case to which I have referred is not an isolated one. According to the Government's own figures, the company has considered about 667,000 cases, of which 103,000 have been amended. That means that 15% of investigations have wrongly pursued perfectly legitimate tax credit claimants, and they are simply the ones who have had the strength to come forward and present themselves, including to their MPs, as we have heard.

Maria Eagle (Garston and Halewood) (Lab): In every single one of the Concentrix cases that has been taken up by my office so far and that has been resolved, the payment has been put back in place. In other words, they have been 100% wrong. What does my hon. Friend think that the Government ought to do about that?

Rebecca Long Bailey: I think that the cases we have seen so far are the tip of the iceberg. The Government have a responsibility to ensure that all cases are adequately investigated, and that no one has fallen through the cracks and not presented themselves either to their MP or directly to Concentrix.

Hywel Williams (Arfon) (PC): I have spoken in previous debates about Capita's failures in delaying the payment of disability benefits to some of our most vulnerable people. It seems to me that the only difference this time is the name of the corporation involved. Is not the fundamental issue that private profit-making companies are failing to deliver critical Government services?

Rebecca Long Bailey: The hon. Gentleman makes an interesting point. I will come on in due course to the issue of the contract and how it is delivered, because there needs to be a wider investigation and discussion about that.

In 2014-15, there were no appeals against a decision. In 2015-16, there were 365, and from April to August 2016, there were 176. A similar spike is clear in the number of mandatory reconsiderations, which more than quadrupled between 2014-15 and 2015-16. It is even more shocking that that number almost quadrupled again in the period up to mid-August.

Christina Rees (Neath) (Lab/Co-op): Does my hon. Friend agree that the Government should commit to an official investigation into Concentrix's conduct since it was awarded the contract in 2014, so that we know how what she has described was allowed to happen?

Rebecca Long Bailey: I completely agree with my hon. Friend. It is hard to believe that the number of fraudulent tax credit claimants suddenly increased so dramatically in those two years. What is clear, however, is that there is an ever-growing evidence base suggesting that Concentrix has been unfairly and unjustly stopping people's tax credits, leaving them in financial difficulty, along with the anxiety that that causes.

I am pleased that the Government have accepted that the contract was not working. Indeed, they were forced to concede that point in an answer to a parliamentary question asked by my hon. Friend the Member for Sheffield, Heeley early last month. The response revealed:

"Since mid-October 2015 there has been 120 instances where Concentrix has not fully met the performance standards set out in the contract out of a total of 1625."

Following mounting pressure from Opposition Members, the Government announced that they would not renew the Concentrix contract when it ends in May, and that they would redeploy 150 members of Her Majesty's Revenue and Customs to clear the backlog of cases.

Louise Haigh (Sheffield, Heeley) (Lab): My hon. Friend is making a powerful case. Is she aware that it was not actually until October last year that the Government started monitoring the performance of Concentrix, as was revealed to me in a parliamentary answer just a couple of weeks ago? That shows exactly why they have removed the contract now, because before that they did not even know whether Concentrix was performing the service standards laid out in it.

Rebecca Long Bailey: My hon. Friend makes a fantastic point. A whole section of my speech is devoted to particular clauses in the contract that may or may not have been enforced by HMRC and the Government. I will come on to that in due course.

Labour welcomed the announcement that 150 members of staff would be redeployed and that the contract would not be renewed, but we still had serious concerns that Concentrix would continue to handle cases and

that the Government had not stated that they would bring the operation back in-house. Following further pressure from Labour and the Public and Commercial Services Union, the Government backed down and PCS confirmed last week that the operation will, indeed, be brought back in-house, with Concentrix staff in Belfast being transferred to HMRC.

We of course welcomed that action, but it does not even begin to address the wider issues. How did this situation arise? When did the Government first become aware of it? What action did they take? How will they ensure that it does not occur again? Most importantly, when and how will the victims be compensated? Media reports were surfacing as far back as 2015 in relation to erroneous tax credit decisions pursuant to the contract, and, as I have outlined, the figures indicated an unusual spike in appeals. The red flags were there and they should have been acted on.

I would like to direct the Minister to the contract between HMRC and Concentrix, which provided a number of tools that the Government had at their fingertips. Section I3.1 of the contract provides that where HMRC is concerned with the delivery of service, it can investigate. Was HMRC concerned, and if so, when? If the Minister cannot answer just yet, I will, to help her to pinpoint the information, illustrate further machinery in the contract that would have helped the Government and HMRC to find out about any problems pretty swiftly. Section E7.1 and schedule D provide for reviews of the contract's effectiveness. Schedule D4.1 states that "prior to...Go Live", HMRC would work with Concentrix to establish and agree a "robust Governance Framework" including contract management, communications, quality and assurance, payment risk management, performance management, change control and, most importantly, reporting. Will the Minister confirm the details of that "robust Governance Framework" for the benefit of the House?

If the Minister cannot do so, I can reassure her that fall-back options were still available. Schedule D12.1 states that HMRC would have full access to individual cases and, further, that Concentrix was under an obligation to let HMRC observe its working methods. Pursuant to that provision, were individual cases reviewed by HMRC, and did HMRC investigate the methods used by Concentrix? If so, how often did that happen and what were the findings of those investigations? It is clear that the Government had the tools that they needed to monitor service delivery, but perhaps they simply did not use them. The Minister will confirm in due course.

If the Government had found failings after exhausting the quite reasonable dispute process in the contract, they could have exercised the break clause found at section G3 by giving only three months' notice. Will the Minister confirm whether and when that was considered, and tell us the outcome of that consideration? If, however, her answer to all my contractual questions is, "I don't know," I would ask whether she is really sure that HMRC had the capacity to monitor the contract effectively. She will be interested to know that PCS is due to publish a report on HMRC shortly, which suggests that "the department is at breaking point...staff are hugely demoralised, 25% want to leave the department immediately or within a year and the department scores below average in all of the measures on the Civil Service's annual staff survey."

The report does not paint a happy picture.

Tristram Hunt (Stoke-on-Trent Central) (Lab): My hon. Friend is making a forensic case. Behind these facts and figures are very real human cases of people, particularly women and single mothers, who are being absolutely hammered by Concentrix. I have constituents who are going hungry, and whose children are going hungry, because of the incompetence of Concentrix. That is what we need the Minister to answer about.

Rebecca Long Bailey: My hon. Friend makes a powerful point; he is 100% correct. This is not simply a case of rapping Concentrix on the back of the hand. These contractual failings have caused real human suffering, and the Government need to address them urgently.

Richard Arkless (Dumfries and Galloway) (SNP): Is the hon. Lady aware of the spikes in such claims that she talks about arising in the week before conference recess and in the days following, when Concentrix was stripped of the contract? We all know what is happening here: drilling down into the contract to avoid exit penalties. Will the Government shed any light on that?

Rebecca Long Bailey: I hope that the Minister will address the hon. Gentleman's question in her speech because we all want to hear the answer.

Several provisions in the contract relate to payment by delivery. The head of the National Audit Office stated in June 2015:

"While its supporters argue that, by its nature, Payment by Results offers value for money, these contracts are hard to get right, which generates risk and cost for commissioners...the increased risk and cost may be justified, but this requires credible evidence. Without such evidence, commissioners may be using this mechanism in circumstances to which it is ill-suited, to the detriment of value for money."

Under schedule A6.1 of the contract, HMRC required Concentrix to deliver, over the duration of the contract, some £1.03 billion in savings in annually managed expenditure. I appreciate that the contract used estimates to forecast potential savings, but given the model, how could anyone have been certain about the position without a crystal ball? In answer to parliamentary questions, it was revealed that total savings in annual managed expenditure were £2.3 million in 2014-15, £122.3 million in 2015-16, and £159.5 million in 2016-17, to mid-August 2016.

Yvonne Fovargue (Makerfield) (Lab): Does my hon. Friend agree that these savings were made by my constituents facing a similar situation—100% of them have had their benefits paid back—going to food banks for the first time in their lives? The place-based team in Platt Bridge has seen a spike of some 50 families going to them because of problems with their tax credits.

Rebecca Long Bailey: My hon. Friend's intervention highlights the human impact of these contractual failings. My constituents have asked me for the addresses of food banks and whether parcels could be delivered to them because they were too ashamed to be seen as struggling by their communities. To put people in such situations is an absolute disgrace.

Total savings of £284.1 million have been made since the commencement of the contract in November 2014. Anyone can see that the leap from £2.3 million in 2014 to £159.5 million by mid-August 2016 is excessive. Does

the Minister therefore believe that there was simply a massive increase in fraud in the system, or does she agree that the contract was granted in the absence of a firm evidence base to justify the risks associated with an agreement based on payment by results?

As I said, there is a human impact and a human cost; it is not simply a case of slapping Concentrix on the back of the hand and saying, "Let's all move on." We are talking about the Government's duty to preserve justice being abandoned as a result of the profit motive established by the contract. The risks were real human risks—families being forced into destitution, anguish and despair, with all the associated pressures on an individual's mental health.

Earlier this year, the Social Security Advisory Committee noted that the payment model could create a conflict of interest. It recommended that the National Audit Office should examine the contract to ensure that it included appropriate safeguards to preserve justice for the claimant. At that stage, there was no investigation, but the Labour party has since written to the NAO and received the following response:

"My team has carried out some preliminary work to look into the issues. Their view is that the contract between HMRC and Concentrix merits further investigation."

I am pleased that the NAO will investigate, but the Government must carry out a full and transparent inquiry of their own. Our motion calls on the Government to conduct a comprehensive investigation into the performance of Concentrix and HMRC's contract with the company, in terms of both the adequacy of enforcing all the contractual terms, and the suitability of a payment-by-results model for delivering such a service. I would add that the NAO confirmed last year that the Government's payment-by-results schemes accounted for at least £15 billion of public spending. It has stated that neither the Cabinet Office nor the Treasury monitors how payment by results operates across government.

Kate Green (Stretford and Urmston) (Lab): My hon. Friend is making a detailed case about the defects of the contract, including in relation to payment by results. Does she agree that the problems with that model were exacerbated by the fact that when people had a problem with their tax credits being withdrawn, they had to complain to Concentrix—they had to go back to the decision maker—and there was, naturally, no financial incentive for Concentrix to unwind a wrong decision?

Rebecca Long Bailey: My hon. Friend is right. Sadly, however, when many people tried to complain to Concentrix, all they received was a dull engaged tone, so they did not get very far.

Will the Minister assure the House that she will go beyond the scope of the motion and investigate such contracts more widely? She should consider putting measures before the House that will prevent the incorrect application of payment by results. I fear that Concentrix is just the tip of the iceberg.

Chris Law (Dundee West) (SNP): I have just looked at how far back payment by results goes. Will new Labour, or old new Labour, take some responsibility—payment by results was introduced in the English NHS in 2003-04—and condemn it roundly in the Chamber today?

Rebecca Long Bailey: We can all learn lessons by reviewing the handling of payment-by-results contracts. I hope that the Minister will consider those experiences when she conducts a review of the delivery of such contracts.

Kevin Foster (Torbay) (Con): Will the hon. Lady give way?

Sammy Wilson (East Antrim) (DUP): Will the hon. Lady give way?

Rebecca Long Bailey: No. I have one paragraph left before I finish.

I want to conclude by speaking about the victims of these terrible systematic failures. They did not deserve to face the hardship they have endured, and they must be adequately compensated for their losses. Will the Minister confirm that they will be compensated? On what basis will they be compensated, and what is the timeframe for that action? Will she confirm that, in addressing the problem and bringing services back into HMRC, she will mitigate any adverse effect on or reduction in service for complainants? I ask her to keep an eye out for the PCS report because it is a real eye-opener. I know that the Minister has experienced terrible cases on her own doorstep. She has seen the effects at first hand and seems to be very empathetic. As such, will she issue an apology on behalf of her Government for the distress and hardship that has been caused? That is the very least our constituents deserve.

1.12 pm

The Financial Secretary to the Treasury (Jane Ellison): During the past few weeks, there have been a number of debates in this House about the quality of service provided by Concentrix in helping HMRC to counter fraud and error in our tax system. This is an important opportunity to debate the issue again, and I hope to go a little further in providing the House with information.

It is right that we have debated the issue because during the past few months it has become clear that Concentrix, despite the best efforts of the majority of its frontline staff, was failing to meet the standards we expected and, indeed, that we had specified in its contract. This meant that many of the people whose tax credits were being investigated—we have heard about them in the speech by the hon. Member for Salford and Eccles (Rebecca Long Bailey) and in interventions, and they include my constituents—have been caused needless frustration and distress in resolving their cases. I suspect we will hear more examples as the debate unfolds. I intend to address the specific points in the motion, but as the hon. Lady accurately speculated, I may need in due course to write to her about aspects of the contractual arrangements, for reasons that may become obvious as I go through my speech.

Frank Field (Birkenhead) (Lab): Before the Minister leaves the human suffering aspect of this debate, may I welcome the speed with which she has responded to the letter and memoranda of cases that I, like other Members, have submitted to her? If we are not only talking about learning lessons from the contract, may I ask how we can quickly get compensation to the people who have been adversely affected? Will she give an undertaking today—she may have such an undertaking in her speech—

that people whose benefits have been cut by Concentrix will be informed of the hardship fund that she has established so that they can quickly apply for help?

Jane Ellison: The right hon. Gentleman is right to anticipate that I will touch on that issue. I will reflect on his point. I do not know about the arrangements for being proactive in telling people, but there are arrangements in place. When I get to that point, he can let me know if he does not think they are adequate.

Given that so many hon. Members on both sides of the House have made such efforts to support their constituents during recent weeks—the human aspects of this issue are absolutely uppermost in our mind today—I should bring the House up to date on the action taken to rectify the situation. As I informed the House last month, we decided on 13 September not to pass any new cases to Concentrix. Instead, it was intended that it should concentrate on resolving outstanding cases. HMRC staff stepped in to reinstate a quality customer service, such as making sure that people could once again get through on the phones. We know how critical it is for people to be able to get through and have their voice heard.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On 14 September, when the Minister answered an urgent question in the House, she told all our constituents to phone the number they were given. One of my constituents phoned the line that day and waited for ages to get through, only to be told, “Because of all the complaints you’ve been making, we’re getting sacked”, and the phone was put down. Does she agree that that added further to the already deep distress that people were feeling, and that it is not acceptable?

Jane Ellison: Of course it is not acceptable—not at all. I would add that, as hon. Members may be aware, the opening hours of the MPs’ phone line have for some weeks been extended to cope with the larger number of calls coming through that route.

Louise Haigh: In her response to that urgent question, the Minister reassured the House that queries would be dealt with within four working days. We know that that simply is not the case, and many of my constituents have been waiting for weeks to hear back from Concentrix or HMRC about their tax credit award. Will she update the House about the deadline for dealing with these cases?

Jane Ellison: I will come on to that, but the hon. Lady has provided me with an apt moment to be clear about what I said on that day. I said that once we had established the facts of the case, people should be paid within four working days. Clearly, some cases are complex and need further details to be provided. In response to the urgent question, I said that once we had established the facts, an automated process would authorise payment to be made within four working days. That is the timeline to which HMRC is working.

As I have said, it is absolutely critical that we get the right information, establish the facts and get payments started again. To that end, HMRC took back from Concentrix 181,000 incomplete cases, and staff have been working hard to resolve them. I can update the

House by saying that 178,000 of the 181,000 cases have already been finalised, which represents 98% of them. HMRC has already written to the people concerned in the other 2% of cases, and it should conclude those cases by the end of this month. I want to place on the record my thanks to HMRC staff for their efforts in that regard. HMRC staff are also taking on reviews that are requested of any decision made by Concentrix.

Chris Law: It is startling that 98% of cases have been resolved within four weeks. Is there any evidence whatsoever that there were grounds to pursue people over their tax credits in those 98% of cases, or was this a bogus fishing expedition, as all of us in the House are likely to believe?

Jane Ellison: It is important to recognise that when a case is resolved, it means that a conclusion has been reached based on the facts. I cannot give the House the breakdown of cases in which payments have been reinstated, cases in which there was in fact an error in the claim that had to be corrected, or indeed cases—a very small number of them—in which claims were fraudulent. The point is that the cases have been resolved according to the facts provided and in the knowledge of the person concerned. We may be able to provide a breakdown at some point, but I am not in a position to do so today.

Kate Green: The House would find it especially helpful to know to what degree Concentrix was steered by the Government towards looking for undeclared partners, and to what degree the contract incentivised Concentrix to jump to conclusions?

Jane Ellison: I will come on to that.

Sammy Wilson *rose*—

Mark Durkan (Foyle) (SDLP) *rose*—

Jane Ellison: No. I really must make some progress—you may not indulge me too much more, Mr Speaker, if I give way again—but I will see whether I can take further interventions later.

As hon. Members should be aware, anyone who wishes to challenge any changes made to their tax credits has a right to request a mandatory reconsideration of their case. As of the start of this week, HMRC had received more than 26,000 such requests. Staff have already reviewed and resolved more than three quarters of them, and they are up to date with the Concentrix reviews. As I have said, that means that the cases have been resolved in accordance with the facts; it does not necessarily mean that there was a problem in each case. However, at least such cases have been resolved, and closing the remaining cases will of course be a priority.

That gives the House a sense of the necessary steps being taken to fix the immediate problem: restoring quality customer service, resolving people's claims and checking that the right decisions have been made. But I know that hon. Members have been worried about people falling into hardship if their claim has been incorrectly withdrawn or reduced due to errors. That has quite rightly been the source of many of the questions we have been asked. I reassure Members that a system is in place to support anyone who contacts HMRC in such circumstances. They will be helped to request a review of the decision taken—the so-called mandatory

reconsideration that I have just mentioned. Those in hardship will then receive a payment of £100, normally on the following day, while their review is being handled.

Matthew Pennycook (Greenwich and Woolwich) (Lab): On that specific point, my constituent Katy Holness successfully challenged an erroneous Concentrix investigation. HMRC wrote to her saying that she would have £100 compensation but warning her that that £100 might in itself trigger an overpayment. What does the Minister say about that?

Jane Ellison: It is very difficult for me to comment on a specific case, but if the hon. Gentleman writes to me with the details I will ask HMRC to comment on it. We held a further drop-in on 19 October, and if the House feels it would be useful to hold another such Member drop-in for cases such as that to be resolved face to face, I am very happy to arrange one. If hon. Members are aware of people in hardship—I know many are—they can bring that directly to our attention. In fact, I am grateful to all those Members who have already taken action of that kind and attended the various drop-in sessions I have organised in the House. I remind everyone that there is a special hotline for MPs to raise issues and seek information, and we have allocated extra staff to make that service available over extended opening hours. We will address any such cases with the greatest of urgency.

We are making some progress towards at least putting an end to the distress and worry that some people have regrettably faced in recent times. Mechanisms are in place to make sure that anyone in hardship as a result of uncertainties or mistakes will be supported. Those two things have been our top priorities.

Maria Eagle: Will the Minister tell us where the duff information that has been acted on by Concentrix has come from? One of the key things about these cases is that the information upon which people's claims have been cancelled has been almost universally poor and nonsensical. Where have those data come from?

Jane Ellison: Most of the data that both HMRC and Concentrix are working from are the sort of data Members would expect companies and HMRC to be using in this regard. Concentrix makes some reference to credit data. Because there are so many tax credit claims, a lot of the work on pointing to where there might be errors is based on the history of where there have been substantial errors over time, and those individuals and people—

Sammy Wilson: Will the Minister give way?

Mark Durkan: Will the Minister give way?

Jane Ellison: Not just at the moment—I must make some progress.

Particular individuals in particular circumstances are more prone to error. Over the years that tax credits have been running quite a substantial picture has built up of where error is more likely to exist.

Sammy Wilson: Will the Minister give way?

Mark Durkan: Will the Minister give way?

Jane Ellison: No, I am sorry, I am going to make some progress.

We have been working—*[Interruption.]* The hon. Member for Garston and Halewood (Maria Eagle) says the information is duff, but there are a lot of cases of error, and some of fraud, in the system. It is not the case that all the information is, in her word, duff—far from it. I will come on to mention the figures involved, but all right hon. and hon. Members know that there are times when people give the wrong information; that is mostly because of error, but sometimes because of fraud.

Sammy Wilson: Will the Minister give way?

Jane Ellison: I will just make a bit more progress, then I will bring the hon. Gentleman in.

We are working hard to address the wider issues, many of which have been alluded to. I will move on to the three main points in the motion. We agree that Concentrix's performance fell below the standards required in its contract. I do not want to ignore the millions of pounds' worth of savings it has helped to deliver for the taxpayer, which might not otherwise have been achieved, but when the level of customer service is so far below what we expect, it is right that we take action.

First, then, as set out under the terms of the contract, payment to Concentrix will be cut in response to its failure to adhere to the standards required. Secondly, as HMRC announced on 13 September and I confirmed the following day, its contract will not be renewed beyond its end date in May 2017, nor will any further procurement exercise for tax credit checks be taken forward at that time. Thirdly, I can confirm that HMRC is in discussion with Concentrix to agree a negotiated early exit from the contact.

Several hon. Members *rose*—

Jane Ellison: I will take some interventions, but before I do I must say that, as the House would expect, while those commercial discussions are ongoing I cannot provide full details of the negotiated early exit; however, I expect it to be finalised shortly.

Several hon. Members *rose*—

Jane Ellison: I will give way to the hon. Member for East Antrim (Sammy Wilson), because he has been waiting a long time.

Sammy Wilson: Although Members accept that cases of hardship have been created, does the Minister also accept that in a written answer to the House she indicated that Concentrix was meeting its 75-day service level, had an average answer time of six minutes for phone calls and was making decisions within 23 days, and that of the 660,000 appealed cases that went to HMRC, only 280, or 0.6%, were upheld? Does she accept that not all of the blame goes on Concentrix, which in many ways met its targets but is now being made a scapegoat?

Jane Ellison: I have said, both in reply to the urgent question on 14 September and in my opening remarks today, that front-line Concentrix staff have been working hard to resolve these issues. The problems of a contract like this, and of getting through on the phone, are never usually the fault of the person you finally get through

to. It is right to say that people have been working hard. I suspect the hon. Gentleman represents many of the people who work there.

Kevin Hollinrake (Thirsk and Malton) (Con): I also welcome the statement that we are terminating the contract with Concentrix. That is absolutely the right thing to do. I have a number of constituents who have suffered these problems. Mr and Mrs Young from Malton provided evidence that they were married. Despite that, Mrs Young was identified as unmarried and living in Whitby on her own. Members of Parliament have the emergency hotline—I have used it—and people can get emergency hardship payments. Does the Minister welcome that and should we make it more publicly known that those measures are available for people in hardship?

Jane Ellison: That is exactly right, and today's debate is timely as it allows us to focus on that. I am now going to give way to the hon. Member for Sheffield, Heeley (Louise Haigh), who has done so much work on this matter.

Louise Haigh: I am grateful to the Minister for giving way—she is being very generous. As we have heard, the contract altered last year. Will she confirm how the contract was altered last October, and that it was altered because Concentrix was unable to make enough money out of it before then?

Jane Ellison: If the hon. Lady will forgive me, I will write to her on that. As commercial discussions are ongoing it would be best to write on something as detailed as that, and I am happy to do so.

Rebecca Long Bailey: I thank the Minister for giving way, as I know time is precious. I appreciate that she cannot divulge the terms of the ongoing negotiations for the termination of the contract, but will she commit to coming back to the House to make a statement as soon as those terms are finalised? Will she provide the information that she can obtain—for example, when the dispute process was first examined and the outcome of that process? We are at the very end of a contractual process, and simply want to know what the timeline was.

Jane Ellison: Again, those are matters I will return to, in part because there will be a number of examinations of this situation—the National Audit Office has already talked about the work it will do. I will come on to that.

Several hon. Members *rose*—

Jane Ellison: I will take one more intervention. I have not taken one from—

James Berry (Kingston and Surbiton) (Con): Will the Minister give way?

Jane Ellison: Well, I have not taken one from my hon. Friend, but I will take one from the Scottish National party and then I will progress to the end of my speech.

Neil Gray (Airdrie and Shotts) (SNP): I understand, with the challenges coming from the Opposition Benches, why she wishes to outsource blame purely to Concentrix, but this Government wrote the contract to incentivise

Concentrix's behaviour and, as confirmed by the Economic Secretary last week in Westminster Hall, sent the personal data to Concentrix to investigate—

Mr Speaker: Order. We are tremendously grateful to the hon. Gentleman, but I feel that he has surely concluded his intervention.

Jane Ellison: Far from saying that this is all Concentrix, I think there are lessons to be learned all round. I should signal now that, because I think there are lessons to be learned all round—for HMRC, for Ministers and certainly for Concentrix—the Government do not intend to divide the House on the Opposition's motion. I want this to be an exercise in understanding the problems and learning the lessons. I will take one more intervention, for balance from my hon. Friend the Member for Kingston and Surbiton (James Berry), and then move on to the end of my speech.

James Berry: I have two Concentrix cases from single mothers, one of whom was required to disprove a relationship she plainly never had with a former tenant of her house, evidence she could not possibly provide. Does my hon. Friend agree that what is important now is that the Concentrix contract has been ended and a system for investigating mistakes and a hardship fund have been put in place? That is what is important.

Jane Ellison: My hon. Friend rightly brings us back to the human factor. He is right to highlight that the heart of what we want to do is to get people back in payment, where they should be, and to relieve hardship. I will now move quickly towards the end of my remarks. Mr Speaker has been very indulgent.

Among the discussions happening at the moment, HMRC has agreed to the transfer of Concentrix staff to HMRC. Concentrix has begun consulting its staff on this point and anyone transferring to HMRC will be supported through further training to help us deliver a quality public service.

It is also right, as the motion suggests and the shadow Minister challenges, that we look long and hard at what went so wrong with Concentrix's performance. Not only do we owe that to all those who were caused worry or distress as a result of these failures, but it is also of huge importance that we learn from what happened and prevent any similar issues arising in any future contracts across government. That is why HMRC will be looking at how the contract with Concentrix was managed. It accepts it has lessons to learn. It has given evidence to one Select Committee already and will be giving evidence to at least one other—learning lessons and undertaking analysis of the claims.

Members will be keen to see an unbiased, independent assessment. As has been alluded to already, the independent National Audit Office, which scrutinises public spending, has announced it will be conducting an inquiry into the Concentrix contract. HMRC will work and co-operate with the NAO very closely to support that inquiry. The investigations will undoubtedly include, as the motion suggests, a consideration of the knock-on effects that may have been caused to other services provided by HMRC. As I have outlined, HMRC has needed to deploy extra staff to address the problems encountered, but I reassure the House that it is currently managing

the increased workload effectively. Again, that is a testament to the efforts of its staff. It is also a reflection of the flexibility HMRC possesses. It is a large organisation capable of moving staff around quickly and dealing with peaks of demand, which it is accustomed to handling at various points in the year.

During the debate we have touched a number of times on the point about mitigating suffering. As I set out, our first course of action is to ensure that we get people's tax credit claims back on track. HMRC is working hard to get the information needed from claimants to put anyone entitled to tax credits back into payment, including paying any arrears to which they are entitled. In parallel, HMRC is taking forward any requests for reviews of Concentrix's decisions. Indeed, many decisions have been overturned. I have made inquiries and it is fair to say that, largely, they have not been due to original errors, but have followed the provision of additional information that has been obtained through the process of the mandatory review. So many of these problems have been caused because people did not, or were not able to, respond to the first timetable they were given. They have now provided that information—the hon. Member for Garston and Halewood (Maria Eagle) asked about this earlier—and we have been able to reassess their claims.

We have also made it a priority to address urgent cases of hardship through the usual mechanisms, but I will look at the point made by the Chair of the Work and Pensions Committee. If anyone has been caused undue distress or financial loss following errors or wrongdoing by Concentrix, they should contact HMRC. Such complaints will be taken very seriously, with a thorough examination of all the evidence. Where mistakes have been made, HMRC will not only make sure claimants are now being paid correctly, but pay compensation where appropriate.

It may be helpful for colleagues to know that I have asked to be told on an ongoing basis the issues that Members are bringing up with HMRC. Someone used the phrase "early warning signal". Members' complaints—Members from both sides of the House have been assiduous in representing their constituents—are a very good early warning signal for when things might not be right.

In conclusion, it is undoubtedly the case that there remains too much fraud and error in the tax credits system. It is a complicated system and it is very easy for many honest people to get it wrong. Error and fraud stood at £1.37 billion in 2014-15, so it is right that the Government—any Government—are determined to spend taxpayer money sensibly and sustainably, and take action to address that. We want to ensure that those who are entitled to tax credits get them, but, as we all know, it is vital we prevent overpayments that will then need to be paid back. We have all seen the enormous distress that this causes to vulnerable people. Often, just through not supplying the right information and getting muddled up about a form, people end up owing a lot of money, and that causes a lot of distress.

Progress is being made. Error and fraud in the tax credit system are now close to their lowest levels since its introduction in 2003. We are not going to take a step back in our efforts to ensure we have a fair tax system that tackles non-compliance in all its forms. We announced an extra £800 million in funding last year to do so, but

[Jane Ellison]

that has always got to be balanced by the need to keep providing both the financial support and quality customer service that people, whatever their income level, are entitled to. On this occasion, the balance was not appropriate. It is for that reason we have taken the action I have outlined to put the situation right. We want to support people who are struggling with their claims and we want to reinstate payments to those who are entitled to them.

I am sure that many of the comments that have been made so far, and will be made in the debate that follows, will be fair. I will not agree with all the points made, but there has been much fair comment. For that reason, we will not oppose the motion. Above all, we want a fair outcome for everyone affected and we want to learn important lessons to ensure this sort of thing does not happen again. We must ensure that these important public services work for the most vulnerable in our communities.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Before I call the next hon. Lady, it will be obvious to the House that there are a great many Members who wish to speak this afternoon. We will start with a voluntary time limit of eight minutes for Back-Bench speeches. If that does not work, I will impose a time limit of eight minutes. This time limit, voluntary or otherwise, does not, of course, apply to the spokesman for the Scottish National party, Mhairi Black.

1.37 pm

Mhairi Black (Paisley and Renfrewshire South) (SNP): The Scottish National party will fully support Labour's motion. I thank the hon. Member for Salford and Eccles (Rebecca Long Bailey) for making the case so eloquently, but I think it is worth while reiterating some key points.

HMRC gave the contract to Concentrix, with the "additional capacity to review and correct tax credit claims that are potentially based on incorrect information."

One of the main tasks of Concentrix was to find people with an "undisclosed partner" and to see whether they were claiming the benefit as a single person but actually living with others. That is where the problem really begins. Concentrix spent a considerable amount of money putting out "fishing" letters to try to catch people claiming fraudulently. In a written answer on 7 September, the Treasury Minister said that Concentrix sent out 381,000 letters to tax credit claimants requesting proof of single status; 254,000 letters asking for details of hours worked; and 312,000 letters asking for evidence of childcare use.

Concentrix's logic was that, unless people replied with the appropriate evidence, their tax credits would be stopped. However, despite all those letters apparently being sent out, thousands of people had absolutely no idea they were being investigated. Quite often, they did not know that they were under investigation, or that their tax credits had been stopped.

Patricia Gibson (North Ayrshire and Arran) (SNP): Given the clampdown on supposedly fraudulent claims with these fishing letters, would it not be good to see the same rigour applied to aggressive corporate tax avoidance?

Mhairi Black: I agree entirely. That is something I will touch on later.

Sammy Wilson: Does the hon. Lady also accept that, although 1.5 million cases were referred to Concentrix, it whittled them down to less than a fifth of the cases sent by HMRC? Therefore, had it been in HMRC's control, a lot more people might have been affected than were actually affected.

Mhairi Black: Another interesting point is that, when the Work and Pensions Committee looked into the matter, we discovered that Concentrix had subcontractors—three, I believe—but it was not allowed to go into any detail about who they were or what their methods were. I hope that, at some point, the Government will answer those questions.

Like the constituents of many other Members here, all the constituents I dealt with did not discover that their tax credits had been stopped until they went to collect them from the bank and discovered that there was nothing. When I started to look into the matter, I realised that this is truly the most ridiculous level of incompetence that I have ever heard of. People were accused of being in relationships with dead tenants 70 years their senior. They were accused of being in relationships with some of their own children. In my constituency, Scottish flat numbers seemed to be a major issue for Concentrix because it could not get its head around the fact that flat 1/1 and 1/2 were across the landing from each other and were not the same house.

The best one, though, has to be the case of RS McColl. To provide a bit of perspective, RS McColl is a corner shop that is as common in Scotland as WH Smith is in England, yet people were being accused of living with this mysterious Mr McColl because their flat was above an RS McColl shop. At no point did anyone in Concentrix or HMRC think, "Wait a minute. This Casanova is getting about a bit." This would be funny—until we remember that we are talking about people's livelihoods and their survival.

As a member of the Work and Pensions Committee, I took part in the evidence session where we heard from claimants who had had their tax credits stopped. This is where we have to remember the human costs. We first heard from a woman called Marie, a mother of two who went six weeks with no support. She did not discover that her benefits had been stopped until she went to the bank. She said that she genuinely could not fill her cupboards with any food and she spoke of the shame of having to take her kids to a food bank and having to rely on the charity of others to be able to eat.

A woman called Sarah had no hand and suffered chronic pain every day of her life. She had two young kids, who were both under the age of five. She spent a combined total of 19 hours on the phone waiting for someone from Concentrix to answer. When she finally did get through to someone, the person at the other end of the phone just kept saying, "I don't know; sorry about that. You need to phone back and try to get someone else." She was asked to write a letter. She explained she could not write due to her disability, only to be told, "Well, sorry, you'll just need to find someone else to write it". At that point, that woman broke down in tears in front of the Committee. She was overwhelmed

with emotion when she spoke about the fact that she had to look at her kids knowing that she did not know where the next meal was coming from.

Paula Sherriff (Dewsbury) (Lab): Does the hon. Lady share my frustration about the fact that a constituent of mine who was down to her last £5 was told to send documents to Concentrix by recorded delivery? She then had to decide whether to feed her child or to send those documents. I am sure that the hon. Lady will agree that that is absolutely horrific.

Mhairi Black: It is actually completely disgusting for this to be happening under the watch of Government. It is also worth remembering that, when we talk about these horrendous individual cases, they are not unfortunate or rare examples—it is happening throughout the UK. Whoever made the music that is played when people are put on hold by Concentrix must be making a fortune, because my entire office can whistle it off the top of their heads, we were kept on hold for so long—and that was on the MPs' hotline. The fact that people who do not have access to that hotline are sometimes having to spend up to 90 minutes on the phone is ridiculous.

Dr Philippa Whitford (Central Ayrshire) (SNP): I wonder whether other colleagues have shared the experience of my staff. Concentrix just flatly refused to deal with them, saying that it would speak only to the MP. We are only there one day a week, and that might be when it is not easy to take the history from the constituent.

Mhairi Black: It is also worth remembering that the number people were asked to phone was an 0845 number, so it cost an absolute fortune. I think that anyone in the Chamber would find it cost a fortune, so imagine how much pressure that will put on someone who already qualifies for tax credits, but has been told that they will not be receiving them.

When we in the office did get through, we were told that people had to apply for mandatory reconsiderations, only to discover that the contract also delegated extensive decision making powers to Concentrix, including the processing of mandatory reconsiderations. So this private company has to investigate itself to find out whether it made the correct decision. We should bear in mind the fact that the contract states that it should be paid only on the basis of results. The entire contract has been a shambles; it has been ludicrous from the start.

As if all that were not bad enough, during the evidence session with the Select Committee, Concentrix admitted that 90% to 95% of all mandatory reconsiderations were upheld. The company was openly admitting that it got it right only 5% of the time. These are the people who have applied for an appeal. How many people have had their benefits stolen from them who have not gone for a mandatory reconsideration?

Jane Ellison: It is kind of the hon. Lady to let me intervene. It is worth saying that often the reason the mandatory reconsideration succeeds is that the information previously requested has been supplied to that timetable. It is not fair to say that the reason is because the previous decisions were always wrong. Sometimes the information requested has at that point been supplied and then the correct claim can be instated.

Mhairi Black: I appreciate the Minister's point, but we need to remember that HMRC and the Government were supplying information to Concentrix, so a lot of the fault lies with the Government.

Neil Gray: I was talking earlier about Government responsibility—before Mr Speaker rightly encouraged my pithiness. Does my hon. Friend agree that the only way for the UK Government to take proper responsibility is not only by providing substantial and appropriate compensation, but by offering full apologies to those constituents who were wrongly dealt with by Concentrix and this Government?

Mhairi Black: I could not agree more.

Concentrix was saying that 95% of mandatory reconsiderations were upheld, but in the next panel before the Select Committee, the chief executive of HMRC said that it was not as bad as 95% and that 73% were upheld. He said that as though it was some kind of problem that—

Several hon. Members *rose*—

Mhairi Black: I want to make some progress.

It is such a farce that the Government and Concentrix cannot even agree on how many times they got it wrong. It is a ridiculous situation to find ourselves in. Meanwhile, people are having to go to food banks and to go home to their crying children, who do not want to eat Tesco's 80p Bolognese for the fourth time that week.

I appreciate that mistakes can happen in all walks of life, whatever job one is in, but the reality is that, when the mistakes are made by Government, it is people who suffer—and often it is the most vulnerable people. Although we wholeheartedly support Labour's motion, we have to highlight the fact that the Government have to bear some of the blame. The contract itself states that HMRC is required to monitor the exercise and remains responsible in law for the actions carried out by the contractor. I do not believe that the Government have done that adequately.

The most damning thing in this entire saga is that Concentrix was under the impression that its contract was going to be renewed. Only after the media cottoned on to this and began writing about it, and after 670-odd formal complaints were put in by elected Members to HMRC, did the heat begin to be turned up and the issue begin to be taken seriously. The vice-president of Concentrix said he was initially given only 15 minutes' notice, before he went on a flight, that the contract was not going to be renewed. He pleaded with HMRC to be given an hour in order to inform staff. An hour was the difference between Concentrix thinking it had a contract that would be renewed and the contract being taken away because of its shambolic work. The level of incompetence is truly incredible. We cannot ignore that and place all the blame on Concentrix.

So what needs to be done now? The hon. Member for Greenwich and Woolwich (Matthew Pennycook), who is no longer in his place, mentioned the £100 hardship payment, but in all my cases constituents have been told that the £100 will be taken back off their benefits. That has to be looked at. If we are all being told that at the same time, that is clearly an issue.

[*Mhairi Black*]

As for how we should deal with the overall problem, the buck has to stop with HMRC. The Government must bring services of this kind back in house, and they must once again be the Government's day-to-day responsibility. Saying to a private company "We want you to make £1 billion worth of cuts, but we will only pay you on a results basis" is a recipe for disaster. We have to legislate so that this is never allowed to happen again. One of the main reasons that it occurred in the first place was the lack of resources and Departments' inability to cope. The Treasury must reconsider its ongoing policy of downsizing HMRC, especially when we are in the midst of such a cataclysmic problem.

As has been said by a number of Members today, and on another occasion by my good and hon. Friend the Member for Lanark and Hamilton East (*Angela Crawley*), the Government must apologise to people. There is no shame in apologising and admitting that you got it wrong. The Government need to regain a bit of trust from the people who have been hurt. Concentrix is by no means innocent of any of what has happened, but ultimately it was HMRC that signed the contract: it happened on HMRC's watch.

Conservative Members will probably roll their eyes and stop listening when I say this, but the biggest problem that I have with issues like this is that the Government seem to be perpetuating an overarching culture of blaming the poor. We treat people with suspicion from the start, and the onus is always on individuals to prove that they are not thieves or frauds. Pressure is put on people who have enough to deal with already. I have sat through many debates of this kind, and I have heard certain groups—disabled people, pensioners and those on low wages—being constantly targeted. We end up pitting them against each other. We tell young people "You cannot get a job because pensioners are living too long", and we tell the disabled "Sorry, we cannot afford to pay these amounts any more, so we will have to cut £30 from your benefits." All the while, at the heart of all that, there is a small group of people who are wealthier than ever before—and I have to say that I include every elected Member in the Chamber in that category. We were all given an 11% pay rise; who else was? Who in the outside world has seen that kind of pay rise?

Stephen Doughty: Will the hon. Lady give way?

Mhairi Black: I am going to finish soon.

Recently, Philip Green gave evidence to the Work and Pensions Committee. Here is a guy who has lost £570 million worth of pensions, 22,000 pensioners have been affected and 11,000 jobs have gone, yet he is still able to go off to the Greek islands on his £100 million yacht. That is not the kind of society that many of us want.

Let us not forget that, despite this whole saga and despite all the horrendous stories that we are hearing, Concentrix will still walk away with millions of pounds as a result of the work that it has already done: I believe that the most recent figure is £27 million. This is a culture for which the Government must be responsible. Although only 0.8% of benefits are fraudulently claimed, the general public seem to think that one third of them are. The Government have not just a responsibility to

look after people, but a responsibility for the language that they use—for the rhetoric—and also for the culture that they set.

I know that what I am saying will probably not convince Conservative Members. This may be an unconventional suggestion, but I want them to go and see a film called "I, Daniel Blake", which will give them a cold and sobering view of the reality that so many people are experiencing. The film rightly makes it clear that, when we debate matters such as this, we are not talking about service users, claimants, or national insurance numbers on a Concentrix computer screen; we are talking about citizens—your citizens. We are talking about people here, and they deserve to be treated with a lot more dignity and respect than they have been.

In her first statement as Prime Minister, Theresa May made this promise in Downing Street:

"If you're from an ordinary working class family, life is much harder than many people in Westminster realise... When we take the big calls, we'll think not of the powerful, but you. When we pass new laws, we'll listen not to the mighty but to you. When it comes to taxes, we'll prioritise not the wealthy, but you."

My last question to the Government is "When?" There are people with absolutely nothing. When will the Government prioritise the people who need them most? Lord knows, those people are losing both patience and hope.

1.55 pm

Kevin Foster (Torbay) (Con): It is a pleasure to follow the hon. Member for Paisley and Renfrewshire South (*Mhairi Black*). I welcome the debate, and the opportunity that it gives us to talk about the issues involved in the Concentrix contract, although it is worth noting that it is a month since our exchanges in the House about the Government's intention to cancel it.

I believe that our goal should be to ensure that the people who pay for the benefits system through their taxes can be confident that fraud and error are kept to a minimum. However, that went badly wrong in this instance, and examples in my constituency reveal some of the places where it went wrong. The hon. Member for Paisley and Renfrewshire South gave us the interesting example of a "philandering shop" in Scotland. In my constituency, someone had supposedly moved in with a bloke living down the road. They rang Concentrix to try to deal with the matter and get some answers, but found that it was quicker to walk to my office with the phone—while still on hold—and sit there for about 20 minutes while we made them a cup of tea and enjoyed the "hold" music that they were listening to. To prove that this had happened, I took a photo of the phone as it went through the hour on hold in my office.

To be fair to Concentrix, it did only take four minutes to tell my constituent "Actually, you should ring HMRC", but that was the only part of the customer service that was particularly speedy. The only other remarkable thing is that, given the level of concern and the number of issues that have been raised by Members and others, Concentrix was itself surprised to be told that the contract would not be renewed.

Neil Gray: Does the hon. Gentleman agree that our constituents deserve an apology for the way in which this matter has been handled not just by Concentrix, but by his party's Government and HMRC?

Kevin Foster: The focus should be on what went wrong, waiting to see what the National Audit Office comes up with—I shall say more about that shortly—observing the reaction to that and dealing with the issues, rather than getting into a debate about whether the gesture of an apology should be made. That said, I am pleased that the Government are not seeking to nit-pick the Opposition motion, that we are not going to divide the House, and that, effectively, we will support the motion. That, I think, speaks for itself.

In the light of the problems that had been raised with me, I welcomed the Government's action in making it very clear that the contract would not be renewed. It is over a month since the last new case was sent to Concentrix. I am also pleased that HMRC is moving in to resolve many of the issues.

Patricia Gibson: Will the hon. Gentleman give way?

Kevin Foster: Will the hon. Lady give it a moment? I shall make some more progress, for now.

I said that HMRC was moving in. It should be noted that that organisation has had its own customer service issues in the past. In fact, in the next half hour my fellow members of the Public Accounts Committee will be discussing and examining its customer service. There have been some welcome improvements recently, but many Members who are present today will have had their own experiences of sitting and waiting to get through to the “hotline”.

Sammy Wilson: It is not surprising that when HMRC was challenged to specify the number of cases it had dealt with that had involved errors and how long it had taken it to respond to those errors, it could not give the figures. We cannot even make a comparison between HMRC's performance and that of Concentrix.

Kevin Foster: This afternoon we received a fairly detailed report produced by the National Audit Office on HMRC's annual report, which is being discussed by the Public Accounts Committee and which goes into some depth about HMRC's performance and customer service standards. It can be read in comparison with what we have heard about Concentrix. The PAC is also discussing the tax gap, and the need to ensure that HMRC is performing as we would expect it to in ensuring that the taxes for which we legislate in the House are paid by those who are required to pay them. I genuinely welcome the fact that the National Audit Office will be investigating this matter, and, in that context, I think that some of the comments that have been made today may have been slightly premature.

I was going to intervene on the shadow Minister when she was commenting on our having an independent and fearless inquiry commissioned by the Government. I was struggling to think how more independent and fearless an inquiry could be than a report by the NAO, which is an arm of this Parliament, not of Government. It produces its reports independently. Yes, it will liaise with Treasury officials to ensure that facts are agreed when coming to its conclusions, but ultimately the Comptroller and Auditor General and his team answer to this House via the PAC. It has never held back from making comments, no matter how difficult and challenging for Government Departments, where required. The shadow Minister might wish to intervene and tell us how she felt

that another inquiry would be different from that, but I think the right way forward is to get the NAO to look at this and bring a report that can be scrutinised fully and in depth in this House from a team of subject experts who understand how HMRC, the DWP and the benefits system work, and who owe a duty to Parliament, not to the Government. I am sure the depth of information they bring forward will inform future debates on this subject.

Chris Law: Is it not clear, then, that the approach over past years of reducing HMRC staff numbers must stop, and stop today? The current Government programme to reduce staff numbers from 55,000 to 35,000 is short-sighted, and from the evidence we have heard today it is clearly time to reverse that.

Kevin Foster: I encourage the hon. Gentleman to read the HMRC report being discussed this afternoon by the PAC; it might be worth his attending the session if he gets the chance. It is worth noting that with new leadership, which has been needed for some time, HMRC is starting to turn around its customer service, by moving more staff into dealing with post, for example. There is some evidence that the customer service is improving, therefore, which is welcome, although I know that some of these assertions will be robustly tested by a number of Members, including the hon. Gentleman's party colleague and PAC member the hon. Member for Coatbridge, Chryston and Bellshill (Philip Boswell).

It is vital that the investigation is full and that we look at what comes out of it. I welcome the Minister's saying that there is an ongoing negotiation about concluding the contract early. We cannot go into the details of that today for obvious reasons, but I hope the work being done to bring this whole sorry tale to an end will be shared with the NAO as part of its inquiry.

One of the conclusions to be drawn is that it is clear that people have been caused pain and suffering that they should not have been caused. People have been subjected to allegations that were flagrantly untrue: the “philandering shop”; the person living down the road; someone who has been dead for some years. We should think about the way the contractor went about things—sending letters with the contractor's logo that looked very similar to official Government or HMRC letters. We might have debates about whether in future the symbol of the Crown and HMRC should be used on a letter sent by a contractor.

Dr Philippa Whitford: Many of the constituents who came to me did not appear to have received a letter at all. A letter with some strange logo on it might not register as being what it is about and therefore might get overlooked.

Kevin Foster: I understand that point, but the evidence from my constituency case load is that it cut both ways. Some people saw a logo that looked like it was from HMRC and wondered what the letter was about. This matter might require further inquiry, and we should consider the information that the NAO will bring forward. The NAO does not just look at the sums. It is not just going to work out how many people got paid for what. It will also go into the detail around the customer service, and certainly in previous reports it has been extremely thorough when doing so.

[Kevin Foster]

I welcome the overall tone of the Minister's response to this motion, and I welcome the fact that the Government took clear and decisive action to bring this contract to an end and are continuing to do that and to prevent more people from having to experience the issues many Members have highlighted today. I hope the monitoring will go on because, as we have seen with past issues to do with HMRC, an in-house solution is not necessarily a magic bullet to achieving amazing customer service. We have only to look at past debates on HMRC's performance to see that. I welcome some of the tone of today's debate, but it is now absolutely clear that we need to resolve the outstanding cases, let the NAO do its work and then form our conclusions based on the evidence it brings to us.

2.5 pm

Kate Green (Stretford and Urmston) (Lab): It is a pleasure to speak in this debate and follow the hon. Member for Torbay (Kevin Foster). It is very useful to have the Minister's detailed and constructive responses on the operation of the contract, but I want to open my remarks by drawing attention to the policy issues that underlie the difficulty we have got into.

For many years we had a social security system designed and operated in a way that served to target, judge and stigmatise single parents in particular. I thought we had stopped doing that, but certainly as far as the experiences of my own constituents are concerned that group of claimants has been particularly affected by the way this contract has been designed and operated.

Of course, single parents will in most cases, although not always, be women—women who take responsibility for raising their children alone. There is a real question for Ministers to answer about the policy design that led to that group of women being so damaged and targeted by the operation of the contract. When I raised this point with the Minister earlier, she did not really address it, but I hope the NAO report will look at it—not just at the way the contract operated, but at how it was designed and what behaviour it incentivised.

I agree with the Minister and the hon. Member for Torbay that nobody condones fraud in the benefit system—it undermines confidence in the system and denies access to the system for those entitled to benefit from it—but when the system starts to make assumptions about intimate relationships and living arrangements, which are intrinsically intrusive matters, it is incumbent on the Government and their agents to handle that with great sensitivity and care. It seems pretty clear from all we have heard about the operation of this contract that Concentrix did not bother to do that. Instead, perhaps steered by Ministers or perhaps because of the payment-by-results model—about which the Social Security Advisory Committee warned of dangers early on—Concentrix appears to have taken the flimsiest of evidence at face value to determine that people must be living with undisclosed partners. In many cases, such as those of some of my constituents, without any further meaningful inquiry their tax credits would then be stopped.

Sammy Wilson: While Members have rightly identified the incentivisation issue, does the hon. Lady accept that Concentrix acted on only a fifth of the 1.5 million cases

sent to it by HMRC, and that in the mandatory review it reviewed 95% positively? That militates against the incentivisation argument. In addition, when cases went to appeal, fewer than 0.005% were overturned, which would indicate that Concentrix was well aware that it had to abide by certain rules in dealing with these cases.

Kate Green: Assuming that there might be fraud in a fifth of cases and looking into them is a very high proportion, because we know, and the Minister acknowledged, that fraud in the social security system is very low. I am not sure I completely accept the hon. Gentleman's analysis, therefore. I have concerns—and the whole House has expressed concerns about this in this debate, as has the SSAC and the NAO—that a payment-by-results model has to be designed very carefully if perverse incentives are to be avoided. In this instance that was not achieved.

As a result, constituents of mine and of Members across the House were put in the impossible position of having to prove a negative—to prove that they did not live with somebody, often somebody they did not know, and sometimes someone who did not even exist. Cases that I have seen include: a woman being asked about an undisclosed partner who turned out to be a previous tenant of the property who had moved out nine years earlier; a constituent who was accused of living with a previous tenant's son; a constituent who was told that her landlord was in fact her undisclosed partner; and, in perhaps the most bizarre case of all, a constituent who appeared to have been told that her mother, with whom she lived, was her undisclosed partner.

Evidence that was provided to Concentrix by my constituents was too often ignored. Sometimes Concentrix had given the wrong address for the evidence to be sent to, or, as the hon. Member for Torbay mentioned, the letters did not look very convincing. One constituent drew my attention to the fact that many of the words were misspelled and that the letters were full of errors. She drew the overall conclusion, when Concentrix got in touch with her, that she was in fact the victim of some sort of scam. Sometimes evidence could not be produced. In two cases that I have dealt with, constituents were asked to submit utility bills, even though they were living with their parents and the utility bills were not in their name. We have also heard that when constituents have tried to deal with Concentrix on the telephone to explain their circumstances, they repeatedly received poor customer service or were unable to get through.

I consider it troubling that, even when there was clear evidence of Concentrix being in error, my constituents were told that they would have to go through a formal process of mandatory reconsideration—an extra barrier—when in fact Concentrix should immediately have said, "We have made a mistake, we will get the situation put right." The Minister has told us of the commitment to get tax credits into payment within four days of an investigation being concluded. Of course I understand that time needs to be taken to look into the circumstances of a claim, but we need an overall time limit for these investigations. We cannot leave constituents waiting for weeks and weeks without these matters being resolved.

The consequences for all our constituents have been extremely harsh. Housing benefits have been stopped. In one case, I had to intervene to prevent a constituent from being threatened with eviction. Debt has been

mounting. We have heard about women being forced to go to food banks for the first time. One mother in my constituency who was unable to pay her nursery fees was told to remove her child from the nursery. In another case, children have had to be sent away to live with relatives because the mother was no longer able to feed them or to heat their home.

Another policy point to which I draw the Minister's attention relates to how especially damaging this contract has been in terms of its impact on children. The Government really have to face up to the fact that policies and their execution must be underpinned by an obligation to prioritise the wellbeing of children. In this contract, that clearly did not happen. It is iniquitous that the brunt of this chaos should have been borne by women and children. An equality impact assessment of the policy and its execution ought to have addressed that fact, but the Minister did not mention that this afternoon, and the Economic Secretary to the Treasury, the hon. Member for Brighton, Kemptown (Simon Kirby) did not mention it in the Westminster Hall debate last week either. I really hope that, in summing up the debate this afternoon, the Minister will tell us what equality impact assessment was carried out, and what adjustments were made to the policy as a result.

This has been a disgraceful catalogue of error and mistreatment. I am pleased that the contract has been terminated, and I am very pleased that the National Audit Office is to carry out a full review of what went wrong. I echo the questions asked by colleagues around the House. What compensation is going to be paid to our constituents who have borne the brunt of the erroneous management of the contract? What penalties will be imposed on Concentrix? What has been the overall cost to the taxpayer of the mismanagement of the contract, including the cost of the spike in appeals?

I echo the concern that it is at best philosophically inappropriate for intrusive inquiries into people's personal circumstances to be carried out for commercial gain and rewarded by results. I ask the Minister to review whether it is appropriate to put someone through the formal mandatory reconsideration process when a simple error has been made by the contracting company and when dealing with the error there and then would have been a fairer and more effective way to proceed.

I am grateful to the Minister for saying that her fundamental thrust is to look at what lessons can be learned overall. Will she undertake to return to the House to report on those lessons and tell us how she intends to apply the learning that has been gained?

2.14 pm

Richard Graham (Gloucester) (Con): Today's debate is primarily about the HMRC contractor, Concentrix, the delivery of its contract, its customer service and the impact of its work on those receiving tax credits who were wrongly suspected of fraud or error. The hon. Member for Stretford and Urmston (Kate Green) made some valid points about her constituents who have been affected, and other hon. Members have spoken equally movingly about some of theirs. The debate is about more than that, however. It is about the relative value, efficiency and service of third-party contracts as against the direct delivery of services by the Government or by Government agencies. It is also about how the Government—in this case, HMRC—reacted to the

unexpected crisis when mandatory reconsideration appeals rose by 95% in August while the “success” in handling calls dropped off a cliff. It is about how quickly contingency plans were put in place, and what those plans were. It is also about whether the structure of the incentives and the contractor's commission were appropriate for this type of public service delivery.

It is too early to offer definitive answers today, while the internal investigation is still going on. However, the inquiry by our Work and Pensions Committee and the measured comments from the Financial Secretary to the Treasury today offer some clues. To this, I add my own experience as an MP dealing with constituents who have been affected, and the observations that we made in the Select Committee.

The first point has to be that the goal of reducing HMRC's estimates of fraud and error was the right goal for the Government to have. The 2014-15 estimates, which are the most recent ones, suggest a net £1.2 billion of fraud and error on tax credits, potentially involving 500,000 people. The Government cannot spend billions of pounds of taxpayers' money on welfare without ensuring that it is spent properly, just as we expect the Department for International Development to ensure that its accounts are correct and its money is spent in the right way. We also expect the European Union to account correctly for the money it receives from its taxpayers, including our own.

The hon. Member for Paisley and Renfrewshire South (Mhairi Black) is absolutely right to say that rich people, and every company, should pay the right amount of tax. I would add that this is not a case of either/or. It is a case of both. The Government were absolutely right to increase HMRC's resources for collecting the right amount of tax from those who have tax to pay and to ensure that the right amounts of welfare benefits are received by the right people. It is worth noting that the £270 million recovered through this programme will make a decent contribution to reducing fraud and we must ensure that it is made available to the people who need it most.

Secondly, there has been a cost during this process to our hard-working, not-well-off constituents. In each of the dozen or so cases that I or my office staff have replied to, there has been a degree of hardship and, in some cases, considerable hardship. HMRC's response to such cases is therefore important. My sense, from our Select Committee inquiry, is that HMRC's chief executive, Jon Thompson, is looking at how quickly HMRC has responded. It is true, however, that the moment HMRC took a grip, beefed up resources and put extra staff on to the MPs' hotline, my office—and, I suspect, those of other MPs—was able to resolve these tax credits cases very fast. I am unsure whether all the cases were resolved within 48 hours, but all were done within three or four days, and some within a few hours. Indeed, the Work and Pensions Committee Chairman, the right hon. Member for Birkenhead (Frank Field), said that he could not

“recall an experience where, thank goodness, the Executive, whether Government or delegated, has acted so quickly when they have seen a crisis.”

That should be on the record. It is credit to how HMRC responded. In the evidence we took from affected people, there was one particularly gracious “thank you” to HMRC for resolving one individual's crisis so quickly.

[Richard Graham]

My third point relates to contracts to third parties and the incentive system within them. The National Audit Office recognised this as a complex area, and the jury is still out on how successful the system has been over the past few years. HMRC's chief executive responded to my question on that with an interesting remark about "the balance of incentives on third parties in these kinds of contracts"

which

"is essentially based on commission earned."

He asked:

"Is that the right kind of incentive mechanism for this kind of public service delivery?"

It is a valid question, and other Members have mentioned it. The HMRC chief executive reflected on it. I also have no doubt that the NAO investigation will discuss whether bringing this sort of contract in-house would ensure better quality control, more experience of handling citizens who are on tax credits, and possibly even a reduced cost. From the evidence to the Committee, it broadly looked like Concentrix will have been paid about £27 million by the time its contract comes to an end on £270 million of fraud or error identified, implying a 10% commission. That feels high, but the figures are probably hypothetical at this stage and will need to be confirmed in due course by the investigation.

In all of this, the Government, HMRC and Concentrix have been absolutely right to start with an apology to those who have suffered. When mistakes are made, it is important that they are recognised immediately. HMRC and Concentrix started the Select Committee sessions by making their apologies—the Minister has added hers on more than one occasion—and that was important. There is the issue of compensation for those most affected, and the fact that, as the amendment states, the Government should "ensure that those people"—people on tax credits—

"are treated by HMRC in future with dignity and respect."

That should happen all the time for everyone with whom the Government deal, particularly where monopolies such as HMRC exist. We all have a duty to treat our constituents with dignity and respect. That is what happens most of the time. My experience is that HMRC is helpful on every occasion with constituent issues.

In conclusion, today's debate has been measured and the tone has been reflective and thoughtful across the House. Clearly, there are lessons to be learned. It is correct that tax collection is done, that welfare benefits are spent in the right way on the right people, that mistakes are responded to rapidly and that agencies such as HMRC should hold contingency plans. Poor service should be treated and amended as quickly as possible. I therefore welcome this opportunity to discuss some preliminary thoughts on the lessons that can be learned and I look forward to the NAO report in due course.

Madam Deputy Speaker (Mrs Eleanor Laing): Although the hon. Member for Gloucester (Richard Graham) spoke for precisely eight minutes, the previous speakers did not, so I must now impose a formal time limit of seven minutes.

2.23 pm

Corri Wilson (Ayr, Carrick and Cumnock) (SNP): The Government have made it clear that the burden of austerity must be borne primarily by the most disadvantaged in our society. They made that clear through their repeated assaults on the welfare state, in their victimisation of the disabled, in their system of sanctions and in their attacks on benefits for our young people. They have made it clear that tax credits cost too much and are a drain on the public purse. They made it clear in their handling of the Concentrix contract that the suffering and hardship caused by this fiasco is not their concern. The Government did not seem to care about the indiscriminate targeting of single parents, the "fishing" letters, working parents being forced to give up their jobs, or families being forced out on to the streets as they lost their homes.

Strangely, none of those reasons was cited as a contributing factor to the withdrawal of the Concentrix contract. The statement given by the Financial Secretary to the Treasury explicitly said:

"Despite the best efforts of the staff manning the phones, Concentrix, with the high volume of calls in recent weeks, has not been providing the high levels of customer service that the public expect and which are required in its contract. HMRC has therefore given notice that this contract will not be renewed beyond its end date in May 2017."—[*Official Report*, 14 September 2016; Vol. 614, c. 904.]

It seems that it was all about call handling. I am sure that I am not alone in having a list of constituents who are seriously out of pocket from waiting to speak to someone at Concentrix, but providing call waiting times as the main reason to ditch the contract is ludicrous.

This Government devised the model to target low-income families indiscriminately. The contract awarded to Concentrix was based on payment by results, creating a clear conflict of interest and encouraging bad practice. It was this Government, through HMRC, that supplied Concentrix with 1.5 million claimant records flagged as high risk—claimants like my constituent, Lauren. Lauren is the mother of two and a prime example of someone whom the system has failed, finding herself at the centre of a perfect storm. She suffers from anxiety and panic attacks and, despite having a line from her doctor, lost her job for being off ill. Her employer did not pay her statutory sick pay, and she was told that she would have to wait at least two weeks for employment support allowance. In a bizarre twist of fate, she found that both her working tax credits and her child tax credits had been stopped.

When Lauren first came to my office, she had no food and no money for gas or electricity. She had called Concentrix 48 times that day and had run out of credit on her phone. Rather than the state providing Lauren and her children with a safety net in their time of need, Concentrix had left them near destitute. Why? What was the key factor in determining that Lauren was one of the 1.5 million high-risk claimants? Someone had glanced at her file and decided that she could not possibly be working 16 hours a week and be paid so little. They had calculated her yearly income and then divided it, coming to the conclusion that she must have been working 15 hours a week, ignoring the fact that Lauren had spent a month out of work the year before—a change in circumstances of which she had diligently notified HMRC. A cursory glance was all it took to

turn this young mother's life upside down at a time when she was at her most vulnerable. My staff and I have been deeply affected by the number of cases in recent weeks in which people have been plunged into utter misery. We have felt sheer frustration at not being able to get a quick resolution. I doubt whether a single person on the Government Benches has ever experienced going without food.

We can stand here all day and trade stories like Lauren's, and the Government can dish out platitudes and pat themselves on the back for acting so swiftly and decisively on the Concentrix contract, but that cannot detract from the fact that families have been driven further into debt and poverty by Concentrix's actions. Families have been forced to beg for food by the actions of HMRC. Families are being forced to choose between heating and eating by this Government's policies. It is time for the Government to accept their role in this fiasco and to step up and take some responsibility for the carnage they are causing in people's lives. They must apologise for the hardship and suffering faced by people such as Lauren. They must look again at the ongoing policy of downsizing HMRC, leaving staff overworked and demoralised. They must introduce a freephone number for claimants and take on the costs of seeking mandatory reconsiderations. They must legislate to amend the compliance regime in respect of annual declarations and high risk renewals.

Earlier this month, leading figures from this Government stood up at the Conservative party conference right in front of a background that read:

"A country that works for everyone".

Let us see them match their policy to that sentiment and step back from this destructive and failing drive to impose austerity on the many while allowing riches for the few. Those on the Government Benches should take a leaf out of the Scottish Government's book and start treating people with fairness, dignity and respect.

2.29 pm

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I apologise for the state of my voice, but it is important that I speak in this debate on behalf of the many constituents who have contacted me about, and who are suffering as a result of, this scandalous Concentrix shambles. I commend the Opposition Front-Bench team for calling the debate, and particularly my hon. Friend the Member for Salford and Eccles (Rebecca Long Bailey) for her forensic analysis of what the Government could have got right when enforcing this contract and the problems that have led us to this point. I also commend my hon. Friend the Member for Sheffield, Heeley (Louise Haigh), who has done so much work to drive the debate forward. I also thank the staff in my office. We all have fantastic constituency staff who do so much to assist our constituents, and I particularly want to thank Shira, Lily and Ruba for the work they have done in dealing with a number of distressing cases involving individuals who have been in deep hardship and have been greatly upset. As my hon. Friend the Member for Stretford and Urmston (Kate Green) said, the people affected have often been single mothers. I also thank Citizens Advice and other local advice charities, which have been faced with a deluge of these cases.

I wish to reflect on a few of these cases. In one, a single mother had a long-standing claim suspended after Concentrix said that she was living with another named woman in her rented property. It was suggested that a third woman was also living at the property, but both were actually previous tenants of the home, one from as far back as 2010. The information had come from the electoral register, even though my constituent had lived in the property only since 2014. The claim was eventually reinstated. Another case involved a single mother and homeowner who had her claim suspended after Concentrix said that she was living with "a couple". She is the sole owner of the property and had provided evidence to demonstrate that. Again, the claim was eventually reinstated.

The citizens advice bureau referred the case of another single mother to us. Her award was stopped pending an investigation. She was left with no income and we had to refer her to food banks, which is a deeply distressing experience for anyone. Her son is diabetic and requires a specialist diet, so that contributed to her stress and unhappiness. Again, that claim was eventually reinstated. A further case involved a single mother in work who had both her tax credit claims stopped after she was told by Concentrix that her half-brother, who had once sent post to the property, was in fact her partner. That case has not been resolved and she has been without money since August. I have two to four such cases, and I question some of the assurances that we have heard about how long it takes to resolve these cases. I have written to the Minister about a number of cases and we are contacting the helplines. I hope that she will assure us that she will fast-track some of these deeply distressing cases.

Jane Ellison: I am happy to give that assurance. Once again, I urge Members with particularly long-running and difficult cases to get in touch, and I will make sure that HMRC prioritises them.

Stephen Doughty: I thank the Minister for those comments, which will provide some reassurance. We will certainly follow up cases with her office.

All the cases have common themes, one of which is their impact on single mothers and families with complex needs, often including children with health problems. These people are suddenly being left without food and money. Individuals with mental health issues are facing additional stress and anxiety. People have contacted me in desperation, by every possible means. Often they had not realised that their MP was the person to go to, but I have been contacted on Twitter and on Facebook, and by email and by phone. These people have been through the agony and desperation of not being able to get through on the helplines and, in some cases, they have found that the phone has been put down on them, as I outlined earlier. Obviously that is completely unacceptable, and I am glad that the Minister recognises that.

We need to deal with the problem of the final responses that people receive. Those responses often do not explain why the claims were stopped or reinstated, leaving constituents unsure about whether the same thing will happen again, and they do not give an apology. I appreciate what the Minister has said today, but we need to apologise directly to the individuals and families who have been affected. I have talked about the long

[Stephen Doughty]

delays, but an inability to speak to someone directly about the situation creates frustration and distress. We have heard examples of people receiving contradictory and confusing correspondence, and that adds to the pressure and concern that they experience. We have had to refer many constituents to food banks, which causes deep distress to anybody who has to go through it. These people, through no fault of their own, have found themselves in that terrible situation at the end of these erroneous investigations.

Sammy Wilson: Does the hon. Gentleman accept that in many cases this has happened simply because, as the Minister indicated, Concentrix was following the processes, guidance and requirements of HMRC? The worrying thing is that if the situation does not change, it will not matter whether we change the contract between Concentrix and HMRC, as the same things will happen again.

Stephen Doughty: The hon. Gentleman makes an important point that shows why we need a full independent investigation into what has gone wrong. Such a situation applies not just to Concentrix. We can look at what has happened with Capita, with contracts such as that for Clearsprings asylum accommodation, and with Atos. There is a common theme across Government contracts whereby things are contracted out but then not properly monitored and followed up. The people who suffer in the end are some of the most vulnerable and the poorest. A common thread is that some of our constituents in the most difficult situations are affected, so the Government need to take a wholesale look at whether they should even be contracting out these sorts of services. When they should be, and there is a legitimate reason for doing so, the Government need to monitor and follow up what is going on, down to the level of the experience that individuals face. That is the real thing that matters in all this. These people often have extremely complex lives and face many pressures.

Dr Philippa Whitford: The hon. Gentleman mentions the problems with Atos and now we have Maximus. I know of a case of someone who has been waiting for a work capability assessment for almost six months. Can we not foresee that we will have a similar debate in another half year's time?

Stephen Doughty: I would not be surprised if we were to have that debate. I am frustrated by the Clearsprings case. People can see companies making a huge profit out of these contracts, and individuals making hundreds of thousands and sometimes millions of pounds, as a result of providing the most shoddy and inappropriate services. People suffer, but these companies often get away without so much as a slap on the wrist, and often with payments at the end. When people look at this, and particularly at HMRC, they say, "We are being chased down for these relatively small sums, completely erroneously, through these fishing expeditions, but then we see sweetheart deals with major corporations over their non-payment of tax." This is not just about tax credits. Small businesses in my constituency come to me with complex VAT cases and say, "It is one rule for those at the top and another for us." They are often put into severe hardship and face deep complications as they try to resolve these cases.

By the time people arrive at the doors of Members of Parliament, they are often in severe financial difficulties, be that as an individual or as a business.

I want to be absolutely assured that the Minister will not just hold a full investigation into this case and resolve the issues for individuals in my constituency and others that we have heard about today, but will raise in government the wider issue of the contracting out of such services and how they are monitored because, in the end, it is the people of this country who suffer. The situation is not acceptable. This has been an absolute disgrace and it has to stop.

2.37 pm

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): I am grateful for the opportunity to speak in this important debate. In common with other hon. Members, I have been appalled by the complaints that my office has received about Concentrix from worried constituents who have faced extreme hardship following its actions. I understand that a provider may want to conduct checks to ensure that money is provided to the right people, but stopping money to parents in this way while checks are carried out is wholly unacceptable. As many Members have said, Concentrix's action has caused extreme hardship to many of my constituents and people across the country. People invariably use this income to provide food and essentials for their children, and it is totally unacceptable for them to be without that money for a period of time. As we have heard, the situation has resulted in many families relying on food banks—that has certainly been the case in my constituency—and in some cases people have been going without. This is utterly shameful.

It is not as though Concentrix has been quick about some of its checks; the majority of people seem to have had money withheld for two months or longer. How can people, many of whom are already on a low income, be expected to cope for long periods of time? One of the many cases my office staff have dealt with relates to a constituent who had her tax credits stopped because it was believed that she had an undeclared partner—we have heard similar stories this afternoon. Following much stress, and my constituent having to provide extensive evidence that she did not have an undeclared partner, it transpired that the basis of the action by Concentrix was out-of-date records of a previous tenant at the address. In a similar case, a constituent had her tax credits stopped because Concentrix required evidence that the tenant lived alone, as a random check on the electoral register had shown a previous tenant. It transpired that that previous tenant was now in prison. In yet another case, a constituent wrote to Concentrix to confirm and provide evidence that she was a single parent, yet it still took two months to investigate and reinstate the claim.

I could highlight a good many more cases, but I accept that a number of Members wish to contribute to the debate and that many of these cases are similar. The common factor is the lack of understanding or compassion on the part of the contractor engaged by HMRC. We know that many payments were stopped but that the decision was successfully overturned in around 90% to 95% of cases that went to appeal. Although Concentrix must bear its share of responsibility for the hardship that people have faced in recent months, HMRC, too,

has to bear its share for allowing the situation to become such a mess. Does the Minister accept responsibility for the lack of scrutiny, and what lessons is HMRC learning from this debacle?

Concentrix's failures have laid bare policy failures by the Government, because it certainly appears that, in this whole episode, there has been a deliberate attempt to target single parents. Again, if HMRC had been monitoring the contract, the situation might not have accelerated to the extent that we have seen. Lessons must be learned. Actions by Concentrix have caused extreme hardship and have completely lacked in compassion. As my hon. Friend the shadow Chief Secretary to the Treasury outlined, many of these cases have involved real suffering. People in Merthyr Tydfil and Rhymney and across the country deserve answers, and I look forward to hearing them from the Minister today. I thank the Minister for supporting the motion and for not seeking to divide the House this afternoon.

2.41 pm

Mark Durkan (Foyle) (SDLP): Like other Members, I pay tribute to the hon. Member for Salford and Eccles (Rebecca Long Bailey) for introducing the debate and setting out her points so cogently, particularly in relation to some of the details of the contract itself, and the opportunities and responsibilities that that contract gave to HMRC to better deal with the problems that did emerge. Both HMRC and the then Financial Secretary, the right hon. Member for South West Hertfordshire (Mr Gauke), must have been aware of those problems, given the number of representations and complaints that were coming through from Members, and the range of questions that were being asked. None of those questions was properly dealt with, and all the complaints were treated fairly dismissively along the lines of young Mr Grace—"You've all done very well!" There seemed to be no problem whatever as far as that Minister was concerned. I am glad that, today, the current Financial Secretary to the Treasury is indicating that she will take a more personal interest in how these details are handled in future.

The motion could have been wider. It could have put into its sights the role and rationale of HMRC itself, as well as the responsibilities of Ministers. This debacle happened in the context of a progressive rundown in the capacity and character of HMRC, which then led to it outsourcing bits of work. It is the nature of that work and outsourcing that really raises questions about the mentality in HMRC.

In a written answer yesterday, the Minister confirmed this to me:

"during the course of the contract, HMRC delegated a total caseload of 2,209,500 cases for high risk renewal checks by Concentrix."

It was HMRC itself that decided that more than 2 million cases could be appraised as high-risk renewals. When Concentrix received those cases, 1,635,676 of them were not the subject of further investigation for fraud or error, which means that it screened out 74% of the caseload that had been identified by HMRC. I ask Members to think about what we would have been dealing with if there had not been that screening. We would have had multiple versions of this problem—the

adversity endured by our constituents; and the absurdity in the grievous conjecture that was being used against people.

The high-risk cases referred to Concentrix were placed in three main risk categories, and those three categories were decided by, and designed by, HMRC, not by Concentrix. The first was undeclared partner, which accounted for 1,398,908 cases. The second was work and hours, which accounted for 564,983, and the third was childcare, which amounted for 245,609 cases. Now that this work is returning to HMRC, I hope that Ministers will ensure that there is a change of culture there so that there is no longer such hostility and suspicion towards HMRC's customers.

Sammy Wilson: The incentive for Concentrix was that it got paid only for those cases in which, eventually, it could be shown that there was genuine error or fraud. Does the hon. Gentleman accept that if that incentive does not rest with HMRC, the situation could become even worse, because HMRC will have no incentive to screen out any of those cases?

Mark Durkan: The hon. Gentleman raises an important question about future performance. Many of us have had our own difficulties when dealing with HMRC about tax credits. Certainly in my constituency, I have had some particular issues in relation to the plight of cross-border workers, whose position is constantly mishandled by HMRC. At times, it seems that there is no end in sight to the difficulties.

On the hon. Gentleman's question, I note that payment by results is the outcome after the mandatory reconsideration stage, so some of the arguments about the degree of incentivisation have to be measured against that point. Let us remember that what drove the cut-off of tax credits for most people was the application of the compliance requirement of 30 days. Therefore, officials using the HMRC system and the HMRC standard that was contracted to Concentrix sent letters to people saying, "Unless you return information within 30 days, your benefit will be stopped." Most of the stops were made because information was supposedly not received within 30 days. That is why many cases were overturned on mandatory reconsideration, because by that stage the information had been provided.

That raises questions for us as legislators in the House. Where does the 30-day rule come from? It was introduced in the Tax Credits Act 2002. We have here a gross misapplication by HMRC of the terms of that Act, especially in terms of the high-risk renewal regime, the high-risk change of circumstances regime and the annual declaration. The Minister did not address the fact that thousands of people had their tax credits stopped this summer by HMRC directly. That had nothing to do with Concentrix. HMRC was terminating benefits because people had not returned their annual declaration on time. Compliance grounds were being used directly against people by HMRC. When those people were cut off in August—45,000 of them in the week beginning 8 August—they naturally assumed that that cut-off was being implemented by Concentrix. They were ringing Concentrix and we as MPs were ringing Concentrix, but it was actually HMRC that had implemented the cut-off, although some of those cases might have previously been referred to Concentrix. We had the daft anomaly of HMRC handing work to

[Mark Durkan]

Concentrix, saying “Investigate these people as high-risk renewal claims,” while, at the same time, it decided to go against those same people on compliance grounds for annual declarations. It is no wonder that confusion, hardship and hurt was caused, and there are fundamental questions for HMRC as well.

I hope that the Minister will look at this again. She says that lessons will be learned. I hope that this will not be like Brexit means Brexit; “lessons will be learned” should mean that lessons will be learned. We hope that those lessons will be learned within HMRC itself, and that they will include looking at whether there has been particular misuse of provisions of the 2002 Act.

Regulation 32 of the Tax Credits (Claims and Notifications) Regulations 2002 states that the period of notice given for a person to submit information or evidence

“shall not be less than 30 days after the date of the notice.”

The period does not have to be 30 days—that is the minimum—but who decided that it should be 30 days? HMRC took that decision, and it passed that on to Concentrix, saying that that statute set out how the system works and how it had to proceed.

Did Ministers sign off on the 30-day period? Were they notified that those were the terms that HMRC was operating? Were they notified that those were the terms that Concentrix was operating? If we know that the 30-day cut-off was responsible—the Minister has said this herself—will it be reviewed? There is the question of whether we, as Parliament, need to review that, because some of these flaws are sourced in the legislation itself and its over-rigorous application by HMRC.

Many people have voiced their criticisms of Concentrix and its performance, and have spoken about their difficulties getting through to it. By means of this debate, we need to get through to HMRC, which is where the core responsibility lies. A culture change is needed there, and I welcome the Minister’s commitment to keep an eye on that in the future.

2.49 pm

Chris Law (Dundee West) (SNP): I have spoken a number of times in Parliament on this subject, and every time I speak I listen to the many stories from across the Chamber and elsewhere about individual cases. My constituency is no different in the way that individuals have been affected by Concentrix, which is contracted by HMRC on behalf of this Tory Government. As I said in my early-day motion 396, HMRC’s contract with Concentrix is driving families into immediate poverty.

Let me offer the House a few examples. One of my constituents who I spoke with had only part of her address held on the Concentrix system. When background checks were run on the address, a number of people were named as living at the same property. As a result of a needless investigation by Concentrix, this person struggled to feed and clothe her children for over a month. Another lone parent was judged to have made a false claim as a single parent. Following my complaint, it was discovered that an incorrect address had instigated the investigation and, in fact, HMRC owed this constituent a considerable sum of money. Sadly, this was not uncovered

before the constituent had to give up her home due to financial hardship. Such cases reinforce the points that have been made in the debate.

Tommy Sheppard (Edinburgh East) (SNP): Does my hon. Friend agree that another aspect of this shambles is the at times near-complete breakdown in communication between Concentrix and HMRC, as exemplified by my constituent Dionne Walker, a mother of three, who supplied Concentrix with every single piece of information it asked for, only to find out subsequently that Concentrix had not passed it on to HMRC? Her tax credit application was cancelled, leaving her having to seek crisis loans and go to food banks to feed her three children for the rest of the week. Does my hon. Friend agree that that is unacceptable, and that people such as Dionne Walker and countless thousands of others are owed an apology by this Government?

Chris Law: Indeed. I hope to hear such an apology from the Minister this afternoon. My hon. Friend’s example makes the point that I was about to raise—make no mistake, many of these people are single parents, who are already struggling to make ends meet and are the target of this Government.

Evidence has now emerged that Concentrix, on behalf of this Government, sent out, over a two-year period, almost a million letters asking for information about people’s circumstances, in what can only be described as a fishing expedition to detect potentially irregular tax returns. It is up to the constituent to prove that they are innocent before tax credits are reinstated. In other words, they are treated as guilty until proven innocent. It does not end there. Reports suggest that staff at Concentrix are regularly dealing with suicidal callers who threaten to kill themselves. How desperate does the situation have to get before urgent action is taken and the contract is ended?

The social and health impacts of the Concentrix contract, on both members of the public and employees, are horrific. That has been reinforced in the recent report of the Work and Pensions Committee, which found evidence of humiliation of claimants and appalling customer service, and appeal success rates of between 73% and 95%, described as

“a terrible indictment of the original decision-making process”.

Unsurprisingly, this is not the first time that Government outsourcing has failed to meet expectations. I made the point earlier that these payment-by-results contracts go back to 2003, when Labour introduced them for NHS England. I am sure everyone in this Chamber remembers Atos, whose shambolic and cruel tests were designed to strip away benefits from sick and disabled people.

Under the contract that this Government have with Concentrix, Concentrix is paid on a payment-by-results basis—in short, commission. The more tax credit payments Concentrix puts a stop to, the more money it pockets. Our constituents, who are very often in low-paid, part-time work, find themselves at the rough end of a contract that many of us would never sign up to in jobs in our everyday lives. How different the decisions made by this Government would be if Government Members were put on payment-by-results contracts.

It is hard to believe that this Government continue to cut HMRC jobs in Dundee and right across Scotland, while at the same time privatising and outsourcing

contracts. HMRC departments, which are already understaffed, have been left to pick up the pieces and have spent months restoring backlogs of claims and errors. It is time to end this madness.

Although Concentrix certainly has questions to answer, I believe that the disastrous implementation of the Concentrix contract by the Tory Government has implications that go far beyond that specific company. This Government have created a system designed to place the burden of their failing austerity agenda firmly on the shoulders of those most disadvantaged in our society. The contract with Concentrix has not been renewed, which is a step in the right direction, and it looks as though it will shortly be brought to a close, which is good news. However, the Government need to go further.

Alongside the ongoing investigation of the Concentrix contract by the Work and Pensions Committee, an inquiry has been initiated by the National Audit Office. I welcome these developments, albeit at a time when too many of my constituents have already suffered. I urge the Government to set up a public inquiry to examine the conditions under which Government Departments award public contracts to private sector providers. Such an inquiry would offer reassurance to members of the public who are weary of hearing disaster stories from the NHS, HMRC and the Department for Work and Pensions. Among the aspects that I believe deserve particular attention are how to devise contracts that ensure value for money and efficiency without allowing companies to profit by manipulating results and ignoring the well-being of people in our society; a clear statement of ethical principles to emphasise justice for individual citizens and parliamentary accountability; and representation of consumer and service user groups in decision making at all stages of formulating, awarding and monitoring contracts.

In the end, everyone in this House must remember that we are privileged to be here and serve the public. In that spirit, I urge this Government to re-examine all their contracts with private companies and ensure that dignity and respect, rather than profit and price, are at the heart of procurement.

2.56 pm

Maria Eagle (Garston and Halewood) (Lab): I want to set out the experience of some of my constituents with Concentrix and their tax credits. Having listened to colleagues around the House and from around the UK, I know that it is a familiar story.

Normally, my constituents have waited five to seven weeks before they come along and see me to try to get a problem sorted. We can then get it sorted, although I do still have eight Concentrix cases that have not been resolved. The Minister said that she was resolving them all very quickly, but that is not the case. It is four or five weeks since we took up many of these cases and they have not yet been resolved, so there are outstanding cases.

We saw a rapid increase in cases from August onwards. Before that we had a drip, drip, drip of cases that went wrong, but from August something happened—something at HMRC or something at Concentrix. It would be interesting to know what it was and who initiated it, because suddenly there was an influx of cases, all wrongly

decided and all coming in in a rush. The contract has been running since 2014, so what happened in August? We want to press the Minister to tell us what caused that sudden spike in cases.

All my constituents who have come to see me are single mums with children. They have mainly been accused of having an undisclosed partner. Some have been told that they did not have childcare costs that they had claimed. Occasionally they have been told that they do not have children, when they do. Most had simply had money stopped, without receiving any prior notification. They found out that there was a problem because there was no money in the bank. When they tried to get through on the telephone they could not do so, and then they received a letter that said, “You have an undisclosed partner”, but it did not say who that undisclosed partner was supposed to be.

The letter said, “Prove that you don’t have an undisclosed partner. Send us evidence to show that you don’t.” However, without knowing who the undisclosed partner is supposed to be, how can anyone do that? Worse, when my constituents have discovered who that undisclosed partner is meant to be, it turns out to be a previous tenant of their home whom they have never met and who left years ago, or a family member, who they never imagined would be construed as an undisclosed partner because they were related. What duff information is being used to make the lives of these people a misery? I have said it is duff once and I will say it again. If Concentrix turned down 80% of the cases sent to it because it decided that there was not an issue, what kind of information was it looking at for those 80%, given the kind it was looking at for the cases it decided to act on? It beggars belief.

In all these cases, my constituents were told to prove that they did not have a partner, but no name was given—in all the cases that have been resolved so far, the determination has been reversed and claims have been put back into payment—and that seems to me to be a complete reversal of any proper burden of proof. You prove that you do not have an undisclosed partner, Madam Deputy Speaker—not at this moment, Madam Deputy Speaker. That is what these people are being told, and it is not fair. They are already in financial difficulty, which is why they can get tax credits. They are usually living on the financial margins, working part time and in low-paid work. I have constituents who have had to take their children out of childcare and are in danger of losing their job because they have been told that they do not have children.

It is taking far too long to resolve these issues. The worry and stress is particularly difficult when dealing with an unreachable and harsh bureaucracy. That is what makes this experience particularly Kafkaesque. There are secondary impacts that go beyond getting these claims right, including severe debt problems, rent arrears and threats of eviction. There are bank charges, damaged credit histories and massive mobile phone bills. It is all very well saying that these cases have been put right, but what about those ongoing impacts? What can the Minister say about putting those right?

I think that there are cases where people ought to receive compensation. It is distressing enough to have this done without the ongoing financial problems that result from it. What about control of the data that HMRC is passing on, or that it will look at itself in

[*Maria Eagle*]

future? Why are those data so poor? How is it possible that previous tenants, including those who may no longer be alive, can be suggested as undisclosed partners? What kind of quality control is there for those data, because obviously it is not working?

It is wrong for the Government to incentivise maladministration in their contracts. That, in effect, is what has happened here. I think that my constituents who have suffered in these cases have been subjected to maladministration. If they are not properly compensated, I will suggest that they make a claim to the parliamentary ombudsman because of this maladministration. The Government could stop that happening by compensating them before they have to make any such claims.

The worst of it—I agree with my hon. Friend the Member for Stretford and Urmston (Kate Green) on this—is that this has been specifically targeted at a population largely made up of financially vulnerable single mums who are trying to do the right thing by going to work. They are excessively impacted upon by this kind of behaviour by bureaucracies that they cannot even begin to reach. I think that it is incumbent on the Government now to compensate and apologise to those people and ensure that the information they use in future is not so poor.

3.3 pm

Louise Haigh (Sheffield, Heeley) (Lab): We are extremely hopeful that this sorry state of affairs marks the beginning of the end of payment by results in our welfare system. It has no place there, it creates perverse outcomes, and it has ruined the lives of thousands of people. Our social security system should be there to support people in their time of need, not to allow unaccountable conglomerates to make easy money chasing the voiceless and the vulnerable. Now is the time to draw a line under the grotesque profit model in our welfare system, because that model has failed: it has failed the individuals it was set up to help; it has failed employees; and it has failed the taxpayer.

All of us have horrific stories of individuals who have fallen foul of Concentrix. In my constituent's case, her tax credits were cancelled while she was in a coma. Rather than answering for these failures, which lie squarely at the Government's door, Ministers have preferred to throw this hapless contractor under the bus. However, as one senior Concentrix employee wrote to me:

"Every single action we took was directly informed by HMRC and was compliant in full with their guidance... there will be no investigation because there are paper trails after paper trails showing that we have only ever followed client instructions on amending claims."

I was pleased to hear today that that is no longer the case and that there will be an investigation, because from start to finish this has been a mess entirely of the Government's own making, and one for which they have not yet answered.

The company that conducted the trial that preceded Concentrix, Transactis, incorrectly removed entire awards regardless of evidence provided to the contrary. Despite the alarm bells that should have been ringing loud and clear in their ears, Ministers decided to push on. It was the beginning of a pattern that is now all too familiar.

Ministers have still not answered for structuring a contract that put maximising revenue at its heart in attempting to assess error and fraud—not accuracy, not meeting quality service standards, and certainly not customer service, but making as much money as possible off the backs of the vulnerable. Ministers have not answered for the measures they included in the contract to maximise revenue. HMRC "profiled"—that is the Government's own word—1.4 million vulnerable individuals and then unleashed Concentrix to carry out its dirty work.

We do not know—they will not tell me, despite repeated requests—what indicators the Government used to establish which groups to target. Given what we have heard today, it is clear who was in that demographic: single mothers with children. It is some measure of justice that it was women like that—thousands of them across the country—who brought this contract crashing down with their articulate, brilliant campaign.

That is not the only issue with the contract, because the process also turned the burden of proof on its head. HMRC was asking tax credit claimants to prove that their claim had not been made in error. They were asking people to prove a negative, as my hon. Friend the Member for Garston and Halewood (Maria Eagle) explained so eloquently. The Tax Credits Act 2002 clearly states that HMRC can amend or terminate tax credit awards only if it has significant grounds for believing that they are erroneous. It does not allow them to shift the burden of proof on to the claimant to disprove that a tax credit award has been made erroneously. That led one young mother to say to me, in tears, that she felt that she was being "treated like a criminal" and that Concentrix was treating her as "guilty until proven innocent." One mistake like that would have been unacceptable, but 11,000 people had to apply for mandatory reconsideration in the past year alone. That cannot simply be passed off as a mistake; it was the deliberate design of the contract itself.

HMRC employed a contractor with just 500 staff to target over 2 million people. That meant the company's pressured, poorly trained and low-paid staff were being instructed to open dozens of highly sensitive cases every day, leaving the phone lines permanently engaged, as we have heard. Concentrix staff have told me that the call volumes were such that the company would have needed to triple its staff in order to answer the phones.

Astonishingly, despite the failure of the trial, despite the highly sensitive nature of the contract, and despite the sheer volume of individuals a completely untested private sector provider had been designated to pursue, we now know that the Government did not actually monitor the performance for the first year of the contract. HMRC had no idea how many performance failures the contractor was incurring. Once it started monitoring that, it soon found out: over 120 breaches in the space of just nine months; and 13 black performance failures. Ironically, HMRC is up for an award this year for analysis and use of evidence. I very much hope that this is not viewed as best practice across Whitehall.

Christian Matheson (City of Chester) (Lab): Does my hon. Friend share my concern that the chaos she is outlining will end up costing the taxpayer a whole lot more than any money that was saved in the first place?

Louise Haigh: That is a major concern, not least because HMRC has now had to allocate hundreds more staff to deal with the backlog that Concentrix caused, because this was failure on a monumental scale from start to finish. It seems that Ministers did not pay the blindest bit of notice until the scandal reached the media, because we now know that HMRC was about to renew the contract before the scandal hit.

The Government have traded on welfare as a dirty word, and now they are seeing the despicable consequences of their political attacks: single parents and families who have done nothing wrong being ruthlessly pursued by an unaccountable US firm for profit. Could this contract have been drawn up had the Government not fuelled a contemptible narrative about those on low pay and those who rely on tax credits to get by?

We welcome the fact that the National Audit Office will be investigating the drawing-up of this contract. Can we be assured that that will include the management of the contract and the profiling assumptions underpinning it? Will the NAO release any impact assessment that must have accompanied the contract? Will the Minister assure us that any compensation awarded will not be counted towards tax credit awards?

Kevin Foster: Does the hon. Lady agree that the National Audit Office is independent and works for this Parliament, not for the Government? Therefore, the NAO would structure how it conducted its inquiry, not necessarily a Minister. That is the core of what we want: somebody independent who will get to the nub of this and present evidence to this Parliament, not necessarily the Government.

Louise Haigh: I completely agree, and it is vital that this is an independent review, because, as we have heard on both sides of the debate, these problems originate from the Government themselves. However, we need to know that this information will be published, and if the NAO does not do that, we would call on the Minister to publish it alongside this inquiry.

Above all else, if the Government's rhetoric is worth a penny, they will surely pledge to call time on contracts such as this, which target innocent single parents and families, and encourage the private sector to profit from them. That has no place in our welfare system.

3.11 pm

Chris Elmore (Ogmore) (Lab/Co-op): Like many Members on both sides of the House, I have been inundated by constituents since the official Opposition—particularly my hon. Friend the Member for Sheffield, Heeley (Louise Haigh)—exposed the disgrace of what Concentrix has been doing.

One concern for me is that this seems to be a deliberate attack specifically on women—often innocent single mothers—and that is completely unacceptable. One case that was brought to my attention in my constituency involved a single mother living in a property with four flats. She was told on three separate occasions that she was living with each of the other tenants. She was then told that she was living with another tenant in the next block. Unsurprisingly, my constituent found it rather difficult to prove that she was not living with these people, particularly when she did not know the other people living in the other flats. That is not uncommon when someone is living in supported housing and focusing

on bringing up their children, which is what we would think would be the whole point of a tax credit, allowing these women to work.

The key thing to remember is that none of us who have been helping constituents impacted by this travesty has any idea how many others in our communities have been affected but have not reached out to us, as Members of Parliament. It is important to recognise that, in contrast to how the Government may view people in receipt of tax credits, the vast majority are hard working and proud, with many affected by Concentrix having suffered in silence.

Ultimately, there are two forces to blame for the scandal: Concentrix and the Government. The actions of Concentrix can be labelled only as atrocious, yet, last month, when it learned that it would no longer have the contract renewed, its response was that it came “as a significant shock”. We can only conclude, therefore, that it saw little wrong with what it was doing.

The Government are, however, ultimately to blame. We should, of course, hold Concentrix to account for what it has done, but we should recognise that the true fault lies with the Government. Concentrix acted in a way that, because of the Government contract, was based on a payment-by-results model. The Government agreed to a deal with Concentrix under which they would pay more and more depending on how many people's tax credits were removed, so it is no wonder that Concentrix acted so inappropriately.

If the issue surrounding Concentrix was isolated, the Government might have been able to claim that this was an honest mistake. The reality is, though, that the horror stories we are hearing today are indicative of this Government. Along with the bedroom tax, ruthless benefit sanctions and a handful of other policies, the hiring of Concentrix is yet another action by this Government that has led to record numbers of people being reliant on food banks. In Pencoed, in my constituency, a food bank will be opened at the end of this month. Ultimately, the blame for there being such demand lies with the Government.

The Government have shown yet again that they treat people in receipt of social security as a resource they can harvest money from, with no concern for the consequences of their actions. They have shown that they are happy to see more and more people reliant on food banks if that will save them just a few thousand pounds.

Although we may have a new Prime Minister, the attitude towards people in receipt of social security remains the same. As yet another food bank opens in my constituency, and yet another scandal passes, I hope the Government will learn from their mistakes, as I hoped they would learn from their previous errors time and time again. I am afraid to say, though, that I do not hold out much hope.

3.15 pm

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): This has, indeed, been a very passionate debate. I would like to take this opportunity—I am sure I speak for all Members on both sides of the House—to thank our staff members in our constituency offices who have had to deal with people who have been at the very end of their tether. Many have had no training and have met

[*Ms Tasmina Ahmed-Sheikh*]

people in the most dire circumstances. I would like to place on record our thanks to all the staff of all Members on both sides of the House.

As we know, tax credits are a vital financial lifeline for many families who are struggling to get by on low wages. They allow single mothers and fathers the dignity of work, by ensuring that their income is enough to pay for rent and food and for heat for their homes. Without these payments, families have been plunged into immediate poverty, with all the financial and emotional stress that comes with coping with such a situation.

Despite many parliamentary questions and two debates, we are still no closer to finding out the facts or achieving a proper settlement to this sorry situation. At the same time, families know that their situation was entirely caused by the mistakes of others and as a direct result of faulty administrative processes and procedures, all of which must be fixed. Compensation must be paid.

I would like to refer to a particular case study. A constituent in Alloa was referred to my office just yesterday by the citizens advice bureau. Seven weeks ago, she had her money stopped without warning. She was accused of living with three different partners at the same address at the same time. Advised by Concentrix that she had been sent a letter in May—a letter she said she did not receive—she was then told the evidence she was required to submit. She submitted what she could: two bank statements and a council tax statement. She was told that that was not enough. She could not afford, however, to provide the bank statements requested, as they cost £5 per statement.

The realistic timeline for Concentrix cases needs to be known. Despite the assurances I was given by the Financial Secretary on 14 September, it is still taking around eight weeks from the submission of evidence by those falsely accused by Concentrix for payments to be reinstated. That is two months without vital payments—payments that are stopped without warning and with no good cause.

On the phone yesterday, HMRC advised my office that the burden of proof remains on the individuals accused of claiming tax credits incorrectly, not on the accuser. That is contrary to the laws of natural justice and contrary to the view of the upper tribunal, which has already considered similar issues.

For the Minister's benefit, I would like to set out a timeline for an individual who is accused. On day one, their money is stopped. They call Concentrix to find out what has happened, and they are advised of what action is needed. It can take days to get an answer. On day two, they start to collate the evidence required. HMRC stated to my staff yesterday that it required the following evidence to establish innocence after making these accusations: bank statements for a period often up to a year; mortgage proof or a rental agreement; a court or solicitor's letter providing detail of legal separation documents; Child Maintenance Service documents; evidence from the Department for Work and Pensions or Jobcentre Plus to show the benefits claimed, if applicable; car insurance documents; home insurance documents; detailed explanation of the person's relationship status with the person they are accused of being in a relationship with—in this case, it is three people, two of whom my constituent does not even know; and a letter from the landlord to confirm who lives at the property.

That takes us to day six, when the person sends that evidence to HMRC, if they can afford to bring it together. On day seven, the evidence arrives at the HMRC and Concentrix offices. On day 28, HMRC begins to look at the case. People in previous cases have told us that it would take two to three weeks before the evidence could be looked at, due to a backlog in processing cases. On day 56, the evidence is processed by HMRC. Once the evidence pack is opened by HMRC staff, it takes 15 to 20 days to process. On day 60, there is a positive result—if the person gets a result—as money will be paid to them within four days. That is eight weeks' processing between the submission of documents and payments being reinstated.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): In the intervening period, many of the individuals affected have experienced grave mental health issues. I am aware of at least two cases where people have gone on to self-harm as a result of the stress endured. Does my hon. Friend agree that the targeting of the most vulnerable is not something that should be happening under Government contracts?

Ms Ahmed-Sheikh: My hon. Friend makes a very good point. She has huge experience in the area of mental health. I am sure it is a matter of great concern and disturbance to us all to hear that people are resorting to self-harm.

My constituent continues to wait, as HMRC refuses to act until it has received a year's worth of bank statements that she cannot afford to provide. HMRC did not inform her of the hardship payment. Will the Minister advise us on the guidelines with which HMRC is working in relation to the hardship payment? Is it not offered in all circumstances? Are not all people in positions of hardship once they have had these payments stopped?

In order to support those affected, we must immediately take a number of actions to remove the financial barriers to justice for these victims, and I ask the Minister to consider committing to these today. HMRC should immediately provide a freephone line for victims to use. As things stand, if someone wants to ask a question or appeal a decision, it is up to them to phone the call centre, and that can cost 10p a minute. Some callers have had to wait for hours, as confirmed in many speeches. Over and above this, HMRC should now act to provide a free call-back service for tax credit inquiries. HMRC should also meet the full cost of sending people all documents with postage-paid envelopes so that they can send back the information that is required on the basis of incorrect decisions that have been made on their part. Those changes are achievable, deliverable and fair, and should be implemented without delay. That is the right thing to do in these circumstances.

When this exercise is complete and people have the opportunity to access justice, at no cost to themselves—neither should there be—we can then move our attention on to securing full, fair and proper compensation for all victims, some of whom have lost their jobs and homes as a result of this fiasco.

3.22 pm

Ronnie Cowan (Inverclyde) (SNP): I am grateful for the opportunity to speak in this debate. Like other Members, my constituency casework is full of examples

of the mismanagement of the tax credits contract. I thank my constituency team back up the road—Iain, Colin, Jenn and Louise—who have dealt with a large volume of cases, always with great sensitivity and professionalism.

Over a long period, Her Majesty's Government have created a system that they charge Her Majesty's Revenue and Customs to administer. HMRC outsources the process but not its responsibility, and this time its chosen enforcer was Concentrix. However, it is unfair to lay all the blame at the door of Concentrix staff, or, indeed, HMRC staff. The current welfare system, as designed, is flawed—seriously flawed—and while we continue to support it, the blame is ours. Far from enabling people and giving them the financial security to build their own lives, the welfare system has made life more complicated for those who need support.

Dealing with poverty is an ongoing struggle in constituencies such as mine, where deep-rooted inequality continues to stifle ambition and opportunity. Yet, as with so many other policies, my constituents are once again disproportionately affected by the UK Government's inadequacies. We have heard excellent contributions from Members who outlined specific examples of how the tax credit contract has been so appallingly mismanaged. However, the saddest indictment of UK Government welfare and tax policy is that there are still so many people in desperate need of tax credits in the first place.

Concentrix is clearly not blameless in this situation; its faults and mistakes are well documented. However, while the UK Government may solve the problems inherent in this contract by bringing it back in-house, we are still left with the wider problem of Government services being delivered by private companies. Private companies should never be in the position of delivering vital public services. Citizens and Governments should have a direct relationship with each other. Taxpayers contribute directly to the Government, but when the money is going in the other direction, it should not be filtered through a private company before it gets to the individual.

Mr Jim Cunningham (Coventry South) (Lab): I agree that these human issues are far too sensitive for private companies to be profiting from them. Interestingly, when I first raised this in January with the Leader of the House in asking for a debate or a statement, I was told, "Just send me information about the problem with a case." Why did it take eight or nine months and the involvement of the BBC to finally get a Minister to the Dispatch Box to do something about this?

Ronnie Cowan: The hon. Gentleman makes his point very eloquently.

Companies bid for UK Government contracts not on the basis of how they can deliver a fairer and more equal society, but of how they can save money for the Government. Companies are incentivised to deliver these results, and ultimately their first loyalty is to owners and shareholders. By off-loading services to private companies, the UK Government and HMRC are trying to absolve themselves of responsibility when there is a problem. We have seen these problems appear time and time again. G4S, Atos and Concentrix are not names that inspire public confidence in the delivery of high-quality public services. How many more disasters is it going to take before the UK Government realise that corporations should not be delivering public services? My constituents

have no interest in Government reviews, PR exercises or ministerial statements about the issue—all they want is to be paid what they are due, on time, without the risk of its being arbitrarily removed.

The existing welfare system needs to be ripped down and replaced with something suitable for the 21st century. A couple of weeks ago, we had a debate in Westminster Hall about a universal basic income. There is support across parties for a serious investigation into this. We should stop treating the symptom and start treating the entire patient. Maybe, just maybe, the time for a universal basic income has come.

3.26 pm

Peter Dowd (Bootle) (Lab): I am glad to follow the hon. Member for Inverclyde (Ronnie Cowan).

We have heard many interventions and speeches. The hon. Member for Paisley and Renfrewshire South (Mhairi Black) talked about a fishing expedition on the part of Concentrix. She enlightened us about the real Casanova of Scotland, R. S. McColl—I thank her for that—but more importantly, the cataclysmic effect of this flawed process. The hon. Member for Torbay (Kevin Foster), in a thoughtful contribution, gave us the experiences of his constituents and welcomed the Government's actions in relation to the renewal of the contract.

My hon. Friend the Member for Stretford and Urmston (Kate Green) focused on the policy design that has led to single women, in particular, being affected or targeted, talking about the effects on their children and setting out a series of questions that went to the heart of the matter. The hon. Member for Gloucester (Richard Graham) discussed the relative value and efficiency of the contractor's services, the role of HMRC, and the role of incentives in contracts of this nature. The hon. Member for Ayr, Carrick and Cumnock (Corri Wilson) talked about a conflict of interest and the bad practice of Concentrix. My hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) spoke of a series of constituents, usually single mothers, who have been distressed by the process, citing a catalogue of errors, and the need to fast-track these people's benefits. My hon. Friend the Member for Merthyr Tydfil and Rhymney (Gerald Jones) talked about the hardship caused to his constituents and the common factors in the contractor's lack of understanding and of compromise.

The hon. Member for Foyle (Mark Durkan) welcomed the personal intervention of the Financial Secretary, but questioned HMRC's role in the process and spoke of the need for a change in its culture. The hon. Member for Dundee West (Chris Law) gave a number of examples of how people are being pushed into poverty. My hon. Friend the Member for Garston and Halewood (Maria Eagle) mentioned the influx of cases in August and asked what had caused that spike. She also talked about phantom tenants, the unreachable, and the harsh and inaccessible bureaucracy.

My hon. Friend the Member for Sheffield, Heeley (Louise Haigh) said that we want a system that supports people, not conglomerates, and a Government who will ensure that people, not corporates, are at the top of the agenda. My hon. Friend the Member for Ogmorie (Chris Elmore) talked about the effect on single mothers, but also asked the key question of how many others have been affected, have not been able to reach out to their MPs and have suffered in silence.

[Peter Dowd]

The hon. Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) suggested providing support for free communication with HMRC, and the hon. Member for Inverclyde said that the responsibility lies with the Government and that the citizen's relationship should be with the state, not individual contractors.

I welcome the Minister's mea culpa, but it does not go far enough. In last week's Westminster Hall debate, I said that I, like other hon. Members, had been contacted by distressed constituents who had had their child tax credits stopped, with scant attention paid to due process. In effect, the plenipotentiary powers given by the Government to Concentrix to act as it saw fit to punish and penalise tax credit claimants were used with an alacrity bordering on the enthusiastic and manic. It has come to something when it is difficult to put a cigarette paper between the question of who, out of the Government and Concentrix, has been the bigger of the two culprits, but, following the principle of, "Whoever pays the piper calls the tune," I opt for the Government.

As I said in last week's debate, it does not take a genius to work out that, if a company is paid on the basis of bonus or commission to find tax credit error and fraud, it will start with the easy targets. In pursuit of a business model approved by the Government, Concentrix pursued people, mainly working women, to provide information. It was nothing short of overbearing state intrusion into private lives, but it was done under the guise of reclaiming taxpayers' money from fraudsters and cheats, which is how many people felt that they were treated.

The plain fact, however, is that there was no evidence. In many cases, the victims of that intrusion were left penniless and had little capacity to fight back, as many Members have said. Meanwhile, the Savings (Government Contributions) Bill, which is currently in Committee, encourages people to save money. One agent of the Government administers the giving away of taxpayers' money while another takes money away, by diktat, from working women. What a topsy-turvy state of affairs.

The whole process was deeply flawed and, as has been said, operated on the presumption that people were guilty until proven innocent. Apparently, a claimant would be sent a letter by Concentrix indicating that they were not meeting the standards for a child tax credit claim, and requiring them to provide evidence of their occupancy arrangement. Some attempted to call Concentrix, only to find that the number was engaged, but if the company did not hear from the claimant, their tax credits were stopped summarily.

I do not know whether Ministers were consulted on, or asked to sign off, that process. I asked that question last week, but did not receive an answer, so I ask them to enlighten us. Even Atos did not have the power to withdraw benefits. Concentrix was given carte blanche to do so, in a licensed way, by the Government, who were in the throes of renewing the contract for a job well done, which is remarkable. Did Ministers ask why Concentrix had so many savings on its books, and did they listen to the complaints of many of our constituents at an earlier stage?

Last week, the Economic Secretary claimed, very creatively, that it was the Government who stepped in to get things back on track when they realised that the service being provided by Concentrix was not good

enough. That rewriting of history would be risible if the matter was not so serious for thousands of mothers all over the country. In reality, it was the Opposition who originally asked the National Audit Office to investigate, and we pushed for oversight and demanded action for the thousands of families who have still not received payments from Concentrix. The Government took action only under duress and pressure from the Opposition and the national media.

Kevin Foster: Does the shadow Minister agree that, given earlier comments, it is important that the National Audit Office leads the investigation into what happened, because it is independent and answers, ultimately, to this House, not to the Government?

Peter Dowd: That is a statement of the situation as it is. The key thing is that we need an independent investigation to get to the bottom of this.

The Government have said that the contract will not be renewed beyond the end of May 2017, but that still leaves us seven months. I am pleased that staff have been brought into HMRC, and I would like to know what measures the Government are putting in place to ensure that there is total oversight of Concentrix throughout the period and to make sure that nothing else goes wrong. When all is said and done, this is a question of the performance management of a government contractor, and a clear lack of oversight by the Government.

I deduced from the Economic Secretary's inadequate response to the Westminster Hall debate last week that HMRC handed over third-party data to Concentrix and left the company to it. There was no oversight and, in the Minister's own words:

"Concentrix...then chose who to pursue from those data."—
[*Official Report*, 18 October 2016; Vol. 615, c. 261WH.]

The Government have given Concentrix a free hand to intimidate and falsely accuse hard-working mothers of fraud. The Opposition want to know who signed off that decision and why there was no accountability. The Government have announced a £100 hardship payment for those affected, but no amount of money can make up for the struggles that those women faced after their tax credits were wrongly stopped, and we need an apology. As many other Members have done, I ask the Government to give that apology.

Concentrix will have the contract for a few more months, but it does not seem to have suffered any sort of penalty for its actions. We would like to know what is happening in that regard. Can we have a precise figure for how many decisions Concentrix got wrong? In how many instances was payment reduced because Concentrix failed to meet its performance standards? Perhaps the Government's refusal to answer such questions and release the relevant information is because even with deductions for poor performance, Concentrix has still made huge profits on the backs of desperate and vulnerable people. We need answers to these questions. Perhaps an independent investigation—maybe by the NAO—will give us those answers, but whoever gives them to us, we need them as soon as possible.

3.37 pm

The Economic Secretary to the Treasury (Simon Kirby): This has been a thoughtful debate. I thank all hon. Members for their contributions and efforts to support

their constituents. It is right and appropriate that I thank MPs' staff, who have worked hard to help constituents with their tax credit claims.

It is clear—there is no doubt—that mistakes were made in HMRC's partnership with Concentrix. As my hon. Friend the Financial Secretary to the Treasury said, it is right that we take action to stop errors and fraud in the tax credit system. That was why HMRC entered into a contract with Concentrix to support that action, which—let us be clear about this—delivered millions of pounds of savings and achieved close to the lowest level of fraud and error in the tax credit system since it began.

I reiterate that this is all about people. It is about making sure that the most vulnerable people are paid appropriately and that errors are not made. It is often very difficult for the most vulnerable people to deal with overpayments.

Maria Eagle: Given the poor quality of some of the information that Concentrix has used—information about tenants, previous tenants, people who are dead and people who live in the same block but not in the same house—how can the Minister justify putting our constituents through the pain of having their payments stopped on such very poor information?

Simon Kirby: I will cover that matter later, but there are clearly lessons for all of us to learn.

Kevin Foster: Given the number of people affected, what work will the Government—the Treasury, working with HMRC—carry out to help local advice centres that, like Members of Parliament, may be approached by people for advice about what to do if they receive such letters?

Simon Kirby: I will certainly ask HMRC to look into that. The important point is that this is about helping people. It is easy to stand in the Chamber citing figures and trying to pretend that something is not what it is. This is about making sure that the most vulnerable people get the money that they deserve, and about clearing the backlog as quickly as possible.

This issue is about customer service. Everyone has a right to expect a good level of customer service. There is no doubt that the customer service provided in recent times was simply not good enough and not up to the standard clearly specified in the contract. As a result of that poor performance, a great deal of worry and distress has been caused to the often vulnerable people who claim this benefit. We heard lots of very good examples of that today. I do not think that any MP is in any doubt that vulnerable people have suffered worry and distress. I advise anyone who has been adversely affected to get in touch with HMRC, which will take all complaints seriously and provide compensation where appropriate.

I move on to specific issues that hon. Members raised. The hon. Member for Paisley and Renfrewshire South (Mhairi Black) suggested that Concentrix targeted people at random and engaged in fishing expeditions, which the hon. Member for Bootle (Peter Dowd) also mentioned. That was not the case—Concentrix was not allowed to engage in fishing expeditions. It is important to note that when information was incomplete or suggested

that something was wrong, customers were asked to provide further information to enable an informed decision to be reached.

Maria Eagle: Would this be an opportunity for the Minister to tell the House why the information used was so very poor?

Simon Kirby: Some of the information used was very poor—some of it applied to people who no longer lived at the address—but, at the end of the day, the review will provide lessons for us all to learn.

The hon. Member for Paisley and Renfrewshire South said that the evidence was flimsy. HMRC sent Concentrix cases to review if it thought that they were worth checking because there was an indication that the tax credits claim might be incorrect. Concentrix and HMRC will never be able to screen out all cases that do not involve error or fraud through data analytics alone. That is why—this point is important—HMRC and Concentrix write to customers to ask for more evidence to inform decisions.

The hon. Lady asked for an apology. At a sitting of the Work and Pensions Committee on 13 October, the chief executive of HMRC apologised for the worry and distress caused to claimants. On behalf of the Government, I echo that apology today.

The hon. Member for Stretford and Urmston (Kate Green) said that she thought that the letters were unconvincing and misleading. This is an area in which there are lessons to be learned. It was said that customers could not provide the evidence requested. Most people were able to provide the information asked for, but we want to make it easier and cheaper to supply information in the future, so we are looking at ways of improving the customer journey on tax credits.

Louise Haigh: Will the Minister give way?

Simon Kirby: I will keep going, if I may.

The hon. Member for Stretford and Urmston also asked whether the contract unfairly discriminated against women. It is important to note that as of April 2016, 88% of single claims were made by women, and 80% of single claims sent to Concentrix to check with regard to high-risk renewal were from women. I recognise this—

Kate Green: Will the Minister give way?

Simon Kirby: I will not—I have to respond to a lot of people.

I recognise that sensitivity is needed on tax credit claims and that claimants should be treated with dignity and respect. The hon. Lady also asked about penalties. The figures that will and have been deducted from payments, and the detailed calculations, cannot be disclosed at this point as they are commercially sensitive, but the amounts will be fair and appropriate.

The hon. Member for Salford and Eccles (Rebecca Long Bailey) said that Concentrix was getting a rap on the knuckles. I point out that it is actually losing the contract.

My hon. Friends the Members for Torbay (Kevin Foster) and for Gloucester (Richard Graham) made particularly thoughtful and considered contributions. They have obviously given the matter great thought.

[Simon Kirby]

The hon. Member for Ayr, Carrick and Cumnock (Corri Wilson) asked whether the contract was ended only because of poor call handling. That was not the case. The poor call handling had an impact on customers and resulted directly in tax credits being stopped. She also mentioned the downsizing of HMRC. An extra £800 million has been announced for HMRC. Using a private company in this way offered a cost-effective method of reaching a large number of people.

The hon. Member for Cardiff South and Penarth (Stephen Doughty) asked whether this situation spelled the end for outsourcing. This is about cutting down on errors and some fraud, but HMRC will evaluate each case on its merits to deliver value for money for the taxpayer. It is fair to say that the lessons learned from this situation will help to inform future contracts.

Louise Haigh: That is the central point. As my hon. Friend the Member for Garston and Halewood (Maria Eagle) said, the information was duff, and was acted on incorrectly, because the contract was designed to incentivise Concentrix through profit to incorrectly target people and strip them of their tax credits. Will the Minister commit to reviewing payment by results across our welfare system?

Simon Kirby: I will not commit to that. The hon. Lady's points will be picked up by the NAO. Not all the information was duff, but there are clearly lessons to learn from the exercise.

The hon. Member for Foyle (Mark Durkan) talked about the 30-day cut-off. Tax credit regulations require a claimant to be given a minimum of 30 days to respond to a request for information. The hon. Member for Dundee West (Chris Law) mentioned training. I assure him that Concentrix staff are trained in the same way as HMRC staff.

The hon. Member for Garston and Halewood (Maria Eagle) asked about unresolved cases. I am not sure whether the Financial Secretary was in the Chamber to hear that, but if the hon. Lady writes to my hon. Friend, she will, I am sure, do her very best to help to resolve those cases. The hon. Lady also asked about the significance of August. August was a particularly busy time.

Mark Durkan: The Financial Secretary told me in a written answer yesterday that between 1 August and 31 August, HMRC automatically stopped 365,483 tax credits—in just that one month—as a direct result of customers failing to comply with the requirements of

the annual renewal process. How many stoppages were made by Concentrix and how many were made directly by HMRC itself?

Simon Kirby: I am happy to commit to look carefully at that matter and to get back to the hon. Gentleman.

I clarify that hardship payments are effectively tax credits brought forward. Compensation, however, is not offset against tax credits and is a separate payment. That is an important distinction to make.

The hon. Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) mentioned the timeline. It is important to understand the timeline, and she makes valuable points about how we can ease the customer journey and introduce new measures. That is work in progress, and I do not think there is a lot of disagreement about some of her more sensible suggestions.

In response to the hon. Member for Bootle, I would say that a lot of issues have been raised in the debate. They will be looked at very carefully by the National Audit Office. We are giving careful consideration to the balance of the contract with Concentrix to make sure that nothing else goes wrong. This is about making sure that the most vulnerable people who need help get it, and that we move forward and learn from the exercise.

Although we recognise that the service provided was simply not good enough, it was right to review people's claims for tax credits. That must go hand in hand with quality customer service that minimises distress and disruption to the people involved. Concentrix fell short of providing that standard of service in recent times, and, as a result, a large number of people were caused undue distress and worry. We have taken immediate action to restore a fast, fair and efficient service to anyone claiming tax credits. We will take further action in the days and months ahead. We will look at what went wrong, and at the NAO report, and learn from those lessons. We want to ensure that we provide the kind of quality tax and benefits service that the British public deserve.

Question put and agreed to.

Resolved,

That this House notes that Concentrix has not fully met the performance standards set out in its contract with the HM Revenue and Customs to correct tax credit claims, and welcomes the announcement that the services performed by Concentrix will be brought back in-house to HMRC next year; and calls on the Government to conduct a comprehensive investigation into the performance of Concentrix under its contract with HMRC, which includes a consideration of the potential effect on other HMRC services, take urgent action to compensate people who have erroneously had tax credits withdrawn by the company, and in doing so mitigate any adverse effect or reduction in service for claimants.

Yemen

Mr Deputy Speaker (Mr Lindsay Hoyle): I inform the House that I have selected amendment c tabled in the name of the Prime Minister.

3.53 pm

Emily Thornberry (Islington South and Finsbury) (Lab): I beg to move,

That this House supports efforts to bring about a cessation of hostilities and provide humanitarian relief in Yemen, and notes that the country is now on the brink of famine; condemns the reported bombings of civilian areas that have exacerbated this crisis; believes that a full independent UN-led investigation must be established into alleged violations of international humanitarian law in the conflict in Yemen; and calls on the Government to suspend its support for the Saudi Arabia-led coalition forces in Yemen until it has been determined whether they have been responsible for any such violations.

When we discussed Yemen in this House last week, we did so in the hope that the 72-hour ceasefire negotiated by the UN envoy to Yemen, Ismail Ahmed, could lead to a lasting cessation of hostilities from all sides and desperately needed access for humanitarian aid. These hopes, unfortunately, were dashed almost immediately. Regardless of who was first responsible for breaking the ceasefire, it is the ordinary civilians of Yemen who will pay the price. It is distressing to learn that on top of all the other threats they face from air strikes, cluster bombs, acute malnutrition and the risk of famine, the Yemeni population now face an epidemic of cholera. I believe that, wherever any Member stands on the justification for this conflict, on the UN mandate for the Saudi-led military action and on the threat to regional stability caused by the Houthi uprising, the lives of tens of thousands, if not hundreds of thousands, of children are directly at risk if this conflict carries on in its present form—and none of us can tolerate that.

Keith Vaz (Leicester East) (Lab): My hon. Friend is right that the ceasefire was critical. The efforts of the Foreign Secretary, John Kerry and the Saudi Foreign Minister as well as the special envoy were vital to ensuring that we had that ceasefire. Does she agree with me that the involvement of the British Government and the American Government is crucial to ensure that we get a permanent ceasefire?

Emily Thornberry: I applaud my right hon. Friend's commitment on this issue. I know that he was born in Yemen and that he feels very strongly about it. His approach is, of course, absolutely right: the British and the Americans have a very important influence, although most important of all is the fact that we support the efforts of the United Nations.

Toby Perkins (Chesterfield) (Lab): Will my hon. Friend give way?

Emily Thornberry: Let me make a little progress, and then I will give way.

Let me make it clear that this debate and today's motion are not about the causes of the conflict or whether it is justified. Today's debate is about the grave concerns that many Members of all parties share about the way in which the conflict is being conducted and whether those concerns are being taken seriously.

Toby Perkins: My hon. Friend has moved on from the point I wanted to raise, but I thank her for giving way. She said that whatever people think about the origins of the conflict, we can debate how terrible the situation is for Yemenis on the ground, and I agree entirely. Is there any debate, however, about the origins of the conflict or the UN Security Council resolution? I thought that we were pretty much agreed across the House that we should support that resolution.

Emily Thornberry: Of course no one is saying at this stage that we should not support the UN resolution. However, further action needs to be taken in respect of the conflict. For example, it has been suggested that the UN resolution of 30 September has already mandated UN experts to work alongside the joint incidents assessment team—perhaps my hon. Friend is referring to that.

The difficulty is that if we look at the history, we find that in August the Office of the UN Commissioner on Human Rights

“called on the international community to establish an international independent body to carry out comprehensive investigations in Yemen”,

which is exactly what we are calling for today. When the compromise resolution was agreed on 30 September, the Commissioner's Office said that it was disappointed at the outcome, stating:

“We did not have any say in the final text.”

If that resolution was not what the Commissioner's Office wanted, I do not think that we should be satisfied with it either.

Mr Kevan Jones (North Durham) (Lab): I am not sure whether my hon. Friend has received, as many MPs have, a letter from the deputy speaker of the Yemeni Parliament, in which he says that the “demand for an independent UN-led investigation goes contrary to the United Nations Human Rights Council decision in September which called for the UN to support instead the Yemeni National Commission's investigation into civilian casualties in the conflict.” Would my hon. Friend like to comment?

Emily Thornberry: Yes, I would. I have seen the letter, and I think it is important to condemn any breaches on both sides. It is also important to note that the UN has stated that 60% of civilian deaths have been a result of actions by the coalition. In this debate, it is important for us to examine what it is that we are doing.

Mr Jones *rose*—

Emily Thornberry: I appreciate that many Members wish to speak, and I have already taken three interventions. I would like to make some progress before giving way again.

In view of all these grave concerns and dire consequences, the debate is about whether Britain should continue to support the Saudi forces leading one side of the conflict. The shadow Secretary of State for International Development, my hon. Friend the Member for Edmonton (Kate Osamor), will later address the humanitarian consequences in detail, but I want to focus on concerns about the way in which the conflict has been conducted and whether those concerns are being taken seriously by the Government or indeed properly investigated.

Last week, I said that there had been “thousands of airstrikes on civilian targets in Yemen”.

[Emily Thornberry]

In response, the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Bournemouth East (Mr Ellwood), said:

“There are not thousands...—that is to mislead the House”.—*[Official Report, 18 October 2016; Vol. 615, c. 667.]*

Let us look at the facts. In August, the United Nations High Commissioner for Human Rights published a report on the conflict in Yemen, which stated that between 1 July 2015 and 1 July 2016, 2,067 civilians had been killed in that conflict. On the basis of careful investigation of each incident, it said that 60% of those deaths—as I have said—had been caused by Saudi airstrikes. The report concluded—and this is important—

“In several of the...documented attacks, we have been unable to identify the presence of possible military objectives.”

In September, the independent Yemen data project went further. It examined more than 8,600 airstrikes that had been conducted between the start of the conflict and the end of August 2016, and found that 3,158 of them had struck civilian sites, while a further 1,882 had struck sites of undetermined use.

John Woodcock (Barrow and Furness) (Lab/Co-op): Will my hon. Friend give way?

Emily Thornberry: I must make some progress. I know that many other Members wish to speak.

John Woodcock: It is on that very point.

Emily Thornberry: I will give way later, but I will not do so now.

John Woodcock: It is really important.

Emily Thornberry: May I just catch up with myself?

All those airstrikes took place before the recent devastating strikes on a wedding party and a funeral hall. So when I say that there have been thousands of airstrikes against civilian targets and thousands of civilians killed, I am certainly not misleading the House, as was suggested by the Under-Secretary. I would respectfully suggest that perhaps someone is misleading him.

Crispin Blunt (Reigate) (Con): Will the hon. Lady give way?

Emily Thornberry: I will of course give way to the Chair of the Foreign Affairs Committee.

Crispin Blunt: The Yemen data project, which looked at the numbers, pointed out that the identification of the targets as civilian or otherwise referred to their original use. No further assessment was made of the time of the airstrike or the circumstances that led to it. We must try to be very careful with the use of data.

Emily Thornberry: I respectfully agree. Indeed, I think that that very good point supports the argument that we are advancing today about the need for an independent investigation, so that we can establish the facts rather than going on assumptions and presumptions. We must all be satisfied that whatever investigation takes place is independent and internationally recognised.

There is evidence of a further disturbing trend in the way in which the conflict is being conducted. According to Yemen expert and London School of Economics professor Martha Mundy, detailed examination of Government agriculture statistics has revealed hundreds of cases in which farms, livestock, water, infrastructure, food stores and markets were targeted by Saudi airstrikes. Her analysis suggests that the extent of the bombing in rural areas where there is little activity besides farming is clear evidence that Yemen's agriculture sector is being deliberately targeted. Some Members will doubtless argue that what was effectively a blockade imposed on Yemen in 2015 has helped to exacerbate the starvation crisis that we are seeing today, but Saudi Arabia did at least claim some UN mandate for that action. There is no UN mandate for the destruction of Yemen's agriculture sector, which, if it is indeed deliberate and targeted, represents a clear breach of the Geneva convention.

That brings me to the question of how alleged violations of international humanitarian law in Yemen are being investigated. In September, the House discussed the fact that the Government's position had changed from saying that, according to their assessment, there had been no violations of international humanitarian law to saying that they had made no such assessment, and that it was for the Saudi-led coalition to investigate any such incidents.

Brendan O'Hara (Argyll and Bute) (SNP): The Saudi Foreign Minister was recently reported as saying that, although they do not play a role in choosing the targets, United Kingdom military officials in Saudi Arabia have access to the list of those targets. If that is true, does the hon. Lady share my bewilderment about how the Government can claim not to have reached a conclusion in respect of the very serious breaches of international humanitarian law that are taking place in Yemen?

Emily Thornberry: I apologise to the hon. Gentleman. I heard only half his intervention, because there is a certain amount of noise coming from behind me. Perhaps I will take another intervention.

John Woodcock: It is so gracious of the shadow Secretary of State to give way. I welcome the fact that this subject is being raised in the House today and I agree with her calls for an independent investigation into this matter. The coalition is precisely focused on training Saudis to be better able to be in compliance with international humanitarian law so that our interventions, if effective, will create fewer civilian casualties. Can she explain why she has insisted, despite a number of us asking about this, keeping in the motion the fact that the UK should withdraw support for the coalition, making it very hard for many of us to vote for it?

Emily Thornberry: I take on board what my hon. Friend says, and I considered that in advance of this debate. I read something said by California Congressman Ted Lieu:

“When its repeated air strikes that have now killed children, doctors, newlyweds, patients, at some point you just have to say: Either Saudi Arabia is not listening to the United States or they just don't care,”

and I fear the same might be true for the advice we might be given.

A Pentagon spokesperson has said:

“Even as we assist the Saudis regarding their territorial integrity, it does not mean that we will refrain from expressing our concern about the war in Yemen and how it has been waged”.

I will talk later about why I believe there may be a particular reason why, although I hear what my hon. Friend says about advice that may be given in relation to some of the targeting, there may not be advice in relation to all of it, and if he has some patience he will get an answer to part of his question.

My concern is that we are therefore putting our faith entirely in the Saudis’ joint incidents assessment team to give us the truth on these alleged violations. I showed earlier that there had been thousands of documented airstrikes on civilian sites and thousands of civilians killed as a result, so we would expect JIAT at the very least to have published reports on hundreds of these incidents, but it has published just nine. That is less than 0.002% of all airstrikes documented by the Yemen data project up to the end of August.

And how credible are those reports? The United Nations protests that four World Food Programme trucks have been attacked; JIAT blames the officials in charge of the convoy. The UN protests that 73 civilians were killed and injured in a market in Sana’a; JIAT says there have been no direct attacks on civilians and no fault on the part of the coalition forces. The UN protests that another 106 civilians were killed in a market in Hajjah; JIAT disputes that there were civilians and finds no proof of fault. The UN protests that 47 civilians were killed and 58 injured at a wedding in Dhamar; JIAT says no such bombing took place.

In only two of the nine incidents it has reported on, and the thousands more it has not, has JIAT accepted there was any fault on behalf of the Saudi-led coalition: the bombing on a residential complex in July 2015 and the airstrike on the funeral hall in Sana’a this month.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Does my hon. Friend share my disappointment that, despite the frank admissions over the funeral bombing, when we have met representatives of the Saudi Government they have refused to even give a timetable for giving information on these investigations, let alone answers that might be satisfactory? Does she agree that they must come forward as soon as possible and that there should be an independent investigation?

Emily Thornberry: I was at the same meeting and heard the Saudi Foreign Minister telling us he was not able to give us a timetable on the investigation and I share my hon. Friend’s grave concern about that.

When asked at the weekend about the latter incident, the Under-Secretary, the hon. Member for Bournemouth East, called it “a deliberate error”, by which I believe he meant at least one individual within the coalition forces was able to deliberately unleash this terrible attack killing 140 civilians without the authorisation of the coalition command in Riyadh.

This raises major questions. Members on both sides of the House have spoken to experts on this conflict who say that there are essentially two coalition forces operating in Yemen. One is run from the capital and carries out pre-planned operations based on strong intelligence under the direction of the Americans and UK advisers. There is, however, another centre operating

out of southern Saudi Arabia, which carries out dynamic reactive operations, often based on sketchy evidence, often without thinking through the so-called collateral damage and inevitably often with significant civilian casualties. I hope that that answers the point that my hon. Friend the Member for Barrow and Furness (John Woodcock) has just raised.

If any coalition forces are acting in a reckless or indiscriminate manner in carrying out airstrikes on civilian areas, that would be a clear violation of international humanitarian law, and it should cause the whole House grave concern. The Minister’s explanation that the Sana’a funeral bombing was a deliberate error raises the prospect that there has also been intentional targeting of civilians by elements of the coalition forces, but he cannot tell us—because he does not know—how many of those thousands of airstrikes against civilian targets have also been deliberate errors.

That brings me to the crucial point of today’s motion: the need for a full independent UN-led investigation into all alleged violations of international humanitarian law in Yemen. There must be an investigation into all the thousands of attacks on civilian sites, not just nine of them, and into all the thousands of civilian deaths, not just a few hundred of them. We need to know whether Yemen’s agriculture sector has been deliberately targeted in breach of international humanitarian law. We need to know whether elements of the coalition air forces are routinely operating in a reckless and indiscriminate way. We need to know whether that deliberate error in Sana’a was a one-off or part of a more systemic problem. Finally, from a UK perspective, if there have been violations of international humanitarian law, we need to know whether UK-manufactured weapons and planes have been used to commit those violations. With all due respect to the individuals who make up Saudi’s JIAT, its output to date—whether in terms of volume, speed or content—gives no confidence that it can carry out this type of comprehensive investigation, let alone an independent one.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): I absolutely agree with my hon. Friend’s argument. In making the case for an independent UN-led investigation, will she make it clear that it should investigate alleged violations committed by both sides in this conflict?

Emily Thornberry: Absolutely. My hon. Friend is quite right to suggest that there have been violations on both sides. I stated that at the outset of my speech, and it is important to make that fact absolutely clear to the House. It is also important that when we are giving support to one of the sides, we should hold that fact up to the light of day.

Alex Salmond (Gordon) (SNP): The hon. Lady is making the case very well for an independent investigation, but given all that we know, and what she has outlined, would it not be right to suspend arms supplies to Saudi Arabia while that independent investigation takes place?

Emily Thornberry: I fully understand the right hon. Gentleman’s point, but let me turn that question round. At present, we are unclear—perhaps the Government will tell us definitively today—whether the weapons and planes sold to Saudi Arabia today will be used in Yemen tomorrow. Until we have an answer to that question, it is impossible for us to say what type of support we will

[Emily Thornberry]

be giving to the coalition. Should that support include the sale of arms that could be used in Yemen next month?

It is manifestly clear that we need a UN-led investigation. It is equally clear to me, and I hope to all Members, that until that investigation is concluded, it is right for the UK to suspend its active support of the coalition forces. That is partly a matter of our own moral protection, but, we should not be actively continuing to support those forces while their conduct of war is under investigation. It is partly about the pressure that such a decision—[*Interruption.*] If I can just finish this sentence, I will give way in a moment. It is partly about the pressure that such a decision would place on the coalition forces to avoid further civilian casualties, to engage constructively in peace talks and to allow full access for humanitarian relief.

Sir Gerald Howarth (Aldershot) (Con): I am most grateful to the shadow Foreign Secretary for giving way. Will she explain her proposal to the thousands of people across the country who support our allies in the region? Does it mean, for example, that she is in favour of suspending all spares for the aircraft operated by the United Arab Emirates, Saudi Arabia and the other members of the coalition? Does it mean that she wants to withdraw the advice given by skilled British employees that helps our Saudi friends? If that is what she means, she is doing great damage to the British national interest.

Emily Thornberry: The hon. Gentleman raises an important point. The question is about whether it is right at this stage, given the impact on our economy, for us to be suspending our support for Saudi Arabia. Given the amount of arms and planes that we sell, is it right for us to suspend arms sales to Saudi if that is part of the support that we are giving the coalition? We have always complied with international humanitarian law when selling arms to our allies. We have regulations about who we sell arms to and in what circumstances. The Foreign Secretary himself said that the test for continued arms sales

“is whether those weapons might be used in a commission of a serious breach of international humanitarian law.”

We have rules on arms exports and we must make sure that we abide by them. We are a proud country that does our utmost to abide by international law. The questions that we are raising today are important because if our support means supporting a coalition that is acting in contravention of international law, we must reconsider that support. That is the right position.

Mr Julian Brazier (Canterbury) (Con): I am grateful to the hon. Lady for giving way. I urge her to think for a moment about the impact that such a suspension would have on our credibility as an ally in this dangerous, fractured part of the world. There is a great difference between saying that civilians have been killed because terrorists are perhaps sheltering around what were civilian facilities and actually alleging that there is a deliberate programme of mass slaughter.

We have been doing an awful lot of historical commemoration and it is worth remembering the huge number of French civilians whom we killed in the build-up—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I have a lot of sympathy for those wanting to make interventions, but many Members want to speak in this debate and we are not going to get there. The time limit could be three minutes, so short interventions, please.

Emily Thornberry: I refer the hon. Member for Canterbury (Mr Brazier) to the earlier part of my speech in which I quoted one of his own Ministers saying that a “deliberate error” had resulted in hundreds of deaths in Yemen. He must bear that in mind when we are deciding whether to continue supporting the ongoing action in Yemen. I will answer the rest of his question in the rest of my speech.

This is about the kind of signal that we are sending to the rest of the world. On Syria, Members on both sides of the House have rightly protested the bombardment of eastern Aleppo by Russia and Assad, demanded tougher international action against Russia, dismissed Russian claims that civilians are not being targeted, and called for those responsible to be tried for war crimes if necessary—they must face justice.

Mr Kevan Jones: Will my hon. Friend give way?

Emily Thornberry: No, I am not giving way—26 people want to speak.

We have heard all those things strongly from the Foreign Secretary, so does he accept that when he says nothing about Yemen apart from unflinching support for Saudi Arabia, when he says that the Saudi coalition should be left to investigate itself, when his Ministers dismiss reports of thousands of civilians being killed as somehow misleading the House, when we say one thing about Russia and Aleppo but another about Riyadh and Yemen, what the rest of the world hears is hypocrisy and double standards?

Today’s motion gives us an opportunity to send the opposite message to the world: to show that we hold all countries, friend or foe, to the same high standards that we aspire to ourselves, and that although Saudi Arabia will remain a valued strategic, security and economic ally, our support for its forces in Yemen must be suspended until the alleged violations of international humanitarian law in that conflict have been fully and independently investigated, and until the children of Yemen have received the humanitarian aid they so desperately need. That is the right message to send to the rest of the world and that is the message that reflects who we are as a country. I hope that it is the message this House will vote to send today.

4.20 pm

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): I beg to move an amendment, to leave out from ‘crisis;’ to the end of the Question and add:

“and calls on the Government to continue to support the UN Special Envoy in his ongoing efforts to achieve a political solution to bring sustainable peace to Yemen.”.

I am grateful to the Opposition for selecting this vital subject for debate. The war in Yemen has reached a critical moment, and I welcome this opportunity to set out what Britain and our allies are doing to help restore the peace and stability that Yemen’s people so desperately need.

First I should remind the House how this tragic conflict began and, in particular, how Saudi Arabia and a coalition of Gulf states came to intervene, because, contrary to the impression given in some quarters, they did not act out of some spontaneous desire to invade Yemen and attack its civilian population. Saudi Arabia and its allies were responding to a crisis that was forced on them and that posed a grave threat to international peace and security. This round of the conflict began in September 2014, when Houthi rebels overran Yemen's capital, Sana'a, in collusion with Ali Abdullah Saleh, the previous President, and with the reported backing of Iran. Their aim was to overthrow Yemen's legitimate Government. In January 2015, President Hadi, the serving leader, was forced to flee his own capital for the safety of Aden, a move that availed him of nothing, because two months later the Houthis attacked the south, striking as far as the outskirts of Aden and forcing President Hadi to flee his country altogether.

Mrs Flick Drummond (Portsmouth South) (Con): Is the Foreign Secretary aware that ex-President Saleh has also been asking for backing from the Russians?

Boris Johnson: The situation in Yemen is potentially disastrous, and it is vital that we stand by the people of Yemen and by the coalition that is trying to sort it out. The position when President Hadi was forced to flee was potentially disastrous. Yemen is a country of 26 million people, more than half of whom are under the age of 18. There is a long-standing presence of al-Qaeda in that country, which has a history of fratricidal bloodshed and chronic instability. At that moment, there was a clear risk that the country would fall into the hands of forces avowedly hostile to Saudi Arabia, which shares an 800-mile border with Yemen, one that is vulnerable and porous. It was against that background that the Saudis and their allies took a decision to intervene in Yemen in March 2015—a decision that was not only justified, but legally sound.

Several hon. Members *rose*—

Boris Johnson: I will give way in a moment.

President Hadi had formally requested military action to restore his Government, while the Arab League and the Gulf Co-operation Council had both called for "all means and measures to protect Yemen and deter Houthi aggression".

Their fears have plainly been borne out: mortar bombs and rockets have frequently been fired over the frontier and into Saudi territory. Only two weeks ago, the Houthis launched a Scud missile which flew 300 miles into Saudi Arabia, exploding outside Taif, a city the size of Birmingham that has a population of 1.2 million and lies close to Mecca. The last time Saudi Arabia came under bombardment from Scud missiles, the weapons were fired by Saddam Hussein.

As the House will readily appreciate, this conflict has wider regional and global ramifications. Yemen sits beside the Bab el-Mandeb straits, running between the Red sea and the Indian ocean. On the same day as the Scud was fired at Saudi Arabia, the Houthis launched two other missiles at an American destroyer passing through the Bab el-Mandeb. On earlier occasions, they had fired missiles at civilian vessels plying this vital

shipping lane. Every trading nation in the world, including this one—particularly this one—has a vital interest in safe passage through those straits.

George Kerevan (East Lothian) (SNP): I thank the right hon. Gentleman for giving way. He is laying out his case in a forensic manner. Does he recognise that the argument from these Benches is not that there was not a legitimate political and strategic security crisis in Yemen, but that the reaction of Saudi Arabia and the coalition forces is out of all proportion to the crisis with which they were trying to deal?

Boris Johnson: It was absolutely right to support President Hadi and to recognise the scale of the crisis that Yemen faces. As I have been explaining to the House—I am glad that the hon. Gentleman accepts that I am laying out the case in a forensic manner—Britain has important interests at stake. By the way, it is right that we should be discussing this subject this afternoon. Furthermore, I can assure the House that, over the past few months, this country has been leading the way in a sustained diplomatic effort to try to settle that conflict.

Sue Hayman (Workington) (Lab) *rose*—

Boris Johnson: I will give way in just a second.

In my first week as Foreign Secretary, we convened a meeting on Yemen with my American and Saudi counterparts and others at Lancaster House. At the United Nations General Assembly in September, I brought together all of the Gulf Foreign Ministers along with the United Nations Special Envoy, Mr Ismail Ould Cheikh Ahmed. Together with the United States and other partners, we are doing all we can to support the efforts of Mr Ismail Ould Cheikh Ahmed to mediate a political settlement—and there must be a political settlement. The only way forward is to get a political settlement. The hon. Member for Islington South and Finsbury (Emily Thornberry) is absolutely right that the first step towards achieving that settlement must be an enduring ceasefire, which is precisely what we are calling for. I welcomed the three-day cessation that occurred last week, and our efforts are now directed at securing a new cessation of hostilities.

Keith Vaz *rose*—

Boris Johnson: I give way with pleasure to the right hon. Gentleman, the former Chairman of the Home Affairs Committee.

Keith Vaz: I am chair of the Yemen all-party group, which is much more important to me.

I thank the Foreign Secretary for giving way and commend him for the efforts that he has made. The critical date was 16 October when, together with John Kerry, Ismail Cheikh and the Saudi Foreign Minister, we achieved the three-day ceasefire. Next Monday, the Security Council will be discussing the issue again. What are the right hon. Gentleman's instructions to our permanent representative to ensure that that three-day ceasefire becomes permanent?

Boris Johnson: I am very grateful to the right hon. Gentleman for his intervention. Like the hon. Lady, I recognise the closeness with which he follows this issue and his deep personal interest in the crisis in Yemen. What we are saying to our representatives in the UN

[*Boris Johnson*]

and elsewhere is that it is the road map on Yemen that offers the route forward. As he knows full well, that road map has been presented to both sides of the conflict—both to the Houthis and to President Hadi and the coalition. It is up to them now to seize that opportunity. Of course they will not agree on every aspect of it, but it is that road map that offers the way forward.

Several hon. Members *rose*—

Boris Johnson: I will make a little more progress.

I say to the Houthis and those loyal to former President Saleh who say they want peace—that is what they say—that their actions suggest otherwise. They promised to obey UN resolution 2216, joined the framework for the talks and turned up in Kuwait for the negotiations, but, at the same time, they have taken a series of unilateral steps that have gravely damaged the cause they claim to espouse. The Houthis have announced the creation of a Supreme Political Council and set up a shadow Government to rival the legitimate Administration of President Hadi, which is emphatically not the way forward.

Stephen Doughty: I do not find myself in disagreement with much of what the Foreign Secretary has said so far, but does he accept that the issue for many Members on both sides of the House is the conduct of the operation in Yemen by the Saudi coalition, and whether or not UK weapons and ammunition have been used, in violation of our legal obligations? Does he consider that we are acting legally under our obligations under the arms trade treaty, notably article 6?

Boris Johnson: I will come to the hon. Gentleman's point in a moment.

Let me conclude my point about the Houthis and the Saleh loyalists. It is very important that the matter is solved politically. The single most important thing they can do is withdraw their forces from Sana'a by agreement with the UN special envoy. That is where our diplomatic energies are currently engaged.

I come to the point that the hon. Gentleman raised, which the hon. Member for Islington South and Finsbury also raised. I know that many Members on both sides of the House and people throughout the country have concerns about UK defence sales to Saudi Arabia. Let me say a few words about the general context. Saudi Arabia has been a key strategic and defence partner of the UK for decades, which is of immense value to this country, as Members on both sides of the House have rightly pointed out in this debate.

In the course of her contribution, the hon. Lady substantially retreated, I thought, from the text of the motion before the House in her name. Under questioning from my hon. Friend the Member for Aldershot (Sir Gerald Howarth) as to whether she would support the immediate suspension of arms sales to Saudi Arabia and to the Saudi Arabia-led coalition forces, as is specified in the motion in her name, she refused to say that she would. She was very wise. There is a wide measure of agreement, therefore, between our parties. The hon. Lady spoke very wisely about our export control regime and she was exactly right in what she said.

Emily Thornberry: May I refer the right hon. Gentleman to the motion? That would help him, if he could take a moment—perhaps we could read it together. It states:

“This House supports efforts to bring about a cessation of hostilities and provide humanitarian relief in Yemen”,

and goes on to say

“and calls on the Government to suspend its support for the Saudi Arabia-led coalition forces in Yemen until it has been determined whether they have been responsible”.

I hope I have given the right hon. Gentleman enough time to read the motion.

Boris Johnson: Most fair-minded Members of the House will recognise that under pressure about whether she would suspend UK arms sales to Saudi Arabia and the huge economic damage that that would entail, the hon. Lady retreated in the course of her remarks. I thought that was very striking and her judgment was entirely correct.

We take our arms export responsibilities very seriously indeed. This country operates one of the toughest control regimes in the world. All export licence applications are assessed on a case-by-case basis against the established criteria. The most relevant test is whether there is a clear risk of those weapons being used in a serious violation of international humanitarian law. We keep this under careful and continuous review.

Alex Salmond: I think the Foreign Secretary has confused the SNP amendment with the Labour motion. Why will he not accept the concept of an independent investigation? What will undermine our case against the Russians' breaches of humanitarian rights in Syria—will it be newspaper columnists praising President Putin's ruthless efficiency, as the right hon. Gentleman did earlier this year, or it is the thought that UK weapons are being used illegally in south Yemen? What undermines our case more?

Boris Johnson: I am grateful to the right hon. Gentleman for that intervention. Of course we are pressing for a full investigation, particularly of the attack on the funeral hall in Sana'a on 8 October, which shocked so many people around the world. The following day I raised this country's concerns with the Saudi Foreign Minister and pressed for a full investigation. I asked the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Bournemouth East (Mr Ellwood), to visit Riyadh to underline the strength of our feelings. An investigation is now taking place—the interim findings were announced on 15 October—and we look forward to its completion. I welcome Saudi Arabia's public commitment to review their rules of engagement and their command and control system and to take action against those responsible.

Several hon. Members *rose*—

Boris Johnson: I am afraid that I must make some progress, as many Members wish to speak in the debate.

The Saudi Government have thus far approached the matter with the great seriousness it deserves—I think that those who have had the chance to interrogate the Saudi Foreign Minister in this House would agree. However, the House should be in no doubt that we are monitoring the situation minutely and meticulously,

and that we will continue to apply our established criteria for granting licences with fairness and rigour and in full accordance with UK law.

Those who say, as apparently the Opposition now do in their motion, that we should simply disregard those legal procedures should be in no doubt that we would be vacating a space that would rapidly be filled by other western countries that would happily supply arms with nothing like the same compunctions, criteria or respect for humanitarian law. More importantly, we would, at a stroke, eliminate this country's positive ability to exercise our moderating diplomatic and political influence on a crisis in which there are massive UK interests at stake.

To the hon. Member for Islington South and Finsbury, who sought to draw ill-informed and inapposite comparisons, in what I thought was a singularly inappropriate analogy, between what is happening in Yemen and what is happening in Syria, I respectfully say that all wars are horrific and involve loss of innocent life, but important distinctions need to be made with the carnage taking place in Syria, where poison gas and barrel bombs are being used on the civilian population in a campaign of barbarism that has cost 400,000 lives and driven 11 million people from their homes. She should not let analogy replace analysis in what she says.

Britain is at the forefront of efforts to hold the Assad regime in Syria to account, and we are at the forefront of delivering humanitarian aid to the entire region. We can be proud of our efforts to address the humanitarian crisis in Yemen—the whole House can be proud of what we are doing. As the hon. Member for Islington South and Finsbury said, some 7 million people in Yemen face severe food shortages. Last month my right hon. Friend the Secretary of State for International Development hosted an event in New York that raised \$100 million for the people of Yemen, on top of the £100 million contributed by the people of this country. We in Britain stand ready to do whatever we can to alleviate the suffering of the innocent, and the best service we could perform would be to help them secure a peaceful settlement.

The Government's position is clear: the conflict in Yemen must end; and a political agreement between the Yemeni parties must be found. I agree with the hon. Lady: for that, we need a durable ceasefire and a return to negotiations. I agree with what she says, in that we should do everything we can to support the UN envoy, Ismail Ould Cheikh Ahmed. But in the end, it is the Yemenis themselves who must also compromise. Peace is what the Yemeni people need and deserve, and that can only come from a political and a diplomatic solution. In helping to bring about that political and diplomatic solution, I believe this country, once again, is helping to show the way.

4.40 pm

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): If I may, I would like to stick to what the motion actually says. Many points have been made on which we can agree, but it is important to drill down to what the motion is actually asking the House to do.

Of course we all agree that a humanitarian catastrophe is unfolding in Yemen. The responsibility we all have, as has been said, is to help restore peace and bring stability

to the country and the wider region. There is no doubt that the crisis continues to grow. By June 2016, health facilities in the country reported that nearly 6,500 people had been killed, and more than 31,400 have been injured since March 2015. That is an average of 113 casualties a day. At least 7.6 million people, including 3 million women and children, are suffering from malnutrition, and at least 3 million people have been forced to flee their homes. So far, according to Save the Children, 747 children have been killed, and more than 1,100 injured. More than 2.5 million children have been displaced, and 3.4 million are out of school. This year, more than 848 children were forcibly recruited as child soldiers. More than 600 health facilities and 1,600 schools remain closed due to conflict-related damage.

The human stories behind those terrifying statistics are tragic and horrifying, so it is the view of the Scottish National party that the UK Government have a moral responsibility to act now and to do what they can to protect lives in Yemen. However, in addition to that inherent moral responsibility, which should put human lives at the centre of our decision making, the UK Government have legal responsibilities in relation to the conflict that they are failing to act on.

That is because of the actions of the coalition forces backed by the Saudi Arabian Government, which have faced serious and sustained evidence that they have acted in a manner that is at odds with international law. I understand that many atrocities have been carried out against Yemeni civilians by al-Houthi rebels, who have also shelled civilian homes, and deployed snipers who have targeted women and children. That is evil, wicked and wrong, and of course we do not agree with it. However, it is the actions of the Saudi coalition that concern me most today, because it is in that respect that the UK should be able to make decisions and use its influence for good.

Bob Stewart (Beckenham) (Con): I visited the air operations centre in Riyadh, where British air force personnel are helping the Saudis in their target planning. I have also talked to the pilots and the operational planners there. They assure me—and I believe them—that they are doing everything in their power to stop innocent civilians in Yemen dying. We should get that point across.

Ms Ahmed-Sheikh: I will actually make reference to that work in a few moments. I simply cannot understand, though, why the Government are so averse to an independent UN-led inquiry into what is happening. What is the problem? What is there to hide if there is so much confidence on the Government Benches about how we are conducting ourselves?

It is clearly and undeniably the case that the Saudi-led coalition forces have bombed funerals, weddings and markets, and used banned cluster bombs on populated areas and on protected sites such as power stations. They have systematically targeted Yemen's agriculture economy—as alluded to by the shadow Foreign Secretary—in what academics have called a programme for the destruction of the rural livelihood of Yemeni civilians. They have killed men, women and children who have been gathered at family celebrations, and they have specifically targeted bombs and missiles on sick and dying hospital patients.

[Ms Ahmed-Sheikh]

The reason why that is materially different from the actions of the al-Houthi forces is that the UK does, indeed, train and support Saudi pilots. We have military personnel embedded in Saudi Arabian military command and control rooms giving advice on the selection of targets. We sell Saudi Arabia the weapons and bombs it is using and the jet planes that deliver them. We have a material stake in this disastrous conflict. We therefore have a responsibility to the people of Yemen to do the right thing. On this, the Government are failing—but do not take my word for it.

Tom Tugendhat (Tonbridge and Malling) (Con): Will the hon. Lady give way?

Ms Ahmed-Sheikh: Let me make some progress, and then I will.

According to the January 2016 UN Panel of Experts report on Yemen, the coalition airstrikes have failed to uphold the cornerstone principles of proportionality and distinction in any armed attack, and have clearly failed to take all necessary precautions to avoid civilian casualties. In March this year, Amnesty International released new field-based research documenting the further use of cluster munitions by the Saudi-led coalition, including the first reported use of UK-manufactured cluster munitions in any conflict for nearly two decades.

Daniel Kawczynski (Shrewsbury and Atcham) (Con) *rose—*

Mr Kevan Jones: Will the hon. Lady give way on that point?

Ms Ahmed-Sheikh: In a moment.

Amnesty found a partially exploded UK-manufactured BL755 cluster bomb munition—we discussed this in an urgent question—that had been used by the Saudi-led coalition forces. BL755 cluster munitions are known only to be in the existing stockpiles of Saudi Arabia and the United Arab Emirates, and are specifically designed for use by UK-supplied Tornado aircraft.

Wendy Morton (Aldridge-Brownhills) (Con): Will the hon. Lady give way?

Ms Ahmed-Sheikh: I just want to finish my point about the report.

Cluster bombs are an illegal weapon banned under international law since 2008, and the UK is a state party to the 2008 convention on cluster munitions.

So what does this mean for the UK? A legal opinion prepared by Matrix Chambers in December last year detailed how UK arms transfers to Saudi Arabia constitute a clear violation of our national, regional and international arms transfer obligations.

Wendy Morton: Does the hon. Lady accept that the final delivery of BL755 cluster munitions to Saudi Arabia was in 1989—almost 30 years ago?

Ms Ahmed-Sheikh: I thank the hon. Lady for that point, which was made during the urgent question. There is absolutely no definitive position on this, nor can any guarantee be given that these weapons are not being used. The question has been asked on a number of occasions.

Mr Kevan Jones: Will the hon. Lady give way?

Ms Ahmed-Sheikh: If I can make some progress, I will give way in a moment.

The legal opinion prepared by Matrix Chambers in December last year detailed these UK arms transfers.

Mr Jones: Will the hon. Lady give way on this point?

Ms Ahmed-Sheikh: Specifically, the opinion states that the UK is in breach of article 6.3 of the arms trade treaty because the UK Government ought to have had the necessary knowledge that serious violations of international law were taking place.

Mr Jones: Will the hon. Lady give way?

Ms Ahmed-Sheikh: I know that the Government do not like hearing legal opinion, or indeed the opinions of experts, unless it suits their case, but I will continue to make my case. [HON. MEMBERS: “Give way!”] I understand, Mr Deputy Speaker, that I am within my rights not to take interventions unless I so wish. I shall therefore proceed. [*Interruption.*]

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. We all want to get through today’s debate. Shouting means that I cannot hear the hon. Lady. That is not helpful to me, and it should not be helpful to you.

Ms Ahmed-Sheikh: Thank you, Mr Deputy Speaker.

The UK is also in violation—[*Interruption.*] For those who are clearly not listening, this is legal opinion. The UK is also in violation of article 7 of the arms trade treaty on the basis of a clear risk that future weapons supplies could be used to commit or facilitate serious breaches of international law.

What have this Government done to address and investigate these serious and widespread concerns? By their own admission, they have done nothing. After spending most of 2016 telling Parliament that assessments had been conducted and that they were confident that no breach of international law had occurred, they changed their story to declare that no investigation had been carried out at all, and now appear to have changed their mind again. On 4 January 2016, the then Foreign Secretary told this House—I am glad that I now have the Government’s attention—the following:

“I regularly review the situation with my own advisers and have discussed it on numerous occasions with my Saudi counterpart. Our judgement is that there is no evidence that”

international humanitarian law

“has been breached, but we shall continue to review the situation regularly.”

However, the written statement published by the Government on 21 July this year stated that it was important to note that the Government had not reached a conclusion as to whether the Saudis were guilty of international humanitarian law violations in Yemen. They said:

“This would simply not be possible in conflicts to which the UK is not a party, as is the case in Yemen.”—[*Official Report*, 21 July 2016; Vol. 613, c. 42WS.]

Then last month the current Foreign Secretary, who is in his place today, completely contradicted his own ministerial colleagues—a frequent occurrence—in an interview with “Channel 4 News”. He definitively stated

that, after taking evidence from a “very, very wide” range of sources, the UK Government do not believe that Saudi forces have broken humanitarian law, despite the fact that his own Ministers withdrew previous similar statements to Parliament.

Who are we to believe—the previous and current Foreign Secretaries, who say that there has been a UK investigation, or the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Bournemouth East (Mr Ellwood), who is in his place and has been sent out to defend the indefensible once again? Do they really believe the assurances given to them by the Saudis? Have this Government really not properly independently investigated the claims? Do we really have no idea at all, given the close links that clearly exist between our Government and the armed forces, whether our closest ally in the middle east is using our weapons in this conflict, as the Prime Minister herself suggested last week to my right hon. Friend the Member for Moray (Angus Robertson)? This matters, because when the UK is presented with serious and widespread evidence of breaches of international law, we simply cannot take for granted the words of those who are accused of it.

Stephen Doughty: The hon. Lady is right to mention the letter of international law and the question of knowledge and clear risk. Does she agree that it is absolutely incredible, not least in the light of the funeral bombing, that some claim that there is no knowledge or clear risk that actions may be taken against civilians? Does not that get to the heart of the matter?

Ms Ahmed-Sheikh: I thank the hon. Gentleman for his intervention. Three Committees of this House—the Select Committees on Foreign Affairs, on International Development and on Business, Innovation and Skills—are of the uniform view that we cannot rely on the assurances of the Saudis and that there must be an independent, UN-led inquiry. Why are the Government not listening to the Select Committees of this House?

We agree with the Foreign Affairs Committee, whose recent report, “The use of UK-manufactured arms in Yemen”, concluded, among other things:

“We do not believe that the UK Government can meet its obligations under the Convention on Cluster Munitions by relying on assurances from the Saudis.”

Mr Kevan Jones: Will the hon. Lady give way?

Ms Ahmed-Sheikh: I am not giving way. The report continues:

“We recommend that the Ministry of Defence carry out its own investigation into the evidence of a UK-supplied cluster bomb found in Yemen.”

The Committee also believes that there should be an independent, UN-led investigation.

Tom Tugendhat *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. There can be only one person on their feet. You have indicated that you want someone to give way, but if they do not, you must take your seat again.

Ms Ahmed-Sheikh: Thank you, Mr Deputy Speaker. We also agree with the joint report by the BIS and International Development Committees, which states:

“We do not believe that the UK Government can meet its obligations under the Convention on Cluster Munitions by relying on assurances from the Saudis.”

Mr Kevan Jones: Will the hon. Lady give way?

Ms Ahmed-Sheikh: I have indicated that I am not going to give way to the hon. Gentleman. The report continues:

“In the case of Yemen, it is clear to us that the arms export licensing regime has not worked. We recommend that the UK suspend licences for arms exports to Saudi Arabia, capable of being used in Yemen, pending the results of an independent, United Nations-led inquiry”.

Dr Tania Mathias (Twickenham) (Con): Does the hon. Lady agree that it is critical that we see evidence of whether any stockpiles of cluster bombs have been destroyed?

Ms Ahmed-Sheikh: We have read tragic reports of cluster bombs being happened upon by children and of the terrible damage that they cause, so I welcome and agree with the hon. Lady’s intervention.

I agree with the proposition of all three Select Committees, which are unified in their view that there must be an independent inquiry and that we cannot rely on the Saudis to give assurances.

Mr Kevan Jones *rose*—

Ms Ahmed-Sheikh: Through sheer generosity and kindness of spirit, I now give way to the hon. Gentleman.

Mr Deputy Speaker: You are too generous!

Mr Kevan Jones: I just want to help inform the debate. I put the point about cluster munitions directly to the Saudi Foreign Minister when he came here. He said that, yes, they had bought them, but that was 30 years ago; that they are not usable, because they are 30 years old; and that it would not be possible to use them anyway, because they cannot be integrated with modern jets.

Ms Ahmed-Sheikh: I am grateful for the hon. Gentleman’s intervention. I note the points that he has made and his questioning of the Saudi Minister, but does he not agree with the view of the Select Committees of this House that the UK Government cannot meet their obligations under the convention on cluster munitions by simply relying on the assurances to which he refers? I agree with the Committees.

Mr Jones *rose*—

Ms Ahmed-Sheikh: I have given way to the hon. Gentleman, and I will not give way to him further. He has an opportunity to make a speech if he so wishes.

Kirsten Oswald (East Renfrewshire) (SNP): Does my hon. Friend agree with the views of Penny Lawrence, the deputy chief executive of Oxfam, who said a few weeks ago that the UK had gone from being an “enthusiastic backer” of the international arms trade treaty to being

“one of the most significant violators”?

Ms Ahmed-Sheikh: I hope that hon. Members and the Government were listening to my hon. Friend’s point. This is a serious issue, and it should come as no

[Ms Ahmed-Sheikh]

surprise that people in this debate speak with such passion and concern about the loss of life and the Government's inability to hold themselves to account. One wonders what the Government are afraid of.

There is a clear and overwhelming case for halting UK arms sales to Saudi Arabia. As the shadow Foreign Secretary pointed out, if the Foreign Secretary read the motion he would see that the amendment on halting UK arms sales to Saudi Arabia was ours. The amendment was not selected, but it remains our position that unless and until it can be confirmed categorically that these weapons are not being used on civilians, we should not be selling arms to Saudi Arabia. There is a moral and a legal case for that position, and the Government should act now. We need full disclosure over whether UK personnel have played any part at all in the conflict in Yemen. We support calls for an international independent inquiry into violations of international law in Yemen. It is the duty of all of us—all states—to uphold international law, and we should not be afraid to argue for that. Let us be absolutely clear: the UK must immediately suspend all sales to Saudi Arabia.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. May I just advise Members that we are going to have to be very brief and very concise? I will be a bit more lenient with the first two Members; I have asked them to take only seven minutes. After that, the limit will be five minutes.

4.57 pm

Crispin Blunt (Reigate) (Con): It is probably essential that I follow the hon. Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) because she quoted extensively from the Foreign Affairs Committee's report on this subject. My critique is that she took the comments about the cluster munition incident and extended them considerably more widely, and that is at the heart of the problem with the assessment of this issue.

Although the Committee felt that there should be independent verification around the cluster bomb incident, and we did say that a

"United Nations-led investigation of alleged violations by all parties to the conflict is necessary to supplement the internal investigations of the Saudi-led coalition",

it is standard international practice that the Saudis should be given the opportunity to investigate these incidents in the first instance; that is an established principle. We said in the report:

"We agree with the Government that it is appropriate for the Saudi-led coalition to investigate these allegations in the first instance."

We went on to look at the detail of the operation of the joint incidents assessment team, saying:

"further progress is needed to ensure that JIAT is transparent, credible, and publishes its investigations in a timely manner. We recommend that the UK Government offer its support to the JIAT where appropriate so that it can meet these ends."

In the rather limited time available, I want to refer briefly to the allegations of breaches of international humanitarian law. We have imposed on ourselves through the law the toughest set of conditions around arms licences. The proper place for those laws to be tested is in a court, and that is what will happen. More widely, in

relation to our interests both in Yemen and the Gulf as a whole, the Government are charged with the responsibility of promoting our national interest and the international interest, as well as the wider promotion of our values.

No one will disagree when I say that there are, of course, challenges in this area. The Yemen conflict represents an immensely difficult challenge on a number of levels. However, as the Foreign Secretary said, the conflict did not come out of nowhere. We have to look at the issue of intent. I disagree with the hon. Member for Ochil and South Perthshire when she says that the Saudis are targeting women and children. The judgment we have to make is whether the Saudi-led coalition, in executing a unanimous United Nations Security Council resolution to restore some kind of order to the recognised authority in Yemen, is trying to do so with the best of intentions. What is the Saudi interest in committing breaches of international humanitarian law while progressing a very difficult military campaign in the most unbelievably difficult geographical circumstances, given that the coalition is relatively immature and has never done this before? We should be thinking about what support to give our ally in picking up its responsibility for the delivery of regional security, because if it was not doing so, where would that responsibility sit?

Stephen Twigg: The hon. Gentleman mentioned intent. Does he not accept that arms trade law is based not on intent, but on the clear risk of violations of international humanitarian law? Like me, he supports an independent inquiry. If that found that international humanitarian law had been violated by the Saudi-led coalition, what action would he support?

Crispin Blunt: As I have just made clear, that is a matter for the courts. It is a matter of law that should be judged in the courts. The judgments that we need to make are policy ones. As far as the conduct of the operation in Yemen is concerned, it is in our interests to give as much support as possible to the Saudi-led coalition, which is, in effect, acting on our behalf, so that the coalition is able to conduct the operation successfully and within international humanitarian law.

Would that aim be achieved by pulling all support from the Saudi-led coalition, as the Opposition's motion proposes? Would it be assisted by suspending arms exports, as the Scottish National party's amendment suggests? It is pretty clear to me that either of those actions would seriously damage the sensible and proper conduct of the operation in Yemen by making it more difficult for the coalition to execute the operation with the advice and support of both the United Kingdom and the United States.

Despite the limited time, I want to put this issue in the context of our wider relationship with Saudi Arabia. What lessons would the Saudis take, and what message would it send to Saudi Arabia if, in these circumstances, we pre-emptively—in advance of any legal challenge to the basis of the licensing regime—pulled support from Saudi Arabia? Whether they are acting under international humanitarian law will be tested in the courts, but I believe at least that their intent is to make sure that they progress the operation within international humanitarian law.

What is happening in Saudi Arabia today, and in what direction is the state going? We have had a long-term strategic relationship with Saudi Arabia, and I invite

hon. Members to examine what is happening there. They should look at Vision 2030. They should look at the people who are now in charge. Anyone who has listened to the Foreign Minister, Adel al-Jubeir—he has been to the House twice recently to give a presentation to MPs—will have seen how impressive a Foreign Minister he is. The deputy crown prince who is now leading economic reform in Saudi Arabia has put extremely impressive technocrats in charge of that process. It is all part of a wider modernisation process, not just economically but socially. It is absolutely in our interests that that direction for Saudi Arabia is supported and is successful.

Mr Mark Hendrick (Preston) (Lab/Co-op): Will the hon. Gentleman give way?

Crispin Blunt: I will.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Can I just say to the hon. Member for Reigate—sorry Mark, because I am sure you want to come in shortly—that he has had eight minutes. I want to bring Keith Vaz in. When other Members have no minutes left, they are then going to wonder who to blame. Is the hon. Member for Reigate going to give way?

Crispin Blunt: I will.

Mr Hendrick: I thank the Chair of the Foreign Affairs Committee for giving way. I ask him quite simply: what is the alternative to the Saudi royal family as a Government—liberal democracy or an extreme Islamist Government? I think it is rather the latter. This country, and the west generally, must deal with the current Saudi Government whether we like it or not.

Crispin Blunt: We have seen the consequences of the uncontrolled loss of governance in the region, and they are pretty ugly. The truth is that the current leadership in Saudi Arabia is probably taking the country in a general direction that we can all approve of. The Saudi Government face huge challenges in doing that, but Saudi Arabia is the most important country in the Gulf. I believe that we should try to be alongside its Government on that extremely difficult journey, rather than making things more difficult. If they have to turn elsewhere for support, they will not be getting laser-guided bombs, but weapons that will not enable them to carry out operations in the Yemen in the way that they are or with the benefit of our advice. I am aware that I have now run out of the time you allocated me, Mr Deputy Speaker.

5.6 pm

Keith Vaz (Leicester East) (Lab): Although my heart is breaking looking at the violence and humanitarian catastrophe in Yemen, I am very proud of this Parliament. In the past seven days we have discussed Yemen twice, and 60 Members of the House are here today.

I thank my hon. Friends the Members for Islington South and Finsbury (Emily Thornberry) and for Edmonton (Kate Osamor), the shadow Foreign Secretary and shadow International Development Secretary, for agreeing to hold this debate. I thank the Foreign Secretary for his pivotal role in ensuring that we got a ceasefire when he met John Kerry and the Saudi Arabia Foreign Minister on 16 October. I also thank the spokesperson for the Scottish National party, the hon. Member for Ochil and

South Perthshire (Ms Ahmed-Sheikh), for the way in which she and her party have raised this issue over a number of months since the last election.

In the brief time that I have, I will concentrate on the ceasefire and the UN resolution that I hope will come on Monday. The ceasefire announced last week lasted only 72 hours. Fighting and bombings have swiftly returned at an intensity identical to that seen before the brief cessation of hostilities. The ceasefire had allowed food and humanitarian supplies to reach areas that had otherwise been completely inaccessible. The special envoy, Ismail Ould Cheikh Ahmed, begged both sides for an extension to the ceasefire, but violations by both sides rendered those efforts fruitless.

We are now at a critical stage in the history of Yemen. We have said this so many times before, but now, more than at any previous time, Yemen is on the brink of disaster. That is why our concern in this House should be to bring about a permanent ceasefire in Yemen, and why all our efforts should concentrate on that critical UN meeting that will take place on Monday in New York.

I am sorry that we are going to divide on this subject this evening. I put forward an amendment that I hoped would be selected. If the House could only vote as one in favour of peace in Yemen, I would be very happy.

Tom Tugendhat: Will the right hon. Gentleman give way?

Keith Vaz: I will. The hon. Gentleman has been to Yemen; indeed, he learned Arabic when he stayed there.

Tom Tugendhat: I thank the right hon. Gentleman for mentioning that. Peace is absolutely essential. May I remind hon. Members of the various elements of the combat in Yemen and the situation regarding arms? We are talking about Saudi Arabia in this debate, but the Houthis are being backed by Iran, so Iranian weapons are going in there. Can we remember that there are two sides and two foreign parties involved?

Keith Vaz: The hon. Gentleman is absolutely right—this is much more complicated. There are many sides to this, not just two. Anyone who has dealt with Yemen or lived there for a while will know that the tribal system is extremely important. It is important that we do not make this simplistic. What is very clear is the scorecard of shame that Members have talked about today: the 21.2 million people who require urgent humanitarian assistance, 9.9 million of whom are children; the more than 10,000 people killed in the last 18 months; and the 14.1 million people at risk of hunger, the equivalent of the combined populations of London, Birmingham and Glasgow.

I welcome what the Government and the International Development Secretary have done to ensure that more money has been pledged to Yemen, but it is critical that the money is used for supplies, and that those supplies reach the people who are hungry. Otherwise, all the money we raise will not be enough to deal with the crisis. Oxfam's chief executive, Mark Goldring, who addressed the all-party group last week, called the situation in Yemen "Syria without cameras". I thank the hon. Member for Portsmouth South (Mrs Drummond), who was born, as I was, in Aden; the hon. Member for

[Keith Vaz]

Charnwood (Edward Argar), another officer of the group; and the hon. Member for Glasgow Central (Alison Thewliss) for all the work they have done.

On Monday, the hon. Member for Beckenham (Bob Stewart), who is not in the Chamber, said to the Prime Minister that when 7,000 people were killed in 1995 in Srebrenica, the international community acted. That is why it is so important that we not only debate today's motion, but follow through with a resolution that will be taken on board by the whole United Nations. Despite the incredible work of Islamic Relief, Oxfam, UNICEF, Médecins sans Frontières and many others, they simply cannot get the aid in. I hope that when the Minister, who has engaged fully with the all-party group, comes to wind up the debate, he will tell us more about what can be done to ensure that the aid gets through. He will say, I think, that unless we get the ceasefire, people will starve. I commend the international community for all the work that it has done to try to ensure that the ceasefire occurs. The issue of investigations has been raised, and while it is important that we get the investigations, we need to have the ceasefire. Once we have that, any investigations to deal with violations on all sides will need to be addressed, and we will need to address the question of what arms are being used.

What concerns me and what should concern the House—I know it concerns the Foreign Secretary—is what is going to happen on Monday. In my debate last week, we were told that Britain holds all the pens as far as Yemen is concerned. That is why the instruction that the Foreign Secretary gives to our permanent representative—the excellent Matthew Rycroft, who is leading for us in New York—will be so critical. I wish that the Foreign Secretary could go to New York on Monday and argue the case, but I do not manage his diary. I think that the presence of the British Foreign Secretary at the United Nations on Monday would be critical.

Members will raise all kinds of issues, all of them important, but unless we have a permanent ceasefire, Yemen will quite literally bleed to death while we discuss them. I beg everyone involved in the process to please move together in a united way, without dividing opinion, and concentrate on that one critical issue: getting the United Nations to back a permanent ceasefire. Then the people of Yemen can actually survive.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I just remind Members that the time limit is five minutes.

5.13 pm

Alistair Burt (North East Bedfordshire) (Con): I apologise to the hon. Member for Islington South and Finsbury (Emily Thornberry) for not being in the Chamber at the beginning of her remarks.

I am grateful to have the opportunity to speak. Without covering all the ground, because there is so much to talk about, I would just like to say two or three things. I speak from the experience of having been a Minister who visited Yemen and understands a little bit about it, and who also had the responsibility of signing

off arms control applications in the Foreign and Commonwealth Office. I speak as someone who I think on occasion got it both wrong and right.

The FCO has some incredibly difficult choices to make in dealing with any of these issues. The focus of the right hon. Member for Leicester East (Keith Vaz), who made a typically excellent speech on this subject, was absolutely right. It is understandable that the motion is before us, and the sentiments behind it are well understood. Is it the most significant thing at the moment? Probably not, because ending the conflict was what the right hon. Gentleman focused on, and in getting to the end of a conflict, some incredibly difficult choices have to be made. The balance between our values and the practicalities of the issues surrounding decisions in the middle east has never been more finely balanced or more difficult.

I repeat that I understand the sentiments behind the motion, but I do not think that it is the right answer to the problems we have. My right hon. Friend the Foreign Secretary set out well the complexities and some of the background that is essential to understanding where Yemen is today.

Two things about the kingdom of Saudi Arabia might be usefully known. First, as the right hon. Member for Leicester East and others know, Yemen has been in a state for a long time. It was the king of Saudi Arabia who picked up Yemen and sent money over a lengthy period of time. This friends of Yemen process was started by the Labour Government when they were in office. A lot of money was put into Yemen; it did not get through to the people because of the actions of the then President, Ali Abdullah Saleh, who is a constant factor in the difficulties created in the region. The kingdom of Saudi Arabia has been extremely generous in trying to support Yemen and pick it up.

Secondly, we need to be aware of the openness with which the Saudi Foreign Minister addressed the issue of the dreadful bombing attack on the funeral recently. That is relatively new, and it indicates, as my hon. Friend the Member for Reigate (Crispin Blunt) said, a different approach in Saudi Arabia, which is of huge significance in the region.

With that in mind, we come to what we are trying to say and do today. The hon. Member for Islington South and Finsbury said that our values would come forward from what the House did. With all due respect, that is not necessarily so. It is not just our interpretation of our values that is important; other people's interpretation of our values is important as well. I know from tough experience that what we sometimes say and do here with the best of intentions is not always seen in the same way elsewhere. Sometimes what we hold to be dear can be seen as naive misjudgment by those who are closer to the action and have difficult judgments to make themselves.

What is most important is that in a region where friendships have been changed in recent years—most notably by some of the actions of the United States leaving people wondering whose side they were on, and who was going to be a balance in the regional interests and conflicts—for the United Kingdom to be seen to make a similar judgment at this time would undermine the efforts being made for peace.

Let me quote from the letter sent to Members from the ambassador to Yemen before today's debate. In respect of the peace efforts being made, he said:

“We hope the Houthi militia who control Sana’a may be persuaded to engage seriously in peace talks”—which is obviously what we all want. He continues, however, by saying:

“They hope instead to weaken the Coalition by undermining relationships with its Western Allies”.
That is what we might, unwittingly, fall into.

Alison Thewliss (Glasgow Central) (SNP): Does the right hon. Gentleman not also appreciate that although the UK is doing good work by providing aid, we are undermining that good work by also selling bombs that are landing on the heads of people in Yemen?

Alistair Burt: No, but I am grateful to the hon. Lady for her intervention. The great work that we are doing on humanitarian relief is well respected, but the issue of who is supportive in a situation that, as my right hon. Friend the Foreign Secretary said, is not of the Government of Yemen’s own making is a complex one. The undermining of a constitutional process that is absolutely vital to the further development of Yemen and the issues between north and south are further complicating issues. I went to both north and south and I went to Aden; I met the southern leaders; the constitutional process was getting somewhere—but it was undermined by the Houthi attacks and then the support of Ali Abdullah Saleh. Only when that is stopped can the constitutional talks continue and the efforts for peace be delivered, because that is what is most important for the people who are suffering in Yemen. With the best will in the world, this action by the United Kingdom would not achieve anything on the ground, and it might make the process more difficult. We want to see a ceasefire as quickly as possible, but I do not think that by withdrawing our support from one of the parties that can actually make that happen and by giving false hope to others to continue the conflict, we would be doing our best for the people of Yemen.

I greatly appreciate not only being given the opportunity to speak, but some of the difficult judgments that my colleagues have to make. Sometimes it is not easy to get the balance right. I think that on this occasion my right hon. Friend the Foreign Secretary and, above all, the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Bournemouth East (Mr Ellwood), are doing the very best that they can for the people of Yemen, and that we should back them up.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Unfortunately, because Members have been giving way, I shall have to reduce the speaking time limit to four minutes in order to accommodate Members. I am sorry about that. I call Kevan Jones.

5.20 pm

Mr Kevan Jones (North Durham) (Lab): It is right for us to support the legitimately elected and UN-backed Government of Yemen. It is also important for us to work tirelessly to bring about the ceasefire to which my right hon. Friend the Member for Leicester East (Keith Vaz) referred, because without it we shall not be able to get humanitarian aid into the country or advance a political settlement. However, I cannot support the motion, because my hon. Friend the Member for Islington

South and Finsbury (Emily Thornberry), concentrated on only part of the story, which she does quite a lot when it comes to this conflict. She condemned the actions of the Saudi-led coalition in Yemen, but completely ignored what is being done by the Houthis, and the Iranian-backed weapons that are being taken into Yemen to fuel the conflict and help the Iranians to destabilise the region.

War is a horrible thing, and if there are violations on either side, I strongly believe that they should be investigated. It is sad that it was only in response to an intervention from my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg) that my hon. Friend the Member for Islington South and Finsbury said yes, we should investigate all sides.

Emily Thornberry: Will my hon. Friend give way?

Mr Jones: I will not, because time is limited.

The Iranians are fuelling the conflict with millions of pounds’ worth of weapons. That is not a sign that a regime wants a peaceful settlement. As for their involvement in the peace process, there is evidence that they undermined the ceasefire that was in operation in the past few days. That is not helpful.

I accept that there are people, in the House and elsewhere, who take a moral stance against either the manufacture or the export of arms. Do I respect those people? Yes, I do, but I do not agree with them. I take what is perhaps, in the Labour party, the rather traditional view that we should be able to manufacture weapons, and that individual countries should be allowed to protect themselves when that is possible. I am proud that our legislation on arms exports was one of the achievements of the last Labour Government. The Export Control Act 2002 was the first such legislation for 50 years. We have a robust system in this country, and we should not shy away from it.

Let me say to the hon. Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) that if Members want to comment on certain matters in the Chamber, they should consider them in detail first. When the Saudi Foreign Minister came here, I asked him about cluster munitions. However, I did not simply take his word for it. I knew from my own experience that using a 30-year-old cluster munition would be unsafe—and, in any case, how could it actually be delivered? I entirely agree that those issues should be investigated, but I do not think that they should be represented as facts when there is evidence to show that it might not be possible for such munitions to be used.

The situation is complex, but I do not think that the motion does anything to support the peace process, which I think is what we all want to do. I agree with the right hon. Member for North East Bedfordshire (Alistair Burt) that a united voice from the Chamber this evening would be the best way of achieving what we all want to achieve. I am thinking not just of peace in Yemen but of the need for us to support our allies in the region, who are important not just to stability in that part of the world, but to the prevention of terrorism and other threats to us at here at home.

5.23 pm

Sir Gerald Howarth (Aldershot) (Con): I do not regard myself as an expert on Yemen, but I have had a long association with the region, both as a banker and

[*Sir Gerald Howarth*]

as a Member of Parliament. I am a former Defence Minister who was responsible for defence exports, and a Member of Parliament for Aldershot. I represent the headquarters of the fourth largest defence company in the world, BAE Systems.

As we heard from the hon. Member for North Durham (Mr Jones)—and I agreed with everything that he said—it is important for us to understand that the United Kingdom has enjoyed a very long and mutually beneficial relationship with the kingdom of Saudi Arabia. There have been occasional differences between us, but those are to be found in any relationship.

We have got to understand the big picture. The kingdom is a key player in a region currently facing massive challenges, not least from Iran. In the case of Yemen, the kingdom has assembled an Arab coalition to take action against Houthi rebels following the ousting of President Hadi by Houthis widely believed to be supported by Iran. The coalition is operating under UN Security Council resolution 2216 and is composed of a pretty formidable array of Arab states: Morocco, Egypt, Sudan, Jordan, Kuwait, the UAE, Bahrain and Qatar. That is a not-insignificant Arab grouping.

The coalition is also taking action against Daesh and al-Qaeda in the Arabian Peninsula, as demanded by the Chairman of the Foreign Affairs Committee, my hon. Friend the Member for Reigate (Crispin Blunt), and the hon. Member for Kingston upon Hull North (Diana Johnson) when she was a shadow Foreign Affairs Minister, who said that the UK needs to

“work with the Saudis to ensure that we stop the flow of funding and support to ISIL/Daesh.”—[*Official Report*, 30 November 2015; Vol. 603, c. 122.]

The Saudis should be commended for what they are doing, not criticised.

As the hon. Member for North Durham said, the Houthis have a long record of atrocities, including recruiting child soldiers, using civilians as human shields and preventing aid groups from delivering medical supplies. Members should also know that the Houthi flag reads:

“God is Great, Death to America, Death to Israel, Curse on the Jews, Victory to Islam”—

a motto partially modelled on that of revolutionary Iran and almost word for word a translation of Ayatollah Khomeini’s slogan. So we should be doing all we can to support our key ally in dealing with these disreputable people.

So, what about the criticism of Saudi Arabia? There was indeed an attack on 8 October on a funeral party which tragically killed some 140 innocent people, but the Saudis ordered its joint incidents assessment team, a body formed of representatives from the UAE, Kuwait, Bahrain, Qatar and Yemen as well as the kingdom itself, to undertake an immediate inquiry which established that the air operations centre in Yemen directed a close air support mission to target the location without obtaining approval from the coalition command to support legitimacy and without following the coalition command’s precautionary measures to ensure that the location was not a civilian one. JIAT concluded that action should be taken against those found to be responsible.

We all make mistakes. I have had responsibility for targeting, and the Americans are not without criticism in this regard; they attacked a hospital manned by

Médecins Sans Frontières. To suggest that the UK should suspend defence exports to the Kingdom of Saudi Arabia is at best SNP grandstanding and at worst a kick in the teeth for an important ally, as well as doing a disservice to the hundreds of highly skilled workers at Raytheon and Leonardo plants in Scotland which supply equipment to the BAE-led Salam programme of defence exports to Saudi Arabia—but I suspect SNP Members do not care about the employment prospects.

Like the Al Yamamah programme before it, Salam has made a significant contribution to the maintenance of the defence-industrial capability of the UK, generating prosperity across the UK, including Scotland.

5.27 pm

Toby Perkins (Chesterfield) (Lab): I am sad to say that I will be unable to back the motion my hon. Friend the Member for Islington South and Finsbury (Emily Thornberry) has introduced today. I think this is the first time I have not supported an Opposition day motion, and God knows I have backed some rubbish—only joking. There is much in the motion that I agree with, but I fear it is ultimately undermined by the abandonment of our commitment to the UN Security Council resolution, and I fear that while it may make us feel better, it will not make the situation on the ground better.

The situation in Yemen is appalling and is quickly becoming the greatest humanitarian challenge stalking the planet in what is a most difficult time. My right hon. Friend the Member for Leicester East (Keith Vaz) spoke movingly about the scale of the human catastrophe in Yemen and I agree with him that it is a shame that we are seeking to divide the House on this issue.

There are legitimate concerns about the actions of Saudi Arabia in the Yemen. There is little doubt that the recent bombing of a funeral in the Yemeni capital constitutes a war crime; it was an appalling act that sickens us all, and I am pleased that the Saudis have accepted culpability and that an investigation into this incident is ongoing. I hope that as the investigation continues those responsible for this awful incident will be brought to justice and tried by the International Criminal Court.

There are other allegations against the Saudis that should concern us all. My hon. Friend the Member for Islington South and Finsbury referred to the reports of deliberate strikes against agriculture infrastructure and the bombing of recently besieged areas in which aid is being provided. For that reason, I support the call for an independent inquiry to establish what has been done, by whom and on whose orders. My hon. Friend is right to push the Government and the international community to do more to ensure clarity on this matter, and we should be attempting to use our influence to ensure that a legitimate UN-sanctioned campaign in Yemen is not undermined by inexcusable actions. She posed some important questions, but I have to say that I was not certain what support she was asking us to withdraw. The motion clearly does not refer to arms exports. So if I were to support it, I would not be clear exactly what I was asking for.

It is true that our relationship with Saudi Arabia is not an easy one, but we do wield some influence and our security is enhanced by the relationship. The Kingdom of Saudi Arabia, once a secretive, suspicious and insular country, now sends its Ministers here to be scrutinised

by MPs in the Houses of Parliament. Other Members have referred to our significant economic interest in continuing to have positive relations with the Saudis, and to the fact that they have been a useful ally for our own security in the past and today. For years, the west has asked Saudi Arabia to take on more responsibility for what happens in the region, and it is now doing so. None of this means that we should ignore or underplay the significance of infractions of international humanitarian law, but we should think very carefully before isolating Saudi Arabia in the way that the motion suggests.

We should also be clear about the true threat posed to the people of Yemen, and indeed to the wider middle east region, by the Houthis. They are a terrorist organisation and they are unapologetic in their slaughtering of civilians. The hon. Member for Aldershot (Sir Gerald Howarth) has just referred to the words inscribed on their flag, and those words tell us everything we need to know about the true motives of that organisation. It is for precisely that reason that, in April 2015, the United Nations Security Council adopted resolution 2216, which mandated military action. It would be a huge mistake for us to turn away from that. As everyone in the House is aware, thousands of Yemeni women, children and old people will sleep fitfully tonight, never knowing what horrors tomorrow might bring. Now is not the time to throw away the influence we have. It is time to use it to help to create a safer middle east.

5.32 pm

Nadhim Zahawi (Stratford-on-Avon) (Con): I see that the Minister of State, Department for International Development, my hon. Friend the Member for Penrith and The Border (Rory Stewart) is on the Front Bench. I welcome the Government's commitment to addressing the humanitarian situation in the Yemen, which has made the UK the fourth largest donor this financial year by committing £100 million to provide food, clean water, and medical supplies. However, those emergency supplies do nothing to abate the arguably more serious, yet still intertwined, threat to the humanitarian situation: the war crimes and human rights abuses of which the evidence speaks volumes. Such evidence has implicated all parties involved in the conflict in abuses of human rights.

Let me be clear. Even if you are a legitimate Government in exile struggling to reclaim your country from aggressors, or a foreign state charged with assisting in that recovery, and even if you have the backing of the United Nations itself, you are never exonerated from the duty to uphold human rights. Human rights abuses are always unacceptable, illegal and totally barbaric, and they must be called out and stopped. I am of course completely in favour of an independent UN-led investigation into the accusations of human rights abuses made against the Saudi-led coalition—one that can support Saudi Arabia's own investigations—but to say that we should withdraw our support for the coalition until such investigations have gone ahead would be, quite frankly, ludicrous.

Sir Simon Mayall, a former middle east adviser in the Ministry of Defence, said when giving evidence to the Foreign Affairs Committee that it was likely that without Saudi intervention, groups such as ISIL would have gained a similar footing in Yemen as they have in Syria and Iraq. The Houthis would also have been able to expand throughout Yemen far more freely. Indeed, we

would have seen an Iranian-backed militia having huge influence over the security of the vital Bab el-Mandeb shipping strait. With more Houthi territory under poor and unstable government, the opportunities for al-Qaeda to gain territory would have been greater still, adding to the substantial Yemeni regions it already possesses.

It could not be clearer that without Saudi military aid the situation would be far worse. Time and time again, Saudi Arabia has proved a crucial ally of the United Kingdom. We have worked together in Iraq and Syria, and in providing relief for Syrian refugees. The regional stability in the middle east that our close connection with Saudi Arabia has engendered is also of particular note. I ask the whole House to recall the first Gulf war and the location from which the then military coalition launched its offensive against Saddam Hussein's illegal occupation of Kuwait. No Member of this House would disagree that it was illegal and that the offensive needed to happen. Saudi Arabia hosted the US-led coalition that liberated the country. It is staggeringly obvious that we would be less safe without our ties to Saudi Arabia, and so would the Yemeni people.

In the limited time remaining, I want to turn to the future, because the only way to resolve or alleviate the crisis is by reaching a political solution. In this conflict, and in so many across the middle east, the sectarian divide plays a huge part in the political process. Whether Yemen, Syria, Iraq or Lebanon, the Shi'ite tradition of Islam, spiritually led by Iran, and the Sunni tradition, led by Saudi Arabia and Turkey, both need to learn to reconcile with one another. From my background in Baghdad, I know that Sunnis and Shi'as can exist harmoniously and that religious divides need not be exploited as they have been across the middle east. I hope with all my heart that such a future awaits the people of Yemen.

5.35 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): Last Saturday in Liverpool, I helped to organise a vigil for peace in Yemen, at which we launched the "Liverpool Friends of Yemen". The scale of the humanitarian crisis is truly appalling. Thousands have been killed. Three million are acutely malnourished. As the motion says, it is a country

"on the brink of famine".

More than 21 million Yemenis require humanitarian assistance—80% of the population. Over 1 million children are internally displaced. More than 14 million are in need of basic healthcare.

I pay tribute to DFID and the Government for their humanitarian relief work. This country has committed £100 million at a time when the UN appeal, according to my latest figures, is only 47% fulfilled. I also pay tribute to the many NGOs that are doing fantastic work in relieving the appalling crisis.

Christian Matheson (City of Chester) (Lab): Does my hon. Friend agree that if there were more population flows towards this part of the world, we might be taking the crisis in Yemen more seriously?

Stephen Twigg: My hon. Friend is absolutely right. Many describe the situation as a forgotten crisis—although I welcome the fact that this is the second debate on Yemen in this House in the space of just a week.

[Stephen Twigg]

The International Development Committee's inquiry into the Yemen crisis reached a number of conclusions. The first thing to say is that the evidence is clear that appalling atrocities have been committed by both sides in the conflict. We heard not only that over 62% of the killings have been caused by the Saudi-led coalition, but that Houthis have recruited children to armed groups and have sieged towns such as Taiz, denying basic access to humanitarian aid and medicines. There is no suggestion in the motion or in my Committee's reports that we are taking sides with the Houthis; this is about a balanced approach.

Stephen Doughty: My hon. Friend is right, and we no doubt agree on where the responsibility lies for starting this conflict and for many of the atrocities. Does he agree that we are neither an ally of the Houthis nor selling arms to them?

Stephen Twigg: My hon. Friend is absolutely right. It is clear that negotiations and a peace process are needed, that we need a lasting ceasefire and that humanitarian work and civilian protection must be prioritised. The International Development Committee started with the view that this was a humanitarian crisis, but as we took evidence it became clear that we simply could not divorce the humanitarian position from the alleged violations of international humanitarian law by both sides. In turn, we could not divorce that position from the fact that we are arming one of those sides.

There are widespread reports of violations of international humanitarian law. The UN documented 119 abuses, and Amnesty International and Human Rights Watch have documented substantial numbers more. The Government, however, have been rather dismissive of the evidence from such organisations. Saferworld told the Committee:

"In other contexts, the Government will cite their reports. Human Rights Watch and Amnesty will be cited in Syria; they have been cited in Libya and Sudan in support of the Government position. Here, they are referred to as not good enough to be considered evidence compared with a reassurance from the Saudis, one of the belligerents to the conflict, that there are no violations of international humanitarian law."

I welcome the fact that at the recent UN Human Rights Council the UK position did shift and we signed up to an EU common position that enabled there to be a greater independent element in the investigation of abuses, but I support what this motion says, which is that there should be a fully independent UN-led investigation into abuses by both sides. My Committee reached agreement that in the meantime we should suspend arms sales to Saudi Arabia. The scale of arms sales—

Wendy Morton: I serve on the International Development Committee and, as one of its members, I think it is fair to say that we said the matter of arms sales should go before the Committees on Arms Export Controls; we did not say to suspend sales at that stage.

Stephen Twigg: The hon. Lady is an excellent member of the Committee and she is right that in our earlier report we did indeed say that, but in the later report in September, after the CAEC discussions, we then agreed

a report, jointly with the then Select Committee on Business, Innovation and Skills, that advocated a suspension of arms sales while the independent investigation was undertaken.

I wish to finish on the following point—the clock seems to be being rather generous to me and I thank it for that.

Mr Speaker: There might be human forces involved as well!

Stephen Twigg: I am even more grateful to those human forces. The Chair of the Foreign Affairs Committee spoke about intent, and this issue is vital. What European Union, United Kingdom and international arms trade law says is that licences cannot be granted if there is a "clear risk" that the arms may be used in the commission of violations of international humanitarian law. This is not about intent; it is about there being a clear risk. That is the test we face, and my major concern is that the approach that the Government have taken is inconsistent with the UK's global leadership role on the rule of law and international rules-based systems.

A point was raised earlier about reputation, which is very important. Our reputation as an upholder of international humanitarian law is very important. We can be proud of the active role this country played in the shaping of the arms trade treaty, and I simply do not believe that that test of "no clear risk" is the one being applied. I agree with colleagues on all sides of this debate who have said that we want a ceasefire and a political process, and that this conflict will be settled diplomatically, not militarily. However, crucially, the reason why I support this motion is that I really do believe that we need a fully independent UN-led investigation into all of these appalling alleged violations of international humanitarian law—on both sides.

5.42 pm

Wendy Morton (Aldridge-Brownhills) (Con): It is a pleasure to follow some very learned speakers, including my hon. Friend the Member for Reigate (Crispin Blunt), the right hon. Member for Leicester East (Keith Vaz) and, of course, my hon. Friend the Member for Aldershot (Sir Gerald Howarth). Today's debate comes after a recent Adjournment debate in this Chamber about humanitarian aid to Yemen and a number of other debates, including a Backbench Business Committee debate and a Westminster Hall debate, and after the report by the International Development Committee, of which I am a member.

All of this highlights the seriousness and complexity of the situation, but it also raises awareness of what is often described as the "forgotten war". It is worth remembering that the conflict in Yemen has its roots in the failure of a transitional process that it was hoped would bring stability to the country. Following the uprising in 2011, that has, sadly, not been the case and now, despite nearly two years of conflict, neither side appears close to a decisive victory. The UN estimates that more than 4,000 civilians have been killed, with more than 7,000 injured, that 3.1 million Yemenis are internally displaced and that 14 million people are suffering from food insecurity. But this humanitarian crisis was going on before the current situation began. So in calling for humanitarian relief, we should recognise

the tremendous work done by the Department for International Development in Yemen, as well as that of all the non-governmental organisations. This is a country in which the challenges of getting aid to those who need it most is great. Whenever and wherever UK aid is sent, the importance of an unimpeded passage cannot be underestimated, not just for those in need, but for the safety of those NGOs and DFID staff who work in-country.

On 21 September, the Secretary of State announced an additional £37 million of aid to support Yemen, which brings the UK's total humanitarian funding for the crisis to £100 million this year. DFID and the UK Government should be commended for that. The UK is now the fourth largest donor, which shows that it certainly has stepped up to the plate. However, the aim above all must be to seek a political settlement and a cessation of hostilities. The Government must use their leadership role and influence as much as possible and remain fully involved in diplomatic efforts to bring about peace. The UK's strong relationships with a number of important players in the region is vital. Our influence in the middle east must put us in a unique position to help bring about the lasting peace settlement that we all so desperately want.

There is no doubt in my mind that the security situation in Yemen is serious. This conflict is brutal. The UN has reminded all parties that they have a duty of care in the conduct of military operations to protect civilians. Yes, concerns and questions remain, particularly around the airstrike that hit a funeral hall in Sana'a on 8 October. It is for the Saudis to investigate and report back in the first instance. We must remember and recognise that, at the UN Human Rights Council in September, the UK supported a strong resolution, which included a commitment to increase the number of international human rights experts in the Yemen office of the UN High Commissioner of Human Rights.

Surely a political solution and an immediate, unconditional ceasefire between Houthi rebels and Government forces must be the way forward—a way forward in the pursuit of a long-term solution to this conflict. As the embassy of the Republic of Yemen has pointed out, this conflict did not begin with the arrival of the Saudi-led coalition in March 2015. It began much earlier.

There is much more that I would like to say, but I appreciate that I am short of time. Let me end by saying that I will not support the Opposition motion, but I will support the Government's amendment, because it is the right and proper thing to do.

5.46 pm

Mr Mark Hendrick (Preston) (Lab/Co-op): The situation in Yemen is appalling and indeed devastating to the population. It is right that we hold our friends to higher standards, but to withdraw our support from Saudi Arabia is to remove ourselves from being a critical friend and ally of a regime that we want to reform and that is going through a process of change which will only improve its governance and its prestige in the world. It is the world's largest oil exporter in a region that is fraught with dangers and conflicts. Why would we want to abandon an ally in that situation, especially as they supply us with intelligence on al-Qaeda and ISIL and support us in our fight against terrorism more generally?

Stopping arms sales to Saudi Arabia will not end the conflict in Yemen. In fact, it could exacerbate it, because, obviously, it would no longer be listening to the sound advice of this country, its Government and its military. At the same time, it would also devastate many thousands of highly skilled people who are working in an industry in Lancashire that provides aircraft and systems that defend with great effect not just our borders, but the borders of our allies in Saudi Arabia and elsewhere.

If the reported human rights abuses are taking place, are they accidental, are they planned, or are they being carried out by rogue elements of the Saudi air force? I do not know, and I welcome the coalition's interim report and look forward to its final report.

The Foreign Secretary referred to the fact that the interim report, which was published on 15 October, stated that Saudi Arabia is reviewing its rules of engagement and will take action against those responsible for the atrocities. He also said that the House should not be in any doubt that the British Government are meticulously monitoring the situation. Having served on the Committees on Arms Export Controls, I would expect them to do that, and I expect them to do so again in the future.

As I said in an intervention, the alternative to a royal family governing Saudi Arabia is not liberal democracy, but extremist Islamism. Undermining one of our allies in the region is not an alternative to guiding them to abide by international humanitarian law and the standards to which we all in this House aspire.

5.49 pm

Daniel Kawczynski (Shrewsbury and Atcham) (Con): The House should remember that the countries involved in the terrible war in Yemen do not have a history of intervention. Historically, countries such as Saudi Arabia, Bahrain and Qatar have not intervened in other jurisdictions, despite their location in a very difficult and volatile region. They have certainly never come together, as they have done on this occasion, collectively to enter another country—in this case to take on the Houthi rebels.

We ought to pause for a moment to think about the historic consequences and the unique situation that we find in all these disparate countries. My hon. Friend the Member for Aldershot (Sir Gerald Howarth) listed the names of the countries that have come together because collectively they see the appalling consequences of what is happening in Yemen. My contacts in Saudi Arabia tell me that many Saudis are married to Yemenis and that there has historically been a huge amount of exchange between Yemen and Saudi, and the idea that they would deliberately target civilians is one that they find appalling and shocking.

Yemen is being destabilised by the Houthi rebels. As we heard from the Foreign Secretary, they are firing Scud missiles into Saudi Arabia and carrying out the most appalling brutality throughout that country. We have heard from the SNP about the civilian casualties, but the Emirates have lost more pilots in this conflict than in the history of their nation, so they have suffered a great deal as well.

I am concerned that the coverage of the situation by our own media in this country, the BBC and *Newsnight* in particular, is superficial, poor, and I would even go so far as to say biased, leading to motions such as that emanating from the SNP.

[Daniel Kawczynski]

We met the coalition forces at the Royal United Services Institute. RUSI kindly organised a meeting for us at which we engaged with the head of the Saudi air force, who told us, “Every single plane has cameras on it. We can pinpoint exactly where the planes are at any one time. If you have evidence that any of them have deliberately”—that is the critical word, and my hon. Friend the Member for Reigate (Crispin Blunt) alluded to it—“targeted civilians, that must be raised directly with the Saudis.” They are doing everything possible to try to limit civilian casualties. There is a report in *The Independent* today that the Americans’ recent bombing in Syria has led to over 300 casualties. Of course, civilians are affected, regrettably, when there is a bombing campaign.

We take great pride in Shropshire in training many pilots from the Gulf states—Kuwaitis, Emiratis and Saudis—at RAF Cosford and RAF Shawbury. It is not just about selling the equipment to those Gulf states. We take great pride in training those pilots to the very highest standards. They are taught by their British counterparts not just about professionalism and about flying, but about the ethics of flying those planes and the importance of what they do. I am very proud of the contribution that we make and I regret that there are Members in this House who think that we would be party in some way to deliberately targeting civilians.

5.53 pm

Douglas Chapman (Dunfermline and West Fife) (SNP): I thank the right hon. Member for Leicester East (Keith Vaz), who is not in his place, for his initiative in securing the Adjournment debate last week on the humanitarian atrocities in Yemen. We all look forward to the UN peace talks that will take place in a few days and I hope they bear fruit. That debate was well attended and there are even more MPs here for this debate. Government Members should take note of the growing discontent and unease in this House and across the country about breaches of humanitarian law in Yemen. This issue has not emerged just in the past week. I remind the House that the debate today takes place more than a year after the first evidence emerged of deliberate human rights violations by the Saudi regime in Yemen. It will come as no surprise to anyone here today that I opposed the granting of arms export licences to Saudi Arabia then, and I oppose it now. Although I am pleased to see many more Members gradually coming to that view in today’s debate, it astonishes me that there are still those who cannot see the contradiction in continuing to allow those arms sales while asserting that Britain is a force for good in the world.

With over 3 million internally displaced persons in Yemen and almost 15 million people experiencing food insecurity, the human cost of the conflict is all too clear. Last week the all-party parliamentary group on Yemen watched in silence as Krishnan Guru-Murthy introduced a Channel 4 exposé of the level of suffering we are releasing on the children of Yemen through our actions and inactions. We heard from Yemenis who told us that they welcomed the current ceasefire, as perhaps being a path to lasting peace, but that that peace could not be delivered while the civilian population was in danger of being bombed in school, at weddings, at funerals

or at work in Yemen’s faltering economy. This is not grandstanding—but if it is grandstanding, I plead guilty.

We on the SNP Benches understand perfectly well that Saudi Arabia is an ally, that it is fighting on the side of the legitimately recognised Government of Yemen, and that atrocities have been committed on both sides, but the fact remains that the sale of £2.8 billion-worth of arms to the Saudi regime over the course of this conflict has undoubtedly contributed to humanitarian suffering. Surely those on the Government Front Bench cannot take a contrary view.

The most galling aspect, in my opinion, has been the blatant attempt to ensure that no independent investigation takes place that would put our Government in the inevitable position of having to request that arms sales be halted. In October last year, when the Netherlands sought to establish the first UN investigation into war crimes in Yemen, the UK Government supported a Saudi motion that would see it investigating its own crimes. I have met no one who seriously thinks that Saudi Arabia has the capacity to conduct a rigorous, independent and transparent investigation into itself. The Foreign Secretary knows that a Saudi-led investigation is worthless, I know that it is worthless, and this House knows that it is worthless.

Put simply, the UK Government must immediately support the establishment of a thorough, UN-led investigation into these crimes, and the continuing inability of anyone on the Government Benches to move that forward is to their immense discredit. As the Committees on Arms Export Controls found in their evidence, it opens Ministers—these Ministers—up to international criminal investigation, and that cannot be in our national interest.

The SNP’s position is that the Government must halt arms sales to Saudi Arabia immediately and ensure that a full investigation, under the auspices of the UN, now takes place.

5.57 pm

Mark Menzies (Fylde) (Con): I think most of us in this House would recognise that Saudi Arabia is a country in transition. It has come a long way in a relatively short space of time in order to address some of the concerns that we in this House have articulated. To deny that it has made progress is to deny the facts. I think we all share the concerns about what we have seen taking place in Yemen. No one could defend the bombing of a wedding party and the deaths of civilians. However, when we stand back and look at the conflict in its totality, and the crimes that the Houthis are responsible for, such as the capture and the killing of Saudi personnel and intrusions across the Saudi border, we have to recognise that the Kingdom of Saudi Arabia, like any sovereign state, has the right to defend itself.

As someone who has visited Saudi Arabia, I have not been shy about criticising aspects of its Government’s direction of travel, but neither should we be blind to the fact that the kingdom has made some great strides forward in recent years to address the concerns of many Members of this House.

I think that we would be wrong to withdraw support in an attempt to influence the Kingdom of Saudi Arabia. A withdrawal of support, which is implied in Labour’s motion and made explicit in the SNP’s amendment, relates to the withdrawal of arms sales. I unashamedly

defend our right to sell defence equipment legitimately, with export controls, as we do, to the Kingdom of Saudi Arabia. In my constituency, 6,500 men, women and apprentices are employed by BAE Systems at Warton, 4,000 over at Samlesbury and another 1,000 over at Brough, working on Hawk trainer aircraft, Typhoons and Tornado upgrades. Without the Kingdom of Saudi Arabia, and without those arms exports, 16,000 people would be out of work.

It is all very well for people to sit as though they were at an Islington dinner party and, over their latest glass of Uruguayan wine, say “Let’s stop arms sales,” but let us look at one key fact: every single one of those people is a human being, not a number; they have mortgages to pay, they have skills and they have jobs. Twice in my time as a Member of Parliament I have been at the gates of BAE Systems in Warton when redundancies have been made. My goodness, when you see proud working people at the risk of losing their jobs, it is a humbling moment. So when I see people in this House tabling motions calling for those people to lose their jobs—that is what is happening—I question their moral judgment. These are supply chains. If we seek to suspend the sale of this defence equipment, these people do not just go somewhere else; they do not just switch to manufacturing for someone else—they lose their jobs; that is what happens. When people feel really proud that they have said and done the right thing, there are also people who will lose their jobs—tens of thousands of them up and down this country.

I am not going to sit and take lessons from the Scottish National party about what we are doing morally. I know what we are doing morally: we are controlling arms sales, and I support the Government’s actions on this issue. We are controlling arms sales through the rigorous approach taken by the Government, and anyone who seeks to deny that is denying the truth.

6.1 pm

Tom Brake (Carshalton and Wallington) (LD): I thank the official Opposition for securing the debate. I also thank the right hon. Member for Leicester East (Keith Vaz), who is not in his place—he is by your Chair, Mr Speaker—for rightly putting the focus on the ceasefire, which is what we in the House would all like to see, although we will not be debating his amendment this evening, or indeed voting on it.

I shall focus briefly on the international investigation. Clearly, there are precedents for the UK Government pushing for international investigations—Sri Lanka, for instance, springs to mind. In the right circumstances, we would all support an investigation that covers both sides, because human rights abuses are potentially being committed on both sides. The Government’s position is that they are not opposing calls for an international, independent investigation, but I would like to press the Minister on the circumstances in which they would actually support such an investigation. He has referred to allowing the Saudis to conduct their own investigations, but at what point—using what test, what criteria and what timetable—do our Government say, “Actually, we think we’ve reached the point where we need an international, independent investigation?” I am sure the Minister is aware that the UN Office for the Co-ordination of Humanitarian Affairs estimates that 93% of casualties from air-launched explosives are civilians. It is difficult

to see, with such statistics, how civilians are not being targeted, certainly through the use of air-launched explosives.

An inquiry might also consider whether the use of cluster munitions is in breach of international humanitarian law. I know that the Minister’s view—or the legal advice that he has received—is that, provided those munitions are used in a way that does not contravene international law, and particularly international humanitarian law, their use per se is not necessarily unlawful. I hope that he will be able to set out on what legal judgments he bases that view that the use of cluster munitions in civilian areas is, on occasions, legal.

I certainly think that the Americans would be in favour of an international investigation. The Minister may be aware that US officials have looked at whether the United States might be a co-belligerent and could be pursued under international law for war crimes. I hope that our Government have investigated that.

I welcome the visit of the Saudi Foreign Minister. I agree that he was very open and frank, which is a good start in what is, perhaps, a developing relationship. He said that changes would be made to how the Saudis handle these issues as a result of the incident, or mistake, that they accept what happened in relation to the funeral bombing. We have heard that the Saudis will take action against those directly responsible, but what else does our Minister expect them to do? What additional measures does he expect them to put in place to ensure that such incidents do not happen again? Perhaps he will say something about double-tapping, which we have heard is a war crime in Russia, but does not appear to be so in relation to Yemen.

There is, I am afraid, overwhelming evidence that breaches of international humanitarian law are taking place in Yemen, and that is why I shall support the motion tonight.

6.5 pm

Seema Kennedy (South Ribble) (Con): The situation faced by the Yemeni people is grave, and I am pleased that our Government are the fourth largest donor of humanitarian aid there. I am dismayed, however, that while the international community has pledged \$100 million of aid, Germany is still to commit to pay, and the EU has paid less than it promised. A cessation of hostilities is in the best interests of not only Yemen but the wider region, but I do not believe that the suggestions in the Opposition’s motion would in any way achieve that aim.

We cannot overestimate the importance of UK-Saudi relations to the British national interest. Our strong alliance, which spans decades, encompasses trade, security and intelligence. It has, over many years, provided us with crucial intelligence that has saved the lives of our constituents. We must not forget that, nor the fact that it has taken decades to build up that relationship of trust. This understanding comes from the fact that tens of thousands of British nationals, including many of my constituents and those of my hon. Friend the Member for Fylde (Mark Menzies) and the hon. Member for Preston (Mr Hendrick), have lived and worked in the Kingdom of Saudi Arabia through their work in the defence aerospace industry. They realise that this fledgling state—we must remember that it was founded only in

[Seema Kennedy]

1932—is not perfect, but that progress will be made only through experience, engagement and co-operation.

Stability in Saudi Arabia is in the British national interest. Chaos has ensued in the past few years since the so-called Arab spring, with a spike in terror meted out at home, and unprecedented migration to our own shores. The country does not have the perfect liberal democracy that we have here, but what it has is better than anarchy and terror. We must support Saudi Arabia in its drive towards reform in a peaceful fashion, because these are difficult times for that country. The falling oil price, and unemployment and underemployment, are creating a vacuum that could be filled with radicalisation, which, again, would have an impact in our constituencies.

It is unsurprising that Saudi Arabia will do all that it can to prevent the war in Yemen from spilling into its own territory. This is the country's first experience of extended military action, as its Foreign Minister made clear when he came to Parliament last week and spoke frankly about that fact. It is through British intervention and guidance that the Saudis will learn about accountability and transparency. How would they do so without allies like the UK? If the UK were to suspend its support for the Saudi-led coalition forces, as the motion suggests, that would not expedite the publication of reports. Rather, Saudi Arabia would continue its campaign but without our influence as regards better targeting, transparency, accountability, and our understanding of international humanitarian law.

Moving on to the SNP's position, I will not reiterate the arguments so ably set out by other hon. Members about our arms control policy and the importance of the aerospace industry to our country. This is not an either/or situation; the Government are not pursuing trade to the exclusion of human rights. We can have these conversations about human rights because we have strong trade and diplomatic relations. It is naive to think that if we suspended arms sales, Saudi Arabia would not buy from somebody else. The motion, and particularly the SNP's position, misunderstand the realities of the region and our role in it, and the British national interest.

6.9 pm

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): It is almost five months since I successfully secured a Westminster Hall debate on human rights and arms sales to Saudi Arabia. Part of my speech focused on the situation in Yemen, and since then that situation has gotten progressively worse. There is a massive humanitarian crisis as the country heads into winter, and it is also careering towards a famine. Millions of people urgently need food assistance, but unfortunately they are not receiving it due to the lack of unhindered access.

I appreciate that the Government have been making efforts to ensure that aid starts to get through—that has certainly helped the situation—but the war-related damage to Yemen's infrastructure means that essential supplies are still not getting into the country. Onerous restrictions on humanitarian access have resulted in 1.3 million children under five suffering from malnutrition. Is it going to require images of dead children to make us do

more? There will soon be no shortage of them—that fact is heartbreaking and infuriating.

The Department for International Development will no doubt argue that we are already doing our fair share, and of course it is only right that we do so. I am afraid, however, that handouts cannot make up for us arming the forces that are causing a lot of the damage to the country's infrastructure. Make no mistake: although we are not coalition partners, we are willing accomplices.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP) *rose*—

Margaret Ferrier: A lot of Members want to speak, so I am sorry but I am going to continue.

I have been calling for the suspension of the sale of arms to Saudi Arabia for more than a year, and I have heard many excuses for not doing so. First, the Government insisted that the Ministry of Defence had conducted assessments of the situation in Yemen and determined that there was no evidence of breaches of international humanitarian law. That was as recently as June, when the then Foreign Office Minister, the right hon. Member for Aylesbury (Mr Lidington), insisted, in response to me in a Westminster Hall debate, that that was the case.

There was then a climbdown when the Government admitted that the MOD had not, in fact, conducted any assessments. The new refrain is that the Saudis should be responsible for investigating themselves, and that is what has started to happen. Although the joint incidents assessment team has investigated relatively few incidents, even it has been forced to admit that the Saudi-led coalition has indeed broken international humanitarian law. That still does not seem to be enough to shame the Government into action. Even the coalition airstrike in Sana'a on 8 October was not enough.

The UN panel of experts on Yemen has condemned the airstrike. It said that the coalition had “violated its obligations” under international law and that it “did not take effective precautionary measures to minimize harm to civilians, including the first responders” on the scene. When I tabled a written question to the Foreign Office in June to ask for an assessment of an extensive report published by the panel of experts in January, it responded:

“The UK has supported, and continues to support, the work of the panel of experts commissioned by the UN, but we do not always agree with their conclusions.”

What is totally shameful about that response is that not once have I seen any evidence whatsoever that the Foreign Office has ever disagreed with the conclusions of the Saudi authorities, let alone questioned them. Why is it that the Government seem content to take the word of a participant in the war at face value, yet disregard so readily the findings of the UN panel?

We need to stop arms sales to Saudi Arabia, and we need an independent investigation. It is time for the Government not only to come clean about their role in the conflict, but to start putting things right.

6.13 pm

Kwasi Quarteng (Spelthorne) (Con): I am grateful to you, Mr Speaker, for calling me to speak in this important debate. A number of issues have been touched on very ably by right hon. and hon. Members on both sides of the House.

The first thing we have to consider is that Saudi Arabia—I have visited the kingdom twice in the past

three years—is itself on a journey. I first went there in 2013 as part of a delegation, when it was clear that one regime was coming to an end. I and a few colleagues went there earlier this year, and it was equally clear that the country had evolved. There were new programmes in place under the direction of Prince Mohammed bin Salman, who spoke candidly about the nature of Saudi involvement in Yemen, as has his Foreign Minister, Adel al-Jubeir, very ably in many instances.

The Saudi action in Yemen is not coming out of the blue. It is not something that the Saudis are doing for the sake of it. They are doing it in response to UN resolution 2216, which other Members have alluded to, so in this instance they have the force of international law behind them.

I do not dispute that there have been incidents. I do not dispute that the Saudis have, at times, been overbearing and acted ultra vires, as we used to say—beyond their authority—and that civilians have been killed. That is greatly to be regretted, and it is an appalling violation. When there have been violations, they need to be looked at, but I do not believe that suspending the sale of arms to Saudi Arabia would help this country or the interests that are represented so ably by colleagues such as my hon. Friend the Member for South Ribble (Seema Kennedy), the hon. Member for Preston (Mr Hendrick) and other north-west Members. To do so would not help them or their constituents, nor would it be of any strategic value to the region itself.

In the past five years, there has been an appalling collapse of order right across the middle east. Libya has descended into chaos, and Yemen has been riven by this terrible conflict, in which right is clearly on one side. The Houthis are rebels and do not wish to conduct themselves according to international law as set out by the UN. There has been chaos in Syria. It is absolutely clear that, in this instance, Saudi Arabia is not acting unilaterally. It is acting as part of a coalition, as my hon. Friend the Member for Shrewsbury and Atcham (Daniel Kawczynski) suggested. Many Arab countries—not just Gulf countries, but countries such as Morocco—are involved in the action. Qatar, the UAE, Saudi Arabia and Bahrain are all involved—[*Interruption.*] They may not be the shining democracies that you would like to see in Scotland, but they are functioning Governments that are a source of stability.

Mr Speaker: Order. I did not say anything about what I would like to see in Scotland.

Kwasi Kwarteng: I know that, Mr Speaker. I just had a rush of blood to the head when I saw the hon. Member for East Lothian (George Kerevan) chuntering from a sedentary position.

It is quite clear that the countries I have just mentioned are sources of stability, and it makes absolutely no sense for us to turn our backs on them. On the contrary, we must work with them and make sure that where there are violations, the right people are held to account. It makes no sense for us to walk away. We have important strategic relationships with these kingdoms. To achieve stability in the region, we will need to be mature in our relations with them, and friendly and co-operative when we can be, but we can also be particularly critical if we feel that that is needed.

6.17 pm

George Kerevan (East Lothian) (SNP): The hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) accused the SNP of grandstanding and of denying Saudi Arabia the right to self-defence. Our argument is rather that the Saudi intervention in Yemen is disproportionate; that is the key. Several legitimate and well-respected human rights organisations have used open source material to try to count the number of airstrikes in Yemen since March of last year, when the Saudi coalition began the bombing. There have been at least 8,600 airstrikes, and that is disproportionate. There are not enough targets for the Saudi coalition to go on bombing as they have done. One of the findings from that open source material is that at least one third of the airstrikes have resulted in civilian casualties. That is the issue.

Dr Cameron: Does my hon. Friend agree that funding what appears to be indiscriminate bombing is undermining the excellent work that the Department for International Development is doing in humanitarian aid?

George Kerevan: I would not only accept that, but go further and say that it is undermining the Saudi case for trying to create a stable Government and a stable political position in Yemen.

The hon. Member for Reigate (Crispin Blunt) introduced a new doctrine: the doctrine of intent. He said that we should look at the intent of the Saudis and, since they say they are doing good things and they want peace and security, we should consider that to be enough. Let us look at the intent of the Saudi Government. They have not signed up to the international convention on cluster weapons. If they do not want to use them, I would have expected them to sign up to it. In fact, as we all know, they have been using them—air-launched and ground-launched cluster weapons. I know that the Houthis on the other side are using them as well, but we are talking about a massive, western-funded, western-armed coalition versus a small group of rebels. That is disproportionate.

If we look at which cluster weapons have been found by human rights organisations across Yemen, we can see that they are not just the BL755 cluster weapons manufactured in Britain, but the CBU-105s, CBU-87s and CBU-58s manufactured in the United States. They have been found to have been used in at least five provinces in Yemen. Here is the thing: the American cluster weapons were sold to Saudi Arabia 20-odd years ago. I do not know how they got there or who used them, but it is surprising that all the types of cluster bomb weapons supplied to the Saudis about 20 years ago—in the 1980s and 1990s—have been found to have been used comprehensively and across the whole of Yemen. That deserves an investigation, which is what our amendment asks for.

The test of what Saudi Arabia is doing is not intent, but whether there is on balance a risk that humanitarian law has been broken. I put it to the House that there is ample evidence of that. How do we get the attention of the Saudi regime? That is at the core of the proposal in the SNP amendment, which has not been selected, to call for an immediate withdrawal of current sales of weapons to Saudi Arabia.

To respond to the hon. Members for South Ribble (Seema Kennedy) and for Fylde (Mark Menzies), our proposal is not to stop all arms sales in perpetuity. We

[George Kerevan]

are trying to get the attention of the Saudi regime, which cannot put its own ground troops into Yemen. The real secret is that the regime cannot trust to using its own ground troops—it keeps them at home to protect the regime, which has no democratic legitimacy—so it uses its air force, which has very close links to the royal family, in a consistently indiscriminate way.

Hon. Members have repeatedly mentioned the bombing of the funeral. It was the funeral of a leading Houthi Minister and a lot of Houthi Ministers were expected to be at it, so one suspects that it was not quite the accident that it has been made out to be. There have been repeated cases of civilians being killed in missile and bomb attacks in places where Houthi leaders were expected. My point is that calling for an investigation and for a halt to arms sales in the short term is a way of getting the attention of the Saudi regime to ensure a ceasefire and a permanent solution to this crisis.

6.22 pm

Nusrat Ghani (Wealden) (Con): The situation in Yemen is dire. As the House has already heard, nearly 7,000 people have lost their lives as a result of the conflict, and more than 14.4 million people are food-insecure. The recent ceasefire provided a welcome few days of relief, allowing much-needed humanitarian aid through to areas that simply cannot be reached while clashes are going on, as was passionately noted by the right hon. Member for Leicester East (Keith Vaz).

A true and lasting solution to the humanitarian crisis in Yemen must come from a longer, stable ceasefire during which efforts are made by both sides to agree a long-term, balanced peace deal that the people of Yemen have invested in themselves. I strongly support the Government's work at the UN and, through our ambassador, Edmund Fitton-Brown, in Yemen. We should be proud that we have contributed £100 million to the UN's humanitarian response, making us the fourth largest donor. I am pleased that our ambassador was present at the Kuwait talks. Our support for the UN special envoy, both politically and financially, is also extremely welcome.

However, we must recognise that this is not about us and that we are just one player. It is very easy to moralise on foreign affairs, but the devil is always in the detail. History has taught us that it is not our role to dictate relations between neighbouring countries in a region in which, if we are honest, our record is not exactly perfect. I suggest that we show some humility in our role.

My reservations about how Saudi Arabia conducts some of its affairs, internally and externally, are known. To discuss those concerns would require a whole other debate in itself. But however critical we are and will continue to be about the involvement of Saudi Arabia in this conflict, that involvement is at the request of the legitimate Government of Yemen, to deter aggression by the illegitimate Houthi rebels.

The situation in Yemen and Saudi Arabia's involvement are not isolated, but have to be seen in the context of the wider difficulties in the middle east and, once again, ongoing tensions between Sunni and Shi'a; in this case there is also the involvement of the Zaydi Shi'a, who are so extreme that even Iran at some points calls them out.

As regional power struggles continue between Sunni and Shi'a, Saudi Arabia and Iran are once again the players in the situation. Iran has allegedly been increasing the frequency of its weapons shipments to the Houthis via the Omani border. Will the Minister outline what the coalition and the UN envoy are doing about that?

As I draw to a close, I once again have to mention terrorism and extremism. We know the danger posed by failed states. It is the fuel that Daesh feeds on, allowing it to export its ideology and terrorism. As we continue to defeat Daesh, we must also recognise the role being played by Saudi Arabia within the Islamic military alliance, which now has 39 members. The organisation's joint command centre is in Riyadh, and the role of the alliance in the future defeat of Daesh has been recognised by us, the United States and others. We cannot risk weakening that alliance or the willingness of its leading members to lead the fight against Daesh by attempting to undermine its role in the Yemen conflict.

As my time is running out, I put one further request to the Minister. In the context of getting lasting peace in the region and strengthening co-operation, I suggest that he pushes for some sort of inclusion of Yemen in the Gulf Co-operation Council. That would send a strong message of solidarity and sustainable economic co-operation.

6.26 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate. When we consider that the war in Yemen is reported as the forgotten war, it seems even more appropriate that it is raised in this place, the highest seat of democracy, to ensure that our international obligations are being satisfied.

I support the legitimate Government in Yemen. I also put on the record that I support the peace process as we try to move forward. It is important that we do so, and to put that on the record when we are looking at these issues in this House. Indiscriminate bombing and the murder of innocents in Yemen—the destruction of property and the loss of life—are issues we are very aware of. We must condemn such actions, wherever they come from, and I have done so in the past. Amnesty International has said that violations of international humanitarian law have been committed by both sides with impunity, so it has said that both sides have been guilty of—dare I say it?—war crimes, in many cases. That has to be condemned by everyone in the House.

The Saudi-led coalition has been responsible for scores of airstrikes that have indiscriminately targeted civilian objects, disproportionately harmed civilians and attacked infrastructure indispensable to the civilian population, including hospitals, schools and humanitarian installations. According to the UN report on Yemen of 2016, the coalition airstrikes have failed to uphold the cornerstone principles of proportionality and distinction in any armed attack, and have clearly failed to take all necessary precautions to avoid civilian casualties.

There is a definite need for intervention. That is the reason for my highlighting this issue back in June in a written question, asking what assessment the Foreign Office had made of the UN Secretary-General's report, "Children and Armed Conflict", and its annexe, published in April 2016, in which the Saudi-led coalition is listed as committing grave violations against children in Yemen.

I ask the Minister again, what is being done to provide the response there should be to a war of this magnitude? What aid has been sent, what diplomatic pressure has been applied and how are we attempting to bring an end to this forgotten war?

As other hon. Members have said, Yemen is a tribal society. Islam is part of the identity of the Yemeni tribes, and tribal leaders are likely to enforce punishments for those who wish to leave Islam. That can mean honour killings, house arrest or, for women, forced marriage. Those are human rights abuses that we cannot legitimise or support. I put on the record my concerns about those abuses.

In the power vacuum resulting from the conflict, al-Qaeda and Islamic State are trying to gain power. That alone should mean we do all in our power—we must act to stop another Muslim country turning into an ISIS-held country. The world can little afford more strongholds for those who despise our very existence, and passionately wish to stop any of us in this place having another breath.

We have a duty to help children who are being slaughtered indiscriminately. We must send aid to the support networks to provide the assistance that is needed. We have a duty internationally to stand with our allies and ensure that those who seek to tear down and destroy understand that we will not stand by and passively allow or, even worse, encourage atrocities to take place.

Finally, we have a duty to our constituents to prevent terrorists from having an even greater hold upon this world. Evil triumphs when good men do nothing. I do not want that to be said of this House in this debate. At a sensitive time of delicate diplomacy, let us support the UN initiative as it elevates this critical problem in Yemen and support a solution and a peace process that can last. Let that be the message from this House tonight.

6.30 pm

Kevin Foster (Torbay) (Con): It is a particular pleasure to follow the hon. Member for Strangford (Jim Shannon), given that we regularly see each other at a range of debates in this House.

It is welcome that we are here again discussing Yemen. Having attended the recent Adjournment debate secured by the right hon. Member for Leicester East (Keith Vaz), I share many of the comments he expressed earlier about the scale of the crisis gripping Yemen and the disaster that the conflict has proved to be for the Yemeni people. I think it was earlier this year when the UN highlighted that both sides were preventing the access of food aid. I know he shares my disappointment that the ceasefire has not held. Again, I share his hopes that the forthcoming UN discussions will bring what everyone here wants to see: a return to a system based on a constitutional structure for settling differences, not one based on armed conflict.

That said, we have to look at the choices and the alternatives, and at why the UN voted to support an intervention. It was interesting to hear the hon. Member for East Lothian (George Kerevan) talk about a small rebel group. It is perhaps worth quoting the House of Commons Library on this “small rebel group”:

“The Houthis have managed to gather dozens of tanks and plenty of heavy weaponry from these defectors and deserters.”

It also states:

“Yemen’s government and armed forces have long been weak and fragmented, and have had too many forces lined up against them to put up a strong resistance to the Houthis.”

This is not a small band of people who are incapable militarily; these Houthi rebels are former soldiers who are able to pose a direct threat of overthrowing the main Government. That is why the intervention is there. We then have to be clear about the alternative. If we did not have coalition involvement, the Houthis would overrun the whole country. We would have a failed state in Yemen, equivalent to the failed state we have had in Somalia for so long.

Mr Kevan Jones: It is not only a large group. It is well armed with arms from Iran. There is also evidence that there are Iranian revolutionary guards acting on the ground in Yemen.

Kevin Foster: Let us be blunt. It is not a small rebel group that fires effectively a ballistic missile at a neighbouring country or attacks a US warship in international waters. That does not fit my definition of a small group of lightly armed individuals. This is a serious and coherent threat to the recognised Government of Yemen, any constitutional process, and, ultimately, to the security of one of the key trade routes of the whole world through what we once saw as the Straits of Aden, with shipping heading up towards the Suez canal. Ultimately, if we allow a failed state in Yemen we will all pay the price for it in the cost of shipping, and disruption to energy supplies.

The alternative to the Saudi coalition—let us assume it is not the Saudis and their allies who intervene—is western intervention to enforce a UN motion. The same people very busily attacking this coalition are the same people who regularly oppose any western intervention in the middle east. For a UN resolution to have any meaning it needs to be implemented and it is questionable who it would want to take the action.

Peter Grant (Glenrothes) (SNP): Will the hon. Gentleman give way?

Kevin Foster: No, I do not think I will as we are running short of time.

The argument that the support should be removed is wrong.

On the motion itself, it was interesting to hear the shadow Foreign Secretary telling us about the two command centres. That is what leaps out from the motion. She talks about the northern command centre in Riyadh, where our advisers are and where the strikes were not authorised. She then talked about the southern command centre, where our advisers are not, and says that that is where the problems are in terms of targeting. Well, it does say something that we are going to pull away from the site where it is not happening, which would not make any difference.

Emily Thornberry: The southern command centre has been identified, but who is in it has not been identified. Neither has it been identified whether it included anybody from any particular company—whether it be a British company or not; or indeed what British personnel, if any, are involved.

Kevin Foster: I thank the hon. Lady for her intervention. However, I still do not see how pulling out our supporters and advisers from the northern command centre in Riyadh, as the motion suggests, would make any difference to what is happening there. It is therefore a rather interesting point that the hon. Lady has raised. Certainly for me, the Government's amendment is far stronger than the Opposition's motion. I nevertheless pay tribute to the right hon. Member for Leicester East, who managed to come up with an amendment that showed a lot more understanding than his party's Front-Bench motion. It might not agree with the view being presented on *Russia Today*, but it had a bit more understanding of the region and the area.

Let me move on to the potential or alleged use of cluster bombs. It must be clear—it might not have been clear from one of the SNP's contributions—that the weaponry was last delivered in 1989. Whether or not that weaponry delivered in 1989 is being used will not change anything that we do today. That said, an issue on which I challenged the Saudi Foreign Minister directly was that the country's signing up to and ratifying the international treaty is long overdue. Yes, I was told that Saudi Arabia was considering it, but I suspect that its consideration will be a lot longer than most of us would prefer. I would be interested to hear more from the Minister about the work we are doing to encourage the country as one of our key allies to ratify that treaty and send a powerful message that it no longer intends to produce, retain or—crucially—use that type of weaponry.

Finally, I accept that the decision to be taken is going to be difficult for anyone. It is a complex situation and none of the outcomes looks particularly ideal. I accept that we therefore have to be realistic about the outcome. As with so many other situations in the middle east, we need to be careful what we wish for, because we might sometimes find that what we wish for turns out to be a lot worse than the devil we know.

6.36 pm

Chris White (Warwick and Leamington) (Con): As mentioned in the debate, the Committees on Arms Export Controls has in recent months conducted an inquiry into the conflict in Yemen and the use of UK-manufactured arms in it. In a joint report of the then Business, Innovation and Skills Committee and the International Development Committee, following the inquiry that I chaired, the conclusion from the widespread evidence that we heard was that there have been violations of international humanitarian law, as reported by organisations such as the UN, Human Rights Watch and Amnesty International. As a result, the joint Committee report has called on the Government to push for a UN-led investigation into the conduct of the Saudi-led coalition, and for the suspension of arms sales to the country while this investigation takes place.

Since the report was published on 15 September, we have seen further civilian casualties—not least on 8 October, which saw the most severe attack of the conflict yet, as mentioned by a number of colleagues.

Sir Gerald Howarth: I would like to ask my hon. Friend the same question as I put to the shadow Foreign Secretary. When he talks about suspending arms sales, what does that mean? Does it mean that he and his Committee believe that the United Kingdom should

withhold the supply of spare parts and withdraw our advisers to the Royal Saudi Air Force, or does it relate just to future sales down the track?

Chris White *rose*—

Madam Deputy Speaker (Natascha Engel): Order. We are running very tight on time, and if Members want to hear the concluding speeches from the Front Benches at their fullest, I suggest having as few interventions as possible and making them very short.

Chris White: I am sorry, Madam Deputy Speaker, but I thought I should grant my hon. Friend the Member for Aldershot (Sir Gerald Howarth) the chance to ask that question. We have a very short amount of time for this debate, but we deserve the opportunity to have a proper discussion of what a pause in arms sales would be. I would ask a more open question in response to those who have spoken on the same side as my hon. Friend: we were looking for a UN-led independent investigation, so what is preventing that investigation?

Saudi Arabia has described the airstrikes on the funeral as a mistake, while the Government continue to depend on Saudi assurances in relation to the conflict. The number of civilian casualties prompts me to ask whether every act that results in such loss can be considered a mistake. As Philippe Sands QC told the Committees on Arms Export Controls, the question of whether or not a state “intends” to commit a violation does not detract from the fact that a violation is committed by that state.

The United Kingdom's legal obligations stipulate that the Government must suspend arms sales if there is a clear risk that there might be a violation of international humanitarian law. I suggest that that criterion has been met, and that arms sales to Saudi Arabia should therefore be suspended. I repeat our report's recommendation that while such doubt and uncertainty about compliance with international humanitarian law in Yemen exists, the default position of the UK Government should be not to continue to sell weapons, but to pause until they are satisfied that allegations have been investigated properly.

6.41 pm

Robert Jenrick (Newark) (Con): I wish that there were more time for me to express my sadness at seeing a beautiful, seductive, complex country, which I have had the pleasure of visiting several times, laid low once again. When I last visited Sana'a, I was told about a speech made 100 years ago by Aubrey Herbert, who was then Member of Parliament for Yeovil, about the situation in the country. He said that it was “like the dream of some haunted painter.”

He said that women and men were “skin and bone”, with “begging eyes and clutching hands”.

That speech, made 100 years ago, could have been made today, and it fills me with great sadness to see the state of the country.

Let me turn briefly—for I have very little time—to the emotive question of arms sales, which has been the subject of our debate today. Let me make clear what those arms sales are about. They are about giving a nation that is under attack the arms that it needs to defend its territory. They are about giving an important ally the arms that it needs to re-establish, or try to

re-establish, a legitimate Government who have been displaced by the Houthi rebels. We must not refrain—and we have not done so today—from expressing our views about the way in which the war in Yemen is being conducted, and we are very concerned about the large number of casualties.

It is right that this country has high standards. However, we must not forget the context, and that, I am afraid, is what some of the speeches missed, including the speech made by the shadow Foreign Secretary, the hon. Member for Islington South and Finsbury (Emily Thornberry). The context is that a Houthi-controlled, Iranian-backed regime would create a chaotic, unstable place, ripe for exploitation by Iran, by al-Qaeda and by Daesh. It would pose a risk to freedom of navigation in a geopolitically crucial part of the world, and would encourage terrorism there, across the Arabian peninsula, and in the horn of Africa. That is the context, and that is our strategic interest.

We must also not forget that this debate is more important than the sale of weapons, although jobs understandably depend on them. It is a message to our friends and allies, and it is a message to our enemies as well. If we as a nation want to help this desperate country, we must have an influential voice in the region. We must beware of simple answers to complex questions. We must be cautious about adopting a singular, anti-Saudi Arabia line. We must appreciate the context: the need to support a legitimate Government; to allow Saudi Arabia to defend its borders and territorial integrity; to try to resist the descent of a proud, great nation that I have had the pleasure of visiting into an Iranian-backed Houthi regime of chaos and destruction; and to retain some modest influence over the conduct of the war. We would have no influence were we to suspend our arms sales and walk away. Among our many security objectives and values should be keeping faith with old and important allies and being a reliable security partner, which we should consider essential.

6.44 pm

Kate Osamor (Edmonton) (Lab/Co-op): We have heard an impassioned and informed debate on the conflict in Yemen, to which there is no end in sight and which is rapidly turning into the worst humanitarian crisis in the world. My hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) spoke with his customary passion and authority on this issue, and I believe he spoke for Members in all parts of the House. Likewise, my right hon. Friend the Member for Leicester East (Keith Vaz), who has tirelessly pursued peace in Yemen, once again made a powerful case for a proper investigation of all these allegations. As an illustration of the cross-party concern on these issues, we heard forceful and eloquent contributions from the hon. Member for Twickenham (Dr Mathias), who told us of the use of cluster bombs, the hon. Member for Ochil and South Perthshire (Ms Ahmed-Sheikh), who spoke of the atrocities in Yemen and the targeting of innocent children, and the right hon. Member for Carshalton and Wallington (Tom Brake), who spoke about the international investigation that needs to cover both sides.

My hon. Friend the Member for Chesterfield (Toby Perkins) supports the call for an independent inquiry and spoke of other issues. We also heard from my hon. Friend the Member for Preston (Mr Hendrick), the right

hon. Member for North East Bedfordshire (Alistair Burt), who has great insight and understanding of the region, and the hon. Member for Newark (Robert Jenrick), who spoke with passion about the conflict and its effect on the civilian population and how we should scrutinise the true threat in the region. We heard, too, from the hon. Members for Stratford-on-Avon (Nadhim Zahawi) and for Dunfermline and West Fife (Douglas Chapman), and the hon. Member for East Lothian (George Kerevan), who spoke of the airstrikes, the hon. Member for Wealden (Nusrat Ghani), who spoke about the desperate need for humanitarian relief, and the hon. Member for Strangford (Jim Shannon), who supports the peace process and has a lot of experience. Many Members from all parties spoke powerfully about the need for a full independent investigation; I do not have enough time to mention them all, but I know that they stand with me on the comments they made.

I believe everyone who spoke today is united on one thing: wherever we stand individually on the causes of this conflict and how it must ultimately be resolved, and wherever we stand individually on Britain's long-term relationship with Saudi Arabia as a military ally and trading partner, we share the common view that what matters above all else now is the need to tackle the humanitarian crisis that is gripping Yemen and to stop the thousands of civilian deaths turning into tens or hundreds of thousands as the country tips into famine and epidemic disease.

We have all been moved by the images of emaciated children and teenagers so weak with malnutrition that they are almost beyond help. The healthcare system in many parts of the country has been destroyed and humanitarian relief bodies are often physically unable to access those in the greatest need. We have also all been saddened by the stories of young goat-herders in rural areas picking up cluster bombs, thinking they are toys, with all too predictable and devastating results. But the true horror in Yemen lies not in individual images and stories, but in the sheer numbers affected, especially of children, and in asking what on earth the future holds for them.

Even before the war, 1.6 million children in Yemen did not go to school. Since March 2015, thousands more schools have been closed, and up to 600,000 more children are receiving no education. Even before the war, Yemen had one of the highest rates of malnutrition in the world, but since March 2015 some 1.3 million children have now moved into a state of acute malnutrition. Their situation is getting worse. Muhannad Hadi of the World Food Programme said only yesterday:

“Hunger is increasing every day and people have exhausted all their survival strategies”.

The WFP director, Torben Due, explained the situation on the ground, saying:

“We need to provide a full ration to every family in need, but sadly we have had to...split assistance between impoverished families to meet growing needs”.

His devastating conclusion is:

“An entire generation could be crippled by hunger”.

On top of that, Yemen is now facing a cholera epidemic, with the number of cases growing and spreading every day.

According to the UN, the majority of those who have been killed have died as a result of coalition air strikes. Time and again, we hear from the Saudis that they are

[Kate Osamor]

investigating. Indeed, what are the UK Government doing? We are told that the reports of civilian casualties from coalition air strikes are greatly exaggerated, and that those being hit are in fact Houthi rebels. Will the Government tell us how that squares with the fact that well over 1,000 of those casualties are children?

At the heart of this debate and today's motion is a simple question, as set out by the shadow Foreign Secretary, my hon. Friend the Member for Islington South and Finsbury (Emily Thornberry). This is not about whether or not anyone agrees with the justification for the conflict or the UN mandate that underpins it. Given the concerns about the way in which the coalition forces are conducting the conflict and about the potential violations of international humanitarian law, given the clear inadequacy of the Saudi-led investigations into those alleged violations, and given the terrible and worsening consequences for the civilian population of Yemen as long as the conflict continues, it surely makes sense for the UK to suspend its support for the coalition forces until there has been a proper, full investigation into how the war is being conducted and whether international law is being broken.

Let me boil this down to one example. On 11 September, in the rebel-held Sa'ada province, coalition air forces attacked and destroyed a drilling rig building a major new clean water well. When local civilians and healthcare workers rushed to the scene to aid the workers who had been injured, the coalition air forces returned and struck the scene again. In total, 30 civilians were killed and 17 were wounded. That is why the motion makes a simple case, which we hope will command the support of the whole House. Let the UN investigate this and all the thousands of other incidents. Let the UN determine whether there have been violations of international law. In the interim, let the Government suspend their support for the coalition forces; and let the message go out from this House that we care about the children in Yemen who are at risk.

6.52 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr Tobias Ellwood): It is a pleasure to respond to this important debate, to dispel some of the myths that surround the conflict, to put the background to the conflict in context and to clarify the UK's role as we seek to resolve the challenges facing Yemen today. As we have heard, Britain has a historical relationship with the region. We are a P5 member of the United Nations Security Council and we work with our international colleagues. We also support the UN envoy and recommend his road map, which has been shared with stakeholders.

It is worth stepping back briefly to set in context the challenges that Yemen currently faces. It is a young country. The north and south were united only in 1990. The failure by its then President Saleh to strengthen the nation's bonds created space for extremism in the form of al-Qaeda. He was then forced to stand aside in the Arab spring. Vice-President Hadi was then legitimately appointed President, and work began on trying to unite the country through the national dialogue conference, which took place in 2013 and 2014. The peace and national partnership agreement in September 2014 was signed by the Houthis themselves, yet in that very same

month they moved south from their strongholds into the capital, took over key buildings and placed Cabinet members under arrest. Those actions prompted President Hadi to request international support. That was legitimised through UN Security Council resolution 2216, which includes the words "by all necessary means" and led to the formation of the Saudi-led coalition.

As my hon. Friend the Member for Aldershot (Sir Gerald Howarth) said, the UK has an important relationship with Saudi Arabia—a strategic and defence partner for decades. We need to use that relationship to advance Saudi Arabia's accountability. It is itself a new country, gaining independence in 1932, as mentioned by my hon. Friend the Member for South Ribble (Seema Kennedy). The concept of central government is relatively new. Its leadership is on the moderate side of a conservative population, a point made earlier. We want more accountability and transparency, and we need to get involved in pushing that forward. I welcome the Deputy Crown Prince's "Vision 2030" which underlines where he would like to take the country. Is it in Saudi Arabia's interests to test the resolve of the west and deliberately breach international humanitarian law?

The hon. Members for North Durham (Mr Jones) and for Chesterfield (Toby Perkins) mentioned the visit by Saudi Arabia's Foreign Minister. Where better to hold to account another Foreign Minister than in the mother of all Parliaments? He did a service to his country and to us by holding his hand up and talking about the challenges he faces and what role Britain could play in moving the situation forward.

Humanitarian issues were raised by several colleagues. DFID is at the forefront of that engagement. I pay tribute to my right hon. Friend the Secretary of State for International Development, who held a donors conference at the UN General Assembly that increased our aid package to £100 million and encouraged others to join us in providing support to tackle the humanitarian situation on the ground. We estimate that 80% of the population is in need of assistance.

Keith Vaz: Will the Minister give way?

Mr Ellwood: There is not enough time.

I stress the importance of the port of Hudaydah, where ships are queuing up to get in. I am pleased that DFID is looking at the situation to see what we can do to repair the cranes.

The licensing issues have been taken seriously, with my right hon. Friend the Foreign Secretary focusing on them. The Ministry of Defence monitors the incidence of alleged violations of international humanitarian law using all the available information to form an overall view of Saudi Arabia's approach and attitude to international humanitarian law.

The Saudi evaluation process has been slow. It has taken time and there have been mistakes. Modern warfare is complex and difficult, but we must ensure that we work with the Saudis so that they can put their hand up, which is exactly what happened when I went to Saudi Arabia to ask what happened when the funeral attack took place on 8 October. This was a shocking and tragic incident. The Foreign Secretary expressed deep regrets about it when speaking to the Saudi Foreign Minister, and I travelled to the capital to express our concerns and to ask about the details of the investigation. It transpires

that standard operating procedures were not followed in this particular case. At least one senior officer did not follow the agreed rules of engagement, and I expect him and others to face a court martial.

To conclude, this Government's position is clear: the conflict in Yemen must end; a political agreement between the Yemeni parties must be found; and the humanitarian suffering and the economic situation must be addressed. Britain continues to play an important role and supports the UN envoy's road map, which was recently distributed to all stakeholders. We continue to monitor the situation closely and factor any incidents of concern into our consideration of our continued export of weapons to Saudi Arabia.

The Government are not opposed to the idea of independent UN-led investigations, as I have said in this Chamber before, but first we want Saudi Arabia to investigate allegations—that is international convention. Unlike Russia, which is defying international concern in Syria, Saudi Arabia—

Mr Nicholas Brown (Newcastle upon Tyne East) (Lab) *claimed to move the closure (Standing Order No. 36).*

Question put forthwith, That the Question be now put.

Question agreed to.

Question put accordingly (Standing Order No. 31(2)), That the original words stand part of the Question.

The House divided: Ayes 193, Noes 283.

Division No. 72]

[6.59 pm

AYES

Abbott, Ms Diane	Corbyn, rh Jeremy
Abrahams, Debbie	Cowan, Ronnie
Ahmed-Sheikh, Ms Tasmina	Crawley, Angela
Anderson, Mr David	Creasy, Stella
Arkless, Richard	Cruddas, Jon
Ashworth, Jonathan	Cryer, John
Bardell, Hannah	Cunningham, Alex
Benn, rh Hilary	Cunningham, Mr Jim
Betts, Mr Clive	Dakin, Nic
Black, Mhairi	Danczuk, Simon
Blackford, Ian	Davies, Geraint
Blackman, Kirsty	Day, Martyn
Blomfield, Paul	Debbonaire, Thangam
Boswell, Philip	Donaldson, Stuart Blair
Brake, rh Tom	Doughty, Stephen
Brennan, Kevin	Dowd, Jim
Brock, Deidre	Dowd, Peter
Brown, Alan	Dromey, Jack
Brown, Lyn	Durkan, Mark
Brown, rh Mr Nicholas	Edwards, Jonathan
Buck, Ms Karen	Efford, Clive
Burden, Richard	Ellman, Mrs Louise
Burgon, Richard	Esterson, Bill
Butler, Dawn	Farrelly, Paul
Byrne, rh Liam	Fellows, Marion
Cadbury, Ruth	Ferrier, Margaret
Cameron, Dr Lisa	Fletcher, Colleen
Campbell, rh Mr Alan	Foxcroft, Vicky
Carmichael, rh Mr Alistair	Gardiner, Barry
Champion, Sarah	Gethins, Stephen
Chapman, Douglas	Gibson, Patricia
Chapman, Jenny	Glass, Pat
Cherry, Joanna	Glindon, Mary
Cooper, Julie	Godsiff, Mr Roger
Cooper, rh Yvette	Goodman, Helen

Grady, Patrick	Oswald, Kirsten
Grant, Peter	Owen, Albert
Gray, Neil	Paterson, Steven
Green, Kate	Pearce, Teresa
Greenwood, Lilian	Pennycook, Matthew
Greenwood, Margaret	Phillips, Jess
Haigh, Louise	Pound, Stephen
Hamilton, Fabian	Pugh, John
Hanson, rh Mr David	Reed, Mr Steve
Harman, rh Ms Harriet	Rees, Christina
Harris, Carolyn	Reynolds, Jonathan
Hayes, Helen	Rimmer, Marie
Hayman, Sue	Ritchie, Ms Margaret
Healey, rh John	Robertson, rh Angus
Hendry, Drew	Rotheram, Steve
Hepburn, Mr Stephen	Salmond, rh Alex
Hodgson, Mrs Sharon	Saville Roberts, Liz
Hollern, Kate	Shah, Naz
Hopkins, Kelvin	Sharma, Mr Virendra
Hosie, Stewart	Sheppard, Tommy
Huq, Dr Rupa	Sherriff, Paula
Hussain, Imran	Siddiq, Tulip
Johnson, rh Alan	Skinner, Mr Dennis
Jones, Gerald	Slaughter, Andy
Kane, Mike	Smith, rh Mr Andrew
Keeley, Barbara	Smith, Cat
Kerevan, George	Smith, Jeff
Lavery, Ian	Smith, Nick
Law, Chris	Smith, Owen
Lewell-Buck, Mrs Emma	Smyth, Karin
Long Bailey, Rebecca	Starmer, Keir
Lucas, Caroline	Stephens, Chris
Lucas, Ian C.	Stevens, Jo
Lynch, Holly	Tami, Mark
MacNeil, Mr Angus Brendan	Thewliss, Alison
Madders, Justin	Thomas-Symonds, Nick
Mahmood, Mr Khalid	Thompson, Owen
Malhotra, Seema	Thomson, Michelle
Marsden, Gordon	Thornberry, Emily
Maskell, Rachael	Timms, rh Stephen
Matheson, Christian	Trickett, Jon
Mc Nally, John	Turner, Karl
McCabe, Steve	Twigg, Derek
McCaig, Callum	Twigg, Stephen
McCarthy, Kerry	Umunna, Mr Chuka
McDonald, Andy	Vaz, Valerie
McDonald, Stuart C.	West, Catherine
McDonnell, rh John	White, Chris
McGarry, Natalie	Whiteford, Dr Eilidh
McInnes, Liz	Whitehead, Dr Alan
McMahon, Jim	Whitford, Dr Philippa
Meale, Sir Alan	Williams, Hywel
Mearns, Ian	Williams, Mr Mark
Miliband, rh Edward	Wilson, Corri
Monaghan, Carol	Winnick, Mr David
Monaghan, Dr Paul	Winterton, rh Dame Rosie
Morden, Jessica	Wishart, Pete
Mulholland, Greg	Wright, Mr Iain
Mullin, Roger	Zeichner, Daniel
Nandy, Lisa	
Newlands, Gavin	
Nicolson, John	
O'Hara, Brendan	
Osamor, Kate	

Tellers for the Ayes:

**Judith Cummins and
Chris Elmore**

NOES

Adams, Nigel	Amess, Sir David
Afriyie, Adam	Andrew, Stuart
Aldous, Peter	Ansell, Caroline
Allan, Lucy	Argar, Edward
Allen, Heidi	Atkins, Victoria

Bacon, Mr Richard
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Barwell, Gavin
 Bebb, Guto
 Bellingham, Sir Henry
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Blackwood, Nicola
 Blunt, Crispin
 Bone, Mr Peter
 Borwick, Victoria
 Bottomley, Sir Peter
 Brady, Mr Graham
 Brazier, Mr Julian
 Bridgen, Andrew
 Brine, Steve
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burrowes, Mr David
 Burt, rh Alistair
 Carmichael, Neil
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chope, Mr Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colvile, Oliver
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Byron
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Donelan, Michelle
 Dorries, Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellison, Jane
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evnnett, rh David
 Fabricant, Michael
 Fernandes, Suella

Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Gale, Sir Roger
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Gillan, rh Mrs Cheryl
 Glen, John
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, Mr James
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, rh Ben
 Gyimah, Mr Sam
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Jones, Peter
 Henderson, Gordon
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kirby, Simon
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi

Lancaster, Mark
 Latham, Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Sir Oliver
 Lewis, rh Brandon
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McLoughlin, rh Sir Patrick
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Milton, rh Anne
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Opperman, Guy
 Osborne, rh Mr George
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Philp, Chris
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Mary

Rosindell, Andrew
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Stephenson, Andrew
 Stevenson, John
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Mr Robert
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Mrs Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
 Christopher Pincher and
 Chris Heaton-Harris

Question accordingly negated.

*Question put forthwith (Standing Order No 31(2)),
 That the proposed words be there added.*

Question agreed to.

Main Question, as amended, put and agreed to.

Resolved,

That this House supports efforts to bring about a cessation of hostilities and provide humanitarian relief in Yemen, and notes that the country is now on the brink of famine; condemns the reported bombings of civilian areas that have exacerbated this crisis; and calls on the Government to continue to support the UN Special Envoy in his ongoing efforts to achieve a political solution to bring sustainable peace to Yemen.

PETITION

Implementation of the 1995 and 2011 Pensions Acts

7.15 pm

Mark Tami (Alyn and Deeside) (Lab): The petition relates to implementation of the 1995 and 2011 Pensions Acts and the WASPI—Women Against State Pension Inequality—Campaign. I want to place on record my thanks to Caron Fahy, Lynne Dorm, Rosemarie Phoenix, Janet Shefras, Julia Clay and Anne Tapp for collecting nearly 400 signatures in Alyn and Deeside.

The petition states:

The petition of residents of Alyn and Deeside,

Declares that as a result of the way in which the 1995 Pension Act and the 2011 Pension Act were implemented, women born in the 1950s (on or after 6 April 1951) have unfairly borne the burden of the increase to the State Pension Age; further that hundreds of thousands of women have had significant changes imposed on them with little or no personal notice; further that implementation took place faster than promised; further that this gave no time to make alternative pension plans; and further that retirement plans have been shattered with devastating consequences.

The petitioners therefore request that the House of Commons urges the Government to make fair transitional arrangements for all women born in the 1950s (on or after 6 April 1951) who have unfairly borne the burden of the increase to the State Pension Age.

And the Petitioners remain, etc.

[P001966]

Birmingham Pub Bombings: Legal Aid

Motion made, and Question proposed, That this House do now adjourn.—(*Mr Syms.*)

7.16 pm

Jess Phillips (Birmingham, Yardley) (Lab): I called this debate with the support and backing of all the Members of Parliament for Birmingham. Special credit goes to my right hon. Friends the Members for Birmingham, Hodge Hill (Liam Byrne) and for Birmingham, Edgbaston (Ms Stuart), and my hon. Friends the Members for Birmingham, Erdington (Jack Dromey), for Birmingham, Northfield (Richard Burden), for Birmingham, Perry Barr (Mr Mahmood) and for Birmingham, Selly Oak (Steve McCabe) for joining me here today. I want to say a massive thank you to all Members from across the midlands, especially the right hon. Member for Meriden (Dame Caroline Spelman) and the hon. Member for Solihull (Julian Knight), who have always supported the campaign. I also thank Northern Ireland Members who are here tonight to give their support. I wish to give a special mention to my right hon. Friend the Member for Leigh (Andy Burnham), who recently gave voice to the issue in this place.

Today I will focus on two areas. I want to breathe life into a debate that has become about claim and counter-claim and a very famous miscarriage of justice. It is time that in this place and outside it the story of the 21 people who died became our focus. I will also cover some of the issues that the families of the 21 victims have faced in the fight to receive fair and equal access to our justice system.

I am sure that the Minister is poised to tell the House that yesterday the families were informed that they would be granted some form of legal aid funding. That was not the case when I called for the debate, so perhaps I will do a little less fist-waving—I do love to do that—than I might have. However, their treatment and the legal funding that has been granted still pose fundamental questions that must be answered.

For Brummies, this is a bit like knowing where you were when Kennedy died. Anyone from Birmingham has a story to tell about the night of the pub bombings. My parents were driving away from the city with my two brothers—then a baby and a toddler—in the back of the car when they heard the blast. My dad returned to work the following Monday to find that a young woman he taught had been killed. That young woman was 18-year-old Maxine Hambleton.

Twenty-one people died in the Birmingham pub bombings on 21 November 1974. Those 21 people have been largely forgotten in a story that for so many people became about six men. When I was a kid, the story of the Birmingham Six was everywhere. It is worth noting that it was not the justice system that acted to correct itself in these matters; it was the actions of a Member of this House at the time—namely, Chris Mullin—that led to their release. This House has had, and can have again, an important role to play in the story.

Along with similar miscarriages of justice at the time, the story of that fatal night became, for many, a story about the accused and the war in Northern Ireland. The lives and loves of the people who died got lost; today,

[Jess Phillips]

we must remember them. They were: Desmond Reilly, Eugene Reilly, Maxine Hambleton, Jane Davis, Michael Beasley, Lynn Bennett, Stanley Bodman, James Caddick, Thomas Chaytor, James Craig, Paul Davies, Charles Grey, Anne Hayes, John Jones, Neil Marsh, Marilyn Nash, Pamela Palmer, Maureen Roberts, John Rowlands, Trevor Thrupp and Stephen Whalley. Their names are not enough. The people who died had lives and responsibilities.

That night, six friends stood around a bar at the Mulberry Bush—like we all do after a long day's work—sharing a pint and a joke. It was Stan Bodman's turn to buy a round of drinks. A larger-than-life character, the life and soul of the group, his mates included John Rowlands, an electrician, a father and a husband; and John Jones, a postman, who that day had returned from two weeks' leave. Stan's request for drinks saved the life of the barmaid, but ended those of him and his friends. When they were found in the rubble, they were positioned exactly where they stood, in a circle—friends in death, as they had been in life.

At the same time that Stan was ordering his last round of drinks, Paul Davies was walking past the Mulberry Bush. When the bomb went off, he and his friends died outright. He was 20 years old, with a young child and one on the way. His partner never got over his death, and she died in tragic circumstances a few years later, leaving her child an orphan.

Maxine Hambleton had popped into the Tavern in the Town to hand out tickets for a house-warming party that she was planning to give. That night, Maxine and Jane Davis, who was the youngest victim, at 17, both died, their lives extinguished before they ever had time to begin. I met Julie Hambleton, the sister of Maxine, five years ago. Until recently, we did not realise the connection between our families. Julie, her family and the families of many others who died that night have been campaigning for years to find out what happened to their loved ones. I want to stress today that the victims of these killings are not confined to those who died; they include those who were injured and the hundreds of people affected through the loss, grief and fear that followed.

Last week, Julie wrote to me:

"Maxine was our sister. She had an aura of such maturity that even now when I remember her, those memories are of a young woman who had a purpose and direction in life. My memories of Maxine are very few and far between, which as I'm sure you can imagine is hard...I would love to have...memories of her...I sit here at work, writing this to you, crying, fighting to try and remember more about my beautiful, kind, generous and funny big sister. I remember how we watched Thunderbirds together when we were living in Yardley in the old cottage opposite the Church. We used to sit and watch it every week...watching these programmes helps me to feel her...presence. Our love for her will never ever die for as long as we live and we will fight until our dying breath, because we know without any doubt, that she would have died for any one of us...to get to the truth."

The families want to know who killed their loved ones. They want to know what happened in the investigation, which is still so shrouded in secrecy and questions. After years of individual battles, the families came together to form the campaign group Justice For The 21. Julie Hambleton, who was just a kid at the time of the bombings, leads this campaign with the same

tenacity and emotion as if they had happened yesterday. I admire her resilience; she has fought this for longer than I have been alive.

And so to the issue today. In June this year, the Birmingham and Solihull coroner ruled that, on the basis of submissions made by the legal teams of three of the victims' families, there was sufficient reason to resume the inquest. It is important to state that the legal support that has been offered to date has been provided completely for free to the victims' families. Without the fight from the families, and the generosity of their lawyers, the inquest would never, ever have resumed.

Today is 26 October, and the day after tomorrow—on 28 October—submissions are to be made on the scope and process of the resumed inquest.

Richard Burden (Birmingham, Northfield) (Lab): I congratulate my hon. Friend on her speech; she speaks for all of us. I hope that the Minister will address the months since the inquest was granted in which the families have had to wait to hear about their legal aid. That simply shows a lack of respect, and an apology for that extra delay would be useful today.

Jess Phillips: I thank my hon. Friend for his intervention; I could not agree more. The families involved were told only yesterday that arrangements will be made for their legal teams to work with another firm and receive legal aid. Does the Minister think that three days' notice on this matter is sufficient?

I stress how much I welcome the progress that has been made since I called for the debate. At that time, the families still had no idea whether they would be granted funding at all, even though they applied for exceptional case funding from the Legal Aid Agency in January this year, and the resumed inquest was granted in June. In the meantime, the families also applied to the Home Secretary to seek the use of the Hillsborough funding and administration scheme. The families have been given messages of support all along the way from the former Home Secretary, who is now the Prime Minister, the new Home Secretary and the Justice Secretary. However, those warm words proved to be little else. The legacy of what happened at Hillsborough marked for many a turning point in how the families of those bereaved or injured in large public disasters would be treated. Lord Wills, in speaking to his Public Advocate Bill in the other place, stated that when he met families of those that died in Hillsborough in 2009, one

"message that came through over and over again was that they wanted to find a way to prevent other similarly bereaved families suffering and having to endure in the way they had suffered and endured for 20 years."—[*Official Report, House of Lords*, 29 January 2016; Vol. 768, c. 1519-20.]

The Prime Minister should rightly feel proud of her role in how the Hillsborough families finally got justice, but I am afraid that the systemic problems that these brave families fought against still remain. The current Home Secretary said that funding the Birmingham pub bombing families through the Hillsborough scheme would not be appropriate, but I take real issue with that judgment. Both the Home Secretary and the Prime Minister have cited the way in which the inquests on the 7/7 bombings were funded, even though the scheme that those families used is no longer available, as the Legal Aid, Sentencing and Punishment of Offenders Act 2012 removed it.

The bereaved Birmingham families feel that they were strung along by the Home Secretary on this matter, and ultimately let down. They tell me that she told them that she had written to the Justice Secretary to give her support for exceptional case funding from the Legal Aid Agency. When Julie Hambleton and I approached the Justice Secretary in Birmingham, she seemed to have no knowledge of the case. The families then received a letter from the Justice Secretary saying that neither she nor any politician could influence the outcome from the Legal Aid Agency, which seemed contrary to what they had been told by the Home Secretary.

With three days to go before the process is to begin, the families are informed of an arrangement that has strings attached. They feel they have been misled and fobbed off. I ask the Minister to bear in mind that these are families who lost their sisters, mothers, brothers, daughters and partners. They are just ordinary working-class people who are trying to fight for justice in the face of powerful actors whom they already do not trust. The appalling way in which the funding for their case has been handled pushes them—and, I have to say, me—into really doubting that those in power want to see justice done. As with Hillsborough before, this is a David and Goliath fight.

The former chief coroner, who will chair the resumed inquests, called for parity of funding in inquests where there is state involvement.

Steve McCabe (Birmingham, Selly Oak) (Lab): My hon. Friend is making a valuable speech. On seeking parity, would it not be useful to know how much public money is being made available to fund the legal costs of the police and other Government agencies in this case, and how that compares with the help for the families?

Jess Phillips: I agree with my hon. Friend. The former chief coroner, who will chair the resumed inquest, called in his annual report for exactly the same level of parity. Parity of funding means at the rates available to other parties to the resumed inquests. West Midlands police has apparently set aside £1 million so far. Former police officers will be represented through the Police Federation, and Government Departments will no doubt be represented by lawyers from the private sector.

Tonight I ask whether the legal aid for the relatives of the victims of the Birmingham pub bombings is appropriate or sufficient. I accept that it might be appropriate in many circumstances, but Hillsborough gives us a successful model, and there has been no explanation of why that cannot be replicated in this case or, in fact, in future cases of this kind. That is in the gift of the Home Secretary and the Prime Minister.

Jim Shannon (Strangford) (DUP): The hon. Lady is speaking passionately from the heart. It is clear that the process lacks compassion for those who lost loved ones in the Birmingham bombing atrocity. Does she agree that the relatives should receive the same support that was given to the victims of Hillsborough so that they can find out the truth about what happened to their loved ones, who were murdered by IRA terrorists so horribly many years ago?

Jess Phillips: I think that this and other cases that will almost certainly be discussed in this place will require a specific mechanism for the future.

Will the Minister guarantee today that legal aid funding will provide the Birmingham families with parity? As a Birmingham tax and rate payer, and as a representative of Birmingham tax and rate payers, all I ask is that fairness is considered when our money is spent. Hundreds of my constituents and thousands of Brummies have signed petitions and written letters in support of the families. Without the certainty of parity, how can any of them—and, in fact, any citizen in this country—ever believe that if the worst were to happen to their relatives, those responsible would face justice? So many people in this country believe that powerful establishment figures act against them. The levels of disillusionment in the UK today should worry us all.

The Prime Minister stood on the steps of Downing Street and said that she would fight against burning injustice. She said:

“When we take the big calls, we’ll think not of the powerful, but you. When we pass new laws, we’ll listen not to the mighty but to you.”

I stand here today to ask on behalf of the ordinary families in Birmingham whether this Government will help them to be mighty and powerful, or are those words worthless?

7.32 pm

Julian Knight (Solihull) (Con): I thank the hon. Member for Birmingham, Yardley (Jess Phillips) for allowing me to speak briefly. Her speech was not just powerful, but, frankly, superb.

I am keen to demonstrate, by standing here today, that this is not a party political issue. Finding justice for the victims of IRA terrorism is a cause that unites Members across the House and the west midlands. The false conviction of the Birmingham Six meant that vital inquiries into what really happened in 1974 closed down far too early. The fact that the new inquiry might have unearthed new evidence only makes the mistake more obvious and tragic.

Four decades is too long to wait for justice. This Government have already proven themselves willing to confront difficult issues from the past, such as Hillsborough. I know that legal aid is independently run, but January is far too long a wait and shows that the system is not meeting the test of compassion in our society.

We have come a long way since 1974. We are a more tolerant and less deferential society, thank goodness, but we should not rest until past injustices have been faced up to.

7.34 pm

The Minister for Courts and Justice (Sir Oliver Heald): May I join in the tributes to the hon. Member for Birmingham, Yardley (Jess Phillips) and pay tribute to those who have supported her? We have heard tonight from the hon. Members for Birmingham, Northfield (Richard Burden) and for Birmingham, Selly Oak (Steve McCabe), and from my hon. Friend the Member for Solihull (Julian Knight).

I was a young student when the bombings happened. Like others of my generation, I remember the sense of deep shock and horror at this event in November 1974—it was shortly after the general election when Harold Wilson won by a narrow majority—when bombs exploded in two public houses in central Birmingham. Twenty-one people were killed, and 222 others were injured. At the

[*Sir Oliver Heald*]

time, it was the deadliest act of terrorism that had happened in Great Britain since the second world war. It caused great shock, not only in Birmingham, as the hon. Lady has said, but right across the country. People were horrified by what had happened. I remember the deep national mood of mourning at the time. The Government express their heartfelt sympathy to the friends and the families of all the innocent people who lost their lives in that shocking crime, and to those who were injured and had their lives changed by this awful event.

There are inquests where families need more help than they would get in an ordinary—if one can call it that—inquest, which is a matter of finding out fairly simply what the situation was, with the coroner asking the questions. The Legal Aid, Sentencing and Punishment of Offenders Act 2012, which has been mentioned, enables the provision of exceptional case funding for representation in such cases if certain tests are met. The Legal Aid Agency decides legal aid applications entirely independently, which is why Ministers have said—rightly so, I think the hon. Lady would agree—that it is not for politicians to interfere in its independent decision making.

Two applications have been received by the Legal Aid Agency. So far, one has been granted and, as the hon. Lady said, a way has been suggested of finding the other application to be within the rules. Those applications do not cover all the families who have been bereaved, so there may be further applications. I welcome, as she has, the fact that one of the applications has been accepted and that a way has been found to proceed with the other.

The Birmingham and Solihull coroner, Louise Hunt, has decided to reopen the inquests into these deaths, because she felt that there was sufficient reason to do so. That is partly because of the campaign that has been waged to resume the inquest and to look at the new evidence, which she feels should be investigated. I do not know whether the hon. Lady would agree, but I take the view that there is a role for campaigners to get behind an issue, to press and to push, and for Members of Parliament to help them. She mentioned Chris Mullin, and it is true that he took part in such a campaign, as she is doing in relation to this.

The exceptional case funding scheme is not intended to provide a general power to fund cases that fall outside legal aid. Legal aid is fundamental to our system. Resources are not limitless, as we all know, and it is always necessary to make sure that public confidence—

Jess Phillips: I wonder whether the fund that the other actors in the inquest will have is limitless.

Sir Oliver Heald: That is a point that the hon. Lady has made. I will come to it in a second, but I think there is an issue here that needs examination. The decision about whether to provide legal aid funding in an individual case should not be a political one. It is solely for the director of legal aid casework at the Legal Aid Agency to decide whether a particular case is within the regulations and the laws, which we in Parliament have set.

On the overall position mentioned by the hon. Lady, I want to make it clear that we acknowledge there is a wider issue. It turns on the perception that, as she

mentioned, families in very difficult circumstances with complicated cases have gone unrepresented while public bodies and individuals are represented at a cost to the public. The Ministry of Justice and the Home Office are rightly working collaboratively to consider that issue.

As the hon. Lady said, the families at the 7/7 inquest received legal aid exceptional case funding, which was under an earlier scheme. The issue related to the terms and conditions for receiving legal aid. In fact, it is obvious from what has happened in recent days that it is possible to receive legal aid under the current scheme.

Questions have been asked about other possible funding arrangements, and the arrangement used for the Hillsborough families—the Home Office made direct grants for representation at the hearing of inquest—does raise a question. The Hillsborough inquiry was expertly conducted by Lord Justice Goldring, who investigated the case in a very sensitive, effective and thorough way, but there are lessons to be learned about the tragic history of Hillsborough. As the hon. Lady may know, Bishop James Jones, who played a distinguished part in tackling the Hillsborough case, is preparing a report on how it was dealt with, and we want that report to inform how we take this work forward.

Liam Byrne (Birmingham, Hodge Hill) (Lab): The Minister is addressing the points raised well. If, as he says, he is looking at the lessons to be learned, will he tell the House tonight that he agrees with us that there should be parity of funding for the legal costs in this inquest? Does he agree with the parity principle—yes or no?

Sir Oliver Heald: What is important is that there should be an element of equality of arms in the sense that the work that needs to be done for the families should be done effectively and in accordance with the funding arrangements put in place by the Legal Aid Agency. Let us be clear that for cases that involve an inquest for which exceptional case funding has been agreed, I have never heard the scheme described as not providing enough funding for particular items of work for lawyers. The point is that there are rules about how people can enter the scheme and, as appears from the decision that has been mentioned, such a case has led to funding.

I want to make the point that the coroner for the Birmingham inquest will be His Honour Judge Peter Thornton, the previous Chief Coroner, and I am sure that he will have the confidence of the families. I am grateful to hon. Members who have spoken in this debate, and I think we will all want to pay tribute to the way in which the families have campaigned.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): May I briefly draw the Minister's attention to the fact that, for 7/7, there was never any question of a problem with the investigation, but there was such a problem with Hillsborough and with Birmingham? Therefore, unless he now agrees to parity of funding, he will not be addressing the fundamental problem, which is that there was a difficulty with the police investigation. That is what the families object to.

Sir Oliver Heald: We may just be talking semantics. I certainly agree that it is important for families with legal aid representation to be able to do what their

lawyers think is necessary to conduct their affairs at the inquest properly. If the right hon. Lady is simply saying that the amount of money must be exactly the same for all, I do not think the system would ever work in that way. My own experience of appearing at inquests, as I have in the past, and of appearing in cases is that different rates of pay can be given to different lawyers, but the important thing is that the lawyers should be doing what is necessary, in a competent and effective way, to represent their clients. From what I know of the solicitors who have been granted a legal aid certificate—I am not in a position to say who they are—I do not think that is an issue.

Jack Dromey (Birmingham, Erdington) (Lab): First, I praise my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) for her outstanding speech—she spoke passionately about a grotesque injustice. As the shadow Minister for Policing at the time, I was involved in the discussions on the Policing and Crime Bill and the Hillsborough inquest. It was indicated then that there was sympathy for proper representation for the Birmingham families, based on the Hillsborough model. Why has it taken so long that, just three days before the process starts, there is at last movement? Why can the Minister not give the simple assurance that the Hillsborough principle will be replicated in the Birmingham case?

Sir Oliver Heald: As I have indicated, the Ministry of Justice and the Home Office are looking at the best way forward. We want to learn the lessons from Hillsborough and regard the report being prepared by Bishop Jones as an important part of that. The issue is not so much whether the funding is through the legal aid fund or through a Hillsborough-type approach as the fact that the families should be represented if the case requires. That is the system we are trying to create.

Mike Wood (Dudley South) (Con): Will the Minister give way?

Sir Oliver Heald: I have about half a second, but I will, quickly.

Mike Wood: Does the Minister recognise that the basic test of fairness for the families is that they all need access to representation and that that representation needs to be at the same level as that of other parties in the inquest?

Sir Oliver Heald: Yes, and it is important—

7.46 pm

House adjourned without Question put (Standing Order No.9(7)).

Westminster Hall

Wednesday 26 October 2016

[MR CHRISTOPHER CHOPE *in the Chair*]

Libya

[*Relevant document: Third Report from the Foreign Affairs Committee, Libya: Examination of intervention and collapse and the UK's future policy options, HC 119.*]

9.30 am

Kwasi Kwarteng (Spelthorne) (Con): I beg to move,

That this House has considered British engagement with Libya.

It is a great pleasure to introduce a debate of such importance—it is a wonderful privilege as a Member of Parliament to have the opportunity to raise subjects of international importance. We all know, given where we have come from with the debates on Brexit, Heathrow and all the rest, that we focus a lot on domestic issues. We particularly focus on European issues, but the situation in Libya is of enormous importance for the country and the wider picture in the middle east. The waves of migration we are seeing in Europe are in many ways a direct consequence of the total collapse of order and civic administration in Libya. I do not want to exaggerate that and suggest that Libya is in a complete state of anarchy, but there is no doubt that there have been many failures of omission in Libya, as the Chair of the Foreign Affairs Committee, my hon. Friend the Member for Reigate (Crispin Blunt), and his team have pointed out.

We have had five years in which it has been unclear what the future political make-up of the country will be in terms of its institutions. Muammar Gaddafi saw his end five years ago, in October 2011. It is disconcerting to see that there is no single constituted political entity or Government in Libya. Instead, there are two Governments and various militias. The country is divided geographically between the east and the west, with their respective centres of power in Tobruk and Tripoli. The Government of National Accord have been backed by the United Nations, by us and by the international community, yet when we read reports on what is happening on the ground in Libya with the militias and military activity, the striking thing is that the GNA's forces do not seem to be making much impact. In fact, I rarely read about what they and their military forces are doing.

David Morris (Morecambe and Lunesdale) (Con): I thank my hon. Friend for securing this timely debate. Does he agree that Field Marshal Khalifa Haftar would possibly be a better person to lead security in Libya at this time?

Kwasi Kwarteng: I want to address precisely that point in my remarks. There seems to be a complete disjuncture between what we want to happen with the people we want to back for our own reasons—they could have a legitimacy or legal primacy—and what is happening on the ground. That has been a constant feature of the

western approach to the area. We have our own ideals and beliefs about the process, the rule of law and what we think should happen, but when we look on the ground at the instrumentalities, as Woodrow Wilson used to call them, we see a complete mismatch. The people whom we want to be in charge—the people whom we believe have legitimacy—have very little capacity to enforce their will and ensure that their writ is run through the country we hope they can rule. That fundamental problem always comes up.

Haftar represents Operation Dignity. He has set himself up as an anti-Islamist strongman. There is no doubt that he is a controversial figure, but it is difficult to envisage a stable Libya without his active participation. He simply has a lot of muscle and many forces. He controls a significant portion of the country, particularly in the east. A few weeks ago we discovered that his forces took over a lot of the oil installations at the beginning of September. He has to come round the table if we are to reach a satisfactory solution.

There have been dark rumblings in regard to Haftar. We have read many times that the French secret service is supporting him. They are rumours, but it is important that we know what is being said. We also know that allies, including our friends in Egypt and the Egyptian Government, are openly supporting Haftar. The United Arab Emirates is broadly in support of his objectives. Many of our allies are openly or covertly supporting General Haftar, yet we stick to this idea, perhaps rightly, that the GNA is the legitimately constituted Government of Libya.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): I am pleased that my hon. Friend is spending time talking about General Haftar. Our Government's line has repeatedly been for the past five years, "We must wait for a Government of National Accord and national unity." It is clearly evident after five years that that will not happen, and it is unrealistic to expect it. We should support General Haftar to bring peace and stability to the country.

Kwasi Kwarteng: My hon. Friend makes an interesting point. I am trying to say—in many ways, it is the crux of this debate and nearly any debate about the middle east—that we have our own ideals and our own sense of what the rule of law and due process are, yet the realities on the ground in many instances bear no relation to the theoretical aspirations and structures that the international community constructs. I am trying to grope towards some way in which we can accommodate or harmonise our intellectual construct and method with what is happening on the ground.

The reality is that there are something like 1,700 militias. General Haftar is probably the biggest military presence, and many of our allies openly support him. My hon. Friend asks an interesting question: why do we not just support General Haftar? I do not propose to answer that definitely today. It is a difficult question and there are lots of balancing factors. The fact is that General Haftar is not universally popular. We have big issues with militias in Misrata. A number of other tribes on the western side have said openly that they are not prepared to tolerate rule by him. Their belief is that, if we support Haftar, we will be substituting one military dictator for the former military dictator, Gaddafi.

[*Kwasi Kwarteng*]

Be that as it may, I want to talk about my hon. Friend's suggestion. Our strategy has not moved the country forward in five years. The financial situation is such that whatever oil reserves Libya had are rapidly dwindling. Libya's GDP was something like \$75 billion in 2011 and is now something like \$41 billion—it is roughly of that order; that figure is from a couple of years ago, but it is the latest we have. We are talking about an economy that has essentially halved in five years. GDP per capita was something like \$12,500 in 2011, at which point Libya was one of the wealthiest countries in Africa. It was seeing some degree of material progress. Today, GDP per capita is about \$7,000. No country in Europe has seen such a diminution of its wealth, including Greece. That has huge implications for the security situation in the region and outside.

Not only have people become a lot poorer, but the political institutions in many instances have broken down. Whatever Gaddafi's strengths and weaknesses were—let's face it, he was a tyrant—he had a degree of control over the country's borders. Those who know geography will know that Libya is an enormous country with something like 4,000 miles of borders. To stem the flow of migration, it was very important that a centrally constituted Government—a central authority—could control the borders. That has now completely collapsed, which is why hundreds if not thousands of people come from very poor countries in sub-Saharan Africa through Libya and find themselves on boats in the Mediterranean going to Italy, in many instances ending their lives there.

I did not want to talk about the EU—we have had plenty of debates in this place about it—but one of the failures it needs to address is the lack of a co-ordinated plan for Libya. There is no point pretending it is going to go away, because it is not. The problem will get worse.

Charlotte Leslie (Bristol North West) (Con): I thank my hon. Friend for securing this timely, topical debate. Does he agree that, although focusing on Libya's coastline is very important to prevent the tragedy of human trafficking, it is also important to look at Libya's southern borders, where people are coming up from sub-Saharan Africa? Perhaps we could be doing more to understand what is going on there and to tackle trafficking at its source.

Kwasi Kwarteng: As is often the case, my hon. Friend is absolutely right. That goes to the heart of the question. There is no centrally constituted Government or central power to hold the country together and control the borders that she talks about, which are pretty porous.

I secured the debate because I have spent time in Europe speaking to German colleagues and MPs and politicians from other countries, and I am struck by the fact that there does not seem to be any real plan of action. Nothing has happened for five years. The country is not in a state of chaos—that would be an exaggeration—but it is certainly not stable. Its oil reserves are dwindling. It is still fairly rich by African and developing country standards, but its wealth is being depleted, and if it diminishes further the problem will get worse. It is no use pretending it is simply going to go away, because it is not.

Bob Stewart (Beckenham) (Con): One of the biggest problems is that when the United Nations or outside organisations such as the European Union try to help one side or the other, they are regarded with the deepest suspicion by a large number of people in Libya. That is one of the reasons why the latest plan seems to have failed.

Kwasi Kwarteng: My hon. Friend makes a fair point, but I am told that one of the reasons why the Libyans view western involvement with such scepticism is that 2011 was not this country's finest hour. I agree substantially with many of the findings in the Foreign Affairs Committee report. We went in there, but we did not have a plan or a follow-through. Given that context, it is not surprising that Libyans are sceptical.

Our ideals—what we want to happen—and what we can actually do are often completely different. I completely understand the support for the Government of National Accord, but it is difficult to see how we can empower them to take control of the country. None of the militias that one reads about—Haftar and Operation Dignity, Libya Dawn, ISIS and various al-Qaeda militias—are GNA forces. They are not under the control of the Government of National Accord, yet we carry on in a fantasy world in which they are the official, legal Government and we are going to support them. I totally understand those pious words, but nothing is happening on the ground.

We can go on like this. I am sure that in five years' time I, or some new MPs, will take up the issue. We can go on forever and a day talking about what is going on, but in this debate I want to say, "Look, this is a big problem. What are we going to do about it?" I do not propose any definitive answers, but it is highly important that MPs have the opportunity to speak and think about these issues. We do very little thinking in this place; we do a lot of talking, posturing and virtue-signalling, but as parliamentarians we need to engage our minds critically with these problems.

Daniel Kawczynski: My hon. Friend said that 2011 was not our finest hour. May I remind him—I am sure he remembers this very clearly—that only one Conservative Member of Parliament voted against military action: our colleague from the Foreign Affairs Committee, my hon. Friend the Member for Basildon and Billericay (Mr Baron)? Does he agree that we need to learn from that terrible mistake? We saw on our television screens constant coverage of the alleged bloodbath that would ensue if Gaddafi was not stopped. We reacted quickly without thinking about the consequences and without the follow-through that was needed.

Kwasi Kwarteng: That is a very timely intervention, because that is exactly the kind of thing I am talking about. For far too long, we have had emotional responses to situations. I remember the debate very vividly, although I was a new Member of Parliament and less experienced and less versed in issues relating to the middle east then. We talked a lot about the humanitarian crisis and what we needed to do to intervene to stop the potential bloodbath. All of that was well understood, but we did not stop and think.

Alistair Burt (North East Bedfordshire) (Con): I thank my hon. Friend for securing this debate. I apologise for not being able to stay for the whole debate to hear what the Minister has to say in response. May I gently remind

my hon. Friend that simply to dismiss our intervention in Libya as an emotional response and to say that the Government and the Foreign and Commonwealth Office did not think through the consequences is not fair? That does not adequately describe the work that went into Libya afterwards, which included intensive work with politicians to create the opportunity for elections. In recognising what happened, which is immensely difficult, he might pay tribute to the work of the Foreign Office, our diplomats and our ambassador, who worked so hard to try to create something. He must not assume that it was simply an emotional response without regard to the consequences.

Kwasi Kwarteng: I fully appreciate my right hon. Friend's point. He was at that time a Foreign Office Minister largely responsible for the middle east, and he served in that post with considerable distinction. I fully appreciate his efforts.

My phrase "emotional response" might be a little dismissive. It is very brutal and horrible to have to say this, but we have to look at the consequences of what happened. We have to look at the situation, put our hands up and say, "This is not a good situation." I appreciate that there were lots of motivated, highly skilled diplomats, and that lots of thought went into the intervention on the ground. Anders Fogh Rasmussen, the NATO Secretary-General said that, if we just look at the means by which we carried out the intervention, it was effective, but I am afraid that the judgment of history is that it was not particularly successful, based on the consequences of our actions. At some point we have to be hard on ourselves and look at the outcomes. We can say, "We discussed this endlessly, we met all these committees, we had all this planning and we got votes through Parliament", but—to use that old phrase—the proof of the pudding is in the eating. If the pudding does not taste very good, something has gone wrong, and we have got to accept that.

Alistair Burt: While we are looking at our intervention in Libya in 2011, perhaps we might also look at the consequences of the vote on Syria in 2013. Perhaps my hon. Friend will agree that deciding whether to intervene or not is very difficult. The same consequences can arise from both because we are not fully in charge of all the circumstances.

Kwasi Kwarteng: The conclusion—one does not require the brains of an archbishop to reach this—is that when we intervene, we should have a plan for the follow-through, perhaps for up to 18 months. I am not one of those people who is against all interventions, but I am against interventions the consequences of which have not been properly considered, or properly planned for. That is not a radical thing to ask.

Mr Nigel Dodds (Belfast North) (DUP): I congratulate the hon. Gentleman on securing the debate, which is the latest in a number of debates on Libya, in this Chamber in particular. I agree with a lot of what he is saying. One of the consequences of the chaos in Libya and the lack of any centralised Government is the failure, or inability, to get to grips with getting justice and compensation for the victims of Libyan-inspired IRA and other terrorism. That is a major problem. Many of the victims are getting older and they wait in great frustration for our

Government to do more, and to get what they are entitled to. Does he agree that that is another aspect of what is happening?

Kwasi Kwarteng: Absolutely. For those who study the outbreak of the second world war, the question then was always, "Who do you call in Berlin?" or "Who is actually responsible for the action?", and that is exactly the kind of question that we need to ask about Libya. If we want to start the compensation process, who on earth do we call? Yes, the GNA is in control of the central bank, but they are not in control of the oil production or the generators of wealth, so it is a legitimate question.

To wrap up, our foreign service's capabilities in diplomacy are second to none, as a country, but once in a while we have to admit, "We might not have done this very effectively. We might have got things wrong." After all, President Obama, our closest ally, said that Libya was the worst mistake of his presidency. He had the honesty and candour to put his hand up and admit that and, if we are to proceed as a more effective player or counsellor in the politics of the region, we have to have the courage to admit when we get things wrong.

The report from the Committee chaired by my hon. Friend the Member for Reigate did that—although perhaps it cast blame too narrowly and was not overly generous in its interpretation of what happened—but we have to recognise when we get things wrong. We have to be more realistic about what we can achieve when we intervene. We also have to be realistic about the kinds of players involved and with whom we have to deal. My hon. Friends have mentioned General Haftar, and he is clearly an important figure. There is no point pretending that he will disappear because he does not constitute a legitimate authority, so he can be ignored—he cannot be ignored. He is a fact in the Libyan scene who needs to be dealt with.

In conclusion, I am grateful for the opportunity to have this debate. I am interested to hear what colleagues have to say about the situation and, if I were to summarise the kind of conclusion that I want to reach, the kind of thought that I want to stimulate, it is to ask how we are going to marry our ideals with what is happening on the ground. How will we do that? We have endless debates, but perhaps we have to shift our ideals and to compromise if we cannot reach a solution. There is no point sticking our heads in the sand and saying, "Well, this is the legitimate Government", but then nothing happens. That is a complete waste of time.

I beg for consideration of this. I beg right hon. and hon. Members to spend time thinking about how to move forward and to marry ideals with what is happening on the ground in Libya, and about what we as parliamentarians and broader supporters of the Government and of our country can do to bring some degree of stability and order to a country that for far too long has lived with a level of chaos that none of us would accept in our own lives and in our own country.

Several hon. Members rose—

Mr Christopher Chope (in the Chair): The wind-ups will start at 10.30 am, but there is quite a lot of interest in this debate, so I hope Members will tailor their remarks accordingly. I call Jim Shannon.

9.54 am

Jim Shannon (Strangford) (DUP): Thank you for calling me, Mr Chope. It is a pleasure to speak in this debate.

I congratulate the hon. Member for Spelthorne (Kwasi Kwarteng) on his excellent contribution, which set the scene so well. No one in this Chamber should be under any illusion about the fragile situation in Libya. The Foreign Affairs Committee reported on the situation in Libya in September 2016, and the report was eye-opening. The summary alone is enough to demand a reconsideration of the Libya situation and our involvement.

I am known to be someone with a positive nature. Rather than focusing solely on a problem and apportioning blame, I like to see what the solution is—in other words, I like to see a glass half full. I cannot, however, skip past a part of the Foreign Affairs Committee's report that needs to be addressed. I will quote it, because it sets the scene clearly:

“In March 2011, the United Kingdom and France, with the support of the United States, led the international community to support an intervention in Libya to protect civilians from attacks by forces loyal to Muammar Gaddafi. This policy was not informed by accurate intelligence. In particular, the Government failed to identify that the threat to civilians was overstated and that the rebels included a significant Islamist element...The result was political and economic collapse, inter-militia and inter-tribal warfare, humanitarian and migrant crises, widespread human rights violations, the spread of Gaddafi regime weapons across the region and the growth of ISIL in North Africa. Through his decision making in the National Security Council, former Prime Minister David Cameron was ultimately responsible for the failure to develop a coherent Libya strategy.”

In response, the Minister will emphasise that we have a new Prime Minister—we are glad to see her in place and the changes that she has brought and is bringing—but that cannot take away from the fact that the Government are failing in their engagement with Libya and that things need to change. I respect President Obama, even if I largely do not agree with his policies, and Parliament and the Government must address his damning accusations with regards to Libya.

The USA cannot be absolved of all responsibility for the situation. A sore point for me is that the US Government were actively working hard to secure compensation for their citizens for Libyan-sponsored acts of terrorism, but our Government have all but refused to do that for our citizens.

David Simpson (Upper Bann) (DUP): Does my hon. Friend agree that with all the ongoing conflict and diplomacy, there is still a major problem for the people of Libya, especially the women and children? We can argue all day about the rights and wrongs of conflict and intervention, but something more needs to be done to help the people of that country.

Jim Shannon: I wholeheartedly support what my hon. Friend and colleague says. In an intervention, my right hon. Friend the Member for Belfast North (Mr Dodds) mentioned IRA terrorism and the sponsorship of the Libyan Government. That issue is close to our hearts in the Democratic Unionist party, the second largest party in this Westminster Hall debate, and we are pleased to make that case.

If our friends across the pool were able to achieve compensation for their citizens, one must wonder why they are unable to step in and make a difference in the

current climate. It is incumbent on me as a representative of the Democratic Unionist party, on behalf of the victims of Libyan-sponsored terrorism, to ask the Foreign and Commonwealth Office again for an update on the situation since it was last discussed in the House. I trust that steps have been taken to make a stand for our victims and to see their pain acknowledged in a tangible way.

Mr Gregory Campbell (East Londonderry) (DUP): My hon. Friend is elaborating on the distinction between the success obtained by the American Administration for their victims of terrorism and the unfortunate lack of success by our Government in getting compensation for victims of terrorism in the UK, many of them in Northern Ireland. Does he agree that we need to see progress in Libya, for the people of Libya, but that in return we need to see those legacy issues resolved, so that people here are more satisfied with our Government's input than they have been to date?

Jim Shannon: I am coming on to some of those things, and my hon. Friend is absolutely right. We need the Government to be responsive and to help our people.

Daniel Kawczynski: The hon. Gentleman is referring to the legacy issues affecting many people in Northern Ireland. I join our colleagues in Northern Ireland in campaigning on such an important matter, and I am very disappointed that the Government have not made more progress. May I ask him to support action on the other key outstanding legacy issue, which is the murder of a serving British police officer, PC Yvonne Fletcher, who was shot outside the Libyan embassy? To this day, we have still had no indication of who her murderer was, and he has not been brought to justice.

Jim Shannon: It is good to be reminded of that case, which has never been resolved from an investigative point of view and for which no one has been held accountable. The hon. Gentleman is absolutely right. We want that issue, as well as other outstanding legacy issues, to be addressed. It is such a major issue that I will not do my constituents the disservice of ignoring it and failing to take the opportunity to call for the wrong to be righted as far as possible, which is what the Government appear to have done. I hope that they will not continue to do so.

The IRA terrorist campaign led to the deaths of 3,750 people, not only in Northern Ireland but in Brighton, London, Manchester and other places. Libyan involvement is undisputed. Compensation has been paid to the families of Americans who lost their lives as a result of that involvement, as my hon. Friend the Member for East Londonderry (Mr Campbell) referred to, but the loss of British lives has not led to similar aid or support. I have said before in this place that our citizens are not second-class citizens and that they deserve the same justice as the Americans, and I stress that essential point about British engagement on behalf of my constituents.

Chaos reigns in many parts of Libya. I am aware from the Library briefing that in August, the Royal Navy supported the removal of potential chemical weapons materials from Libya. There are a lot of issues to be addressed there. This is not about winning a war; it is about seeing how we can influence the country and help

to rebuild it from a dictatorship into a democracy. However, many external factors are taking control, and we must decide what the appropriate action is in that scenario.

The United Nations has brokered the formation of an inclusive Government of National Accord, but as seems to be the norm, the people the UN seeks to support have no regard for its regulations. There is substantiated evidence of the GNA having been undermined by people flouting the United Nations arms embargo and using Libyan militias as proxies. I have some good friends who work in security in the middle east and have been in Libya, and they have informed me that Libya is awash with illegal arms, some of which have made their way to terrorist groups in Europe. If we want to address terrorism in Europe, we must address the availability of arms in Libya.

Libya has descended into lawlessness since the fall of Gaddafi in 2011, giving groups such as the self-proclaimed ISIS free rein to attack Christians. The Minister would expect me to make this point, because I take the opportunity to do so whenever one comes my way. We all know that Libya has a deep Islamic culture, so Libyan Christians must keep their faith completely secret. Churches for Libyans and Christian literature in Arabic are forbidden. Although migrant Christians are allowed to practise their faith in Libya, many have paid the ultimate price: in 2015, dozens of Christians from Eritrea, Ethiopia and Egypt were kidnapped or killed by extremists in Libya. Several of those cases have been well expounded upon and were in the papers and on TV at the time. For example, a brief search for links to news stories related to Christian persecution and Libya returns the following headlines: “Christian woman in fear for her life”; “IS kidnaps 86 Eritrean Christians”; “Islamic State capture more African migrants”; and “IS kill 30 Christians, destroy churches”. Those are just some of the things that happen. Continued persecution is an important factor that must be considered in any discussion of our role and involvement in Libya.

I am conscious of the time and your direction, Mr Chope, so I will conclude with this comment. We face a massive problem. We must first determine our role in solving it and working with others who seek to absolve themselves rather than help solve the issues. We must try to bring stability to an area that desperately needs it, for the benefit of Christians, citizens and neighbouring countries, simply for the fight against terrorism, and, as my hon. Friend the Member for Upper Bann (David Simpson) referred to, for the ordinary people of Libya—the mothers, families, children and hard-working people. We must be wise and effective. Our actions must be co-ordinated to ensure that there is a global response that is felt by those who continue to seek to bring the country to its knees. We in this House have a duty, but we are not alone in that, and we must ensure that all the key players have a role in bringing stability to Libya.

10.3 am

Charlotte Leslie (Bristol North West) (Con): It is a pleasure to serve under your chairmanship, Mr Chope. I thank my hon. Friend the Member for Spelthorne (Kwasi Kwarteng). People always refer to debates as timely, but this debate has special merit because it shines a light on an area that is often forgotten in the shadow of the atrocities in Syria, but that has a huge role in the region's stability.

I did not vote for a no-fly zone in Libya in 2011; I abstained. I wondered then whether that was to my shame. Sadly, on balance, I do not think that it was. Back then, as a new MP, I was not sufficiently confident that there would not be mission creep, I could not see a concrete plan for what Libya would look like were there to be mission creep, and I looked at the west's track record of removing nasty dictators, and it was not good. It is easy to be wise after the event and rehearse mistakes that were made. We can say that lessons will be learned—that cliché is often used—but we can perhaps best demonstrate that we are going to learn the lessons by tackling the situation properly and realistically now.

I am often surprised that Libya does not feature more in the media and political discussion, particularly on compassionate grounds. Libya is well known as a haven for people traffickers, who often traffic people to their deaths in the Mediterranean. When I was in Sicily last year helping to redecorate and renovate a migrant hostel, some young men from Africa told me that they were kept locked like animals in storage containers in Tripoli for two weeks and were basically forcibly starved. One man speculated that that was to ensure that they were smaller so the traffickers could fit more people on the boats. Those are the kinds of human atrocities that are happening, but they do not seem to be attracting Twitter hashtags commensurate with appalling human rights abuses. What are we doing on Libya's southern border to prevent such atrocities from happening at source? Once people are at the coast, it is in a sense almost too late, although we must of course take action there too.

Libya is obviously of strategic importance. We know that it has become a fertile breeding ground for IS and other violent Islamist groups. It would be a mistake to limit our attention solely to Daesh. We might eradicate Daesh, but the ideology that it espouses will be articulated in another way. Let us not be simplistic and attach ourselves to defeating just a name and not an ideology. The chaos—some call it chaos; some call it deep instability—in Libya is deeply destabilising for neighbouring nations. The last thing that we want is a destabilised Egypt, which has its own challenges. Having a neighbour in such a situation as Libya is in is deeply destabilising for Egypt. As a nation, we are partially responsible for creating that situation, so we have a responsibility to engage energetically in trying to return some form of stability to Libya.

I am far from an expert, and I am aware that I am in the company of far greater experts, so I will make a few observations and then ask some questions of the Minister. We backed a revolution, which is always a risky business. Revolution is very different from reform. In many ways, having taken the actions that we took, we cannot be surprised that we are where we are in Libya.

Kwasi Kwarteng: My hon. Friend mentions that we backed revolution. That is precisely the point: we had no idea what was going to come after the revolution. We simply thought that things would right themselves on their own, and that once we had destabilised the situation, Humpty Dumpty would somehow just come back and reform almost spontaneously.

Charlotte Leslie: My hon. Friend refers to a nursery rhyme; I was going to say that we have a slightly short attention span and in many ways a fairytale view of

[Charlotte Leslie]

foreign policy—“It’s all going to be fine and everyone will live happily ever after once we’ve done the nice thing that the Twitterati will approve of.” We are where we are.

We in the west in general—I do not intend to label any one person as responsible—make two mistakes. First, we tend to see situations in a binary way. We are quick to call the good guys the good guys and the bad guys the bad guys. That has led us to be allies with questionable people just because we want to defeat Daesh. Does that really mean that we should align ourselves with Islamists who perhaps have ideas not that different from Daesh? The reason that they are anti-Daesh may be that they see it as a competitor in the region, not that they share our values.

Alex Chalk (Cheltenham) (Con): I remember that those who advocated attacking Iraq back in 2003 pointed to an atrocity that Saddam Hussein had undoubtedly perpetrated against the Kurds in Halabja some 15 years or so before as a pretext for launching strikes. Do we not have to be clear that there is an ever-present opportunity in the middle east to make a horrendous situation full of human rights abuses even worse?

Charlotte Leslie: Absolutely. A theme that has arisen again and again in this Chamber is the tension between stability and freedoms, and the extent to which we match our concern with alleviating human rights abuses with a concern with maintaining stability. Once stability goes in a country, there are an awful lot more human rights abuses, however many there were beforehand.

Daniel Kawczynski: My hon. Friend was far too modest in her analysis of her abstention in 2011 when she was a new MP. I was not aware that she had abstained; I focused on my hon. Friend the Member for Basildon and Billericay (Mr Baron), who voted against the no-fly zone. I pay tribute to her for effectively scrutinising the situation. Does she agree that we must learn from the mistake of the speed with which we reacted to the crisis and intervened in the country at that time?

Charlotte Leslie: I thank my hon. Friend for his very kind intervention. Yes, we must learn lessons, but we do that not by sitting in this Chamber saying that we will learn lessons, but by doing things better, starting from today.

The second mistake that we often make, which feeds into the reference by my hon. Friend the Member for Spelthorne to nursery rhymes and fairytales, is that we forget that the middle east is not Tunbridge Wells, if hon. Members will forgive me for labelling that area of the country. The models of democracy and methods that would work in the home counties will not work in the middle east. It is a very different scenario. We seem constantly to make the mistake of putting ideology and our own ideals of how the world should be ahead of how it actually is.

I have just a few questions for the Minister that are based on observations. I am not an expert on this subject at all, but it seems to me that pursuing a 100% inclusive settlement for a Libyan Parliament is fantasy. It will not happen. I worry that, in failing to realise that, we risk making the best the enemy of the good. How possible

does the Minister think it is for a sustainable majority to be gathered to govern—I am talking about bringing in recalcitrant Islamists and those in Misrata—such that Britain can then engage in maintaining the human rights of the minorities that are left outside?

It seems very hard to play the active role that we want to play in helping to reconstruct Libya if we have our diplomatic service based in Tunis but making forays—flying visits—into an occupied Tripoli. Is the Minister looking at putting an expeditionary diplomatic presence back on the ground in Tripoli, so that we actually have skin in the game, and so that we can perhaps stand alongside a Libyan Parliament in the same way as we did early in 2011, which is what we should do if we really want to see it gain traction and force?

What assessment has the Minister made of the effects of our efforts to displace Daesh from Sirte on the wider political situation in Libya? Has he made any assessment of the risk of our efforts on the ground boosting one side—the Misratan militias—and the potential effect of that, if it is happening, on the Parliament and the army? It would be a shame if unintended consequences from our efforts to displace Daesh from Sirte contributed to the destabilising situation that gave birth to it in the first place.

I am aware that we have limited time, but in the absence of clear and effective practical leadership in the country, I would value the Minister’s thoughts on our relationship with General Haftar. My hon. Friend the Member for Spelthorne rightly said that we cannot just ignore him and airbrush him from the picture because he does not fit in with our ideal of a GNA-led democracy. Whatever we think of General Haftar, he is really the only man who has managed to keep the army in one piece against an array of Islamist attacks. As my hon. Friend said, he is a controversial figure, but I struggle to think of any figure who has maintained any stability in the middle east who is not controversial. If we are looking for an uncontroversial leader to provide stability, we may have a very long wait.

To start to wrap up, I will borrow words reported to me by the former head of the British embassy office in Benghazi, Mr Joseph Walker-Cousins. He recalled words uttered by Salwa Bugaighis, a leading Libyan human rights lawyer. She had represented Islamists oppressed under the Gaddafi regime and had previously disagreed that Islamists posed a significant threat to Libya. Mr Walker-Cousins recalled how, shortly before she was assassinated by the Islamist militia group Ansar al-Sharia in Benghazi on the day of the general election in June 2014, she said of Haftar: “I hate that man. I hate everything he stands for. However, I have come to understand that he is the only one capable of containing and then destroying the extremists.”

Under threat of death, Salwa Bugaighis returned to Benghazi to take part in the elections and tweeted a picture of herself with an inked finger at the polling station. Her last tweet was of a convoy of Ansar al-Sharia breaching the gates of her villa compound. She was found the next day murdered in her kitchen, and her husband, a leading pro-democracy politician in Benghazi who was in line to be elected leader of the Benghazi local council the next day, was missing, presumed dead.

I ask the Minister what our vision is for Britain’s role in Libya. Will we regain skin in the game back on the ground with expeditionary diplomatic engagement and

perhaps push for UN pro-consul level international engagement? Will we seek to work with General Haftar and the army, which are realities on the ground that we cannot ignore, or will we seek to step aside and create space for Russia to step in and start making decisions in Libya in the same way as it is now calling the shots in Syria? I would welcome the Minister's thoughts on that.

I will finish with a quote attributed to Churchill:

“United wishes and goodwill cannot overcome brute fact”.

10.15 am

Bob Stewart (Beckenham) (Con): I am grateful to my very good and hon. Friend the Member for Spelthorne (Kwasi Kwarteng) for getting this debate going. I take issue slightly with the comments on the decision in 2011. I felt that we had no choice but to save the people of Benghazi. We did not think of the consequences; we had damn all time to look downstream. I felt that the decision was quite right. My experience of watching people die when there is military inaction was why I supported military operations against Gaddafi.

My hon. Friend the Member for Bristol North West (Charlotte Leslie) raised this matter. It is very sad that, throughout the middle east, stability and safety and a normal society so that children can go to school often seems to require a strong person, normally or even always a man, to be in charge of the country. Democracy such as we have in this country is only a serious long-term wish.

Alex Chalk: Is there a lesson from British history? If we go back to a time before there was a civil service, before there were all the organs of the state, it required a strong man in the form of the King to keep the King's peace. That is a lesson from our own history that we would do well to observe.

Bob Stewart: I entirely take that point, which in fact reinforces the point I was making. It seems, therefore, that people such as Saddam and Gaddafi sometimes work for the majority of people in a country. For some, of course, they do not. Libya is seemingly ungovernable at the moment. Some say that there are two Parliaments, and huge numbers—thousands—of militias and generals running around. It is a ghastly place. My hon. Friend the Member for Spelthorne mentioned 1,600 militias—goodness, that is a heck of a lot. However, with apologies to my good and hon. Friend the Member for Bristol North West, I shall concentrate on Daesh and what it could do in Libya.

I have no intelligence information on this—it is all open source—but I am told that Daesh started moving into Libya in about 2014, when it was looking for an alternative place. It found that in Sirte. When we talk about Sirte, I, as a military officer, am always reminded of David Stirling and his SAS raids on Sirte airfield, which other hon. Members are nodding about, and the gallant actions of those young men, who were mainly from New Zealand, in those days. *[Interruption.]* I am so sorry: the hon. Member for Strangford (Jim Shannon) reminds me that the Irish were there, too. We are always reminded of the Irish, Mr Choqe, because they apparently have more Victoria Crosses than the English, the Welsh and the Scots put together. Mind you, I have to say, just to add a lighter note, that I am quite sure they were a bit pickled when they won them.

According to open sources, there are about 4,000 to 6,000 Daesh people operating in Sirte and around there. What is the threat? What threat are these guys going to make against us? I think it is not as bad as it could be. They are stuck in an enclave in Sirte. Perhaps they are being hellish inside it, but if I were a Daesh commander, I would not put my operatives into a leaky boat full of migrants or refugees, with scant chance of making it across the Mediterranean. I am also sure that when they do get to Europe the security forces of the country check them out thoroughly before they get ashore.

I would not take that course of action, so how else do they get into Europe? To the east they would be going into Egypt. President Sisi is adamantly determined to wipe out terrorist groups such as Daesh, and has set the armed forces and security forces firmly against them. Again, he is a strong man in the middle east. Tunisia, after the tragedy of Sousse and Tunis last year, has decided to put up a great barricade across the border. That is being done fairly effectively, although it is not complete. Algeria is 1,000 miles away, but the Algerians too are effective at chasing down Islamists trying to cross into their territory. It is not easy to get into Europe. My hon. Friend the Member for Bristol North West mentioned going south across the Sahara, but that is a pretty dodgy route to try.

I am thinking about the threat to us from the people in question—being a member of the Defence Committee, of course I am thinking in that way. They are holed up, but it is quite clear that we have to eliminate them. We will support anything that helps with their elimination. The objective of eliminating Daesh and other terrorist organisations in Libyan society is crucial, but, as other Members and particularly my hon. Friend the Member for Bristol North West have suggested, Daesh is just one. If it is squashed, it will come out in some other form. Somehow, politically, Libya has to find a way. Whether that involves a strong person or not, I am sure of one thing: it took us 800 years to get to our imperfect democracy, and it cannot be imposed quickly. As others have suggested, there will be a Libyan model. I hope it comes quickly for the sake of the decent, normal people of Libya.

10.22 am

Crispin Blunt (Reigate) (Con): I congratulate my hon. Friend the Member for Spelthorne (Kwasi Kwarteng) on securing the debate, which has given us time to think. I heard a remark of Henry Kissinger's about a month ago; he said that the problem these days was that when politicians came to see him they asked what they should say, not what they should think. My hon. Friend has provided us with an opportunity to think, and in the time available to me I want to deal with just one issue. I want to take on the slightly concerning chorus of voices saying that General Haftar—or Field Marshal Haftar, as he has now been styled by the House of Representatives—might somehow be the solution.

Given the enthusiasm for strong men in the middle east, my colleagues might do well to reflect that such men both create and perpetuate the conditions that make them necessary. I was slightly surprised at the intervention of my hon. Friend the Member for Shrewsbury and Atcham (Daniel Kawczynski), who was, of course, with us on the Select Committee visit to Tunis, when we sat down with Imhemed Shaib, the first vice-president

[Crispin Blunt]

of the House of Representatives, and a number of his colleagues. At that time, in March, they were trying to put together a House of Representatives vote to support the Government of National Accord. Our brilliant ambassador, Peter Millett, and the team of other international diplomats there have worked hard on that, to try to create what the Committee concluded was the only show in town to avoid the descent into civil war.

It was clear from the discussion that the Members of the House of Representatives had been intimidated and practically prevented from gathering together to vote so that they could support the new Government of National Accord. The House of Representatives had no votes between January and August this year, and indeed by May or June the United States had decided to sanction the Speaker, Aguila Saleh, as an obstacle to putting together support for the Government of National Accord, which all nations are formally signing up to as the best vehicle to take things forward.

It is undoubtedly true that Field Marshal Haftar commands the most substantial military force in Libya, and as my hon. Friend the Member for Spelthorne mentioned, he is getting aid of one sort or another, covertly from the United Arab Emirates and elsewhere, and almost overtly from Egypt, where a degree of air power of course gives him military superiority. In the end, the solution is in the hands of Khalifa Haftar: will he place himself under the civilian authority of a Defence Minister appointed within the Government of National Accord? If that were to happen, we would begin to see the possibility of Libya finding its way through the appalling crisis that it has been in since our intervention in 2011.

The international community should be making sure that all our allies are not playing a double game in their own interest. They should instead be playing a game in the interest of the whole international community and the people of Libya, to find the best way of getting a Government who will bring all the people of Libya together. To my hon. Friends who are contemplating what I might describe as a Haftar shortcut, I would say that it would be a shortcut to civil war. The people of Libya have suffered enough. We should do everything in our power to try to prevent such an outcome.

Kwasi Kwarteng: It is all very well to say that things will descend into civil war, but in a country with 1,700 militias at the latest count, and two Governments, there is effectively civil war now.

Crispin Blunt: My hon. Friend is correct, but if there is to be a unification of the forces of the west against the military forces under Field Marshal Haftar, we shall see civil war on an even greater scale, with a greater scale of human misery, than we have now.

The issue for us and our interest is the collapse of central authority in Libya. That is why there is no control of the littoral, and why there is now uncontrolled emigration out of Libya and the appalling trafficking of people from the south up to the north. I add my voice to that of my hon. Friend the Member for Bristol North West (Charlotte Leslie) on what is happening on the Libyan southern border. Some of the migration trails need to be interdicted at that point, but that will be immensely more difficult if we cannot establish a decent

central authority in Libya. It was the conclusion of the Foreign Affairs Committee that the Government of National Accord was the only game in town. In my judgment, we should all be focused—including through our leverage over other members of the international community—on supporting its efforts. All the alternatives are far, far worse.

10.28 am

Patrick Grady (Glasgow North) (SNP): It is a pleasure to speak under your chairmanship, Mr Chope. I congratulate the hon. Member for Spelthorne (Kwasi Kwarteng) on securing the debate. He gave a substantial and comprehensive introduction to it. I do not know whether he remembers that we first crossed paths in 2010, at a young person's "Question Time" broadcast on the BBC. He was considerably more successful in that election than I was, but I am delighted to have begun to catch up with him, at least.

Barack Obama has admitted that military intervention and the mishandling of the aftermath in Libya was the worst mistake of his presidency. In many ways that is a brave and admirable statement to make, and is evidence of a politician willing to learn from his mistakes. Unfortunately, when our previous Prime Minister has been offered the opportunity he has not been willing to show similar contrition. More worryingly, the Government still seem unwilling to learn lessons from a situation that they have helped to cause and that continues to unfold.

I will look briefly at some of the findings of the Foreign Affairs Committee and the opportunities for the UK Government to take responsibility, to learn lessons and to work for a peaceful solution in Libya, and perhaps to address some specific questions about Government policy going forward. The contribution of the Chair of the Foreign Affairs Committee, the hon. Member for Reigate (Crispin Blunt), was substantial. I know that my hon. Friend the Member for North East Fife (Stephen Gethins) thoroughly welcomes the opportunities he has had to contribute to the work of that Committee, but its membership is predominantly made up of Government Members.

The Committee's report is pretty scathing with regard to the actions of the former Prime Minister. It found

"no evidence that the UK Government carried out a proper analysis of the nature of the rebellion in Libya."

It also found that they had no defined strategic objective, which meant that a

"limited intervention to protect civilians drifted into a policy of regime change by military means."

Furthermore, it found that there was no attempt to pause military action when Benghazi was secured, and that

"the UK Government focused exclusively on military intervention" at the expense of stabilisation and rebuilding.

We have heard some more substantial and thoughtful ways that we could move forward from the hon. Member for Reigate and other Members, but the biggest example of failure came in an answer to my hon. Friend the Member for North East Fife, which revealed that the UK Government had spent 13 times more on bombing Libya than on rebuilding it post-war. The eight-month UK military intervention cost £320 million, but the money set aside for rebuilding totalled just £25 million. The consequences of that are there for all to see and have

been outlined by a number of Members. The hon. Member for Spelthorne outlined the impact on GDP, infrastructure and the general collapse of governance. The hon. Member for Bristol North West (Charlotte Leslie) spoke quite movingly about human rights abuses that she has witnessed.

The Government must support the UN's efforts to mediate a political solution and dramatically improve the effectiveness of the EU's practical support to the interim Government. There are still opportunities for the UK Government, working with the international community, to make a positive contribution to the outcome in Libya. The Scottish National party condemns the recent coup attempts by opposition factions in Tripoli and urges all factions to work constructively with the interim Government and the UN to end the fighting, reach a lasting political settlement and build stable state institutions that serve the people of Libya.

In the midst of ongoing military intervention in the form of airstrikes by the US, Turkey, Egypt and other regional actors, the UN has taken a lead in working with the various competing factions in an attempt to reach a viable and lasting political agreement. It must receive all possible support in doing so. The SNP urges the UK Government to channel their efforts in Libya in that way. Instead of wasting any more time or energy planning further ill-conceived or poorly planned military intervention, they should seek to work with the international community—notably the European Union—to provide proper support to the capacity building of the Libyan state institutions and police force.

There is a particular lesson that needs to be learned from the experience in Iraq, which is the need to support the interim Government in ensuring that oil revenues are not misappropriated and are instead used for the benefit of the people of Libya. Libya has been granted an exemption from cuts in oil production by OPEC, and as competing factions within the Government seem to have reached an agreement, however fragile, on resuming oil exports, the mistakes from Iraq must not be repeated. The UK and the wider international community must work with the interim Government and the private sector to ensure that oil revenues are properly invested in rebuilding infrastructure and in supporting stable state institutions for the benefit of the Libyan people, rather than lining the pockets of corrupt Government officials or unscrupulous businessmen. In that way, perhaps at least one lesson from the debacle in Iraq will have been learned.

There are ongoing questions about the possibility of the deployment of troops. I understand that the proposed Libyan international assistance mission is on hold, but the Government need to confirm that, if UK troops were ever to be deployed in Libya, it would not happen without parliamentary approval. I am also interested in something that happens in a number of conflict situations: the continuing mismatch between Home Office guidance on the settlement of refugees and asylum seekers, and Foreign and Commonwealth Office guidance on traveling to the country in question. The FCO advises against all travel by UK citizens to Libya; the whole country is shown as red on the FCO guidance page. However, section 2.3.10 of the Home Office guidance issued in June 2016 for people seeking asylum or making their way here says:

“In general conditions across the country are not so poor that removal would be a breach of Article 2 or 3”
of the European convention on human rights.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr Tobias Ellwood): I did not wish to interrupt the hon. Gentleman, but I am conscious that I have only limited time at the end of the debate to cover everything, and this is an important issue. The advice from the Home Office deals with Libyans who need to go back. There is a different set of circumstances in place for westerners and Britons, who are a target for extremism and so forth. The hon. Gentleman is comparing apples and pears.

Patrick Grady: I am afraid I must disagree with the Minister. This is a matter of basic human rights and of our responsibility for the safety of individuals who have made their way here through some horrific situations.

Kwasi Kwarteng: Surely the hon. Gentleman understands that there is a massive difference between the guidance given to nationals going to their country and the ability of another country to absorb migrants. For example, it is perfectly understandable for the Government to advise people not to go to Egypt, but that does not mean that everyone coming here from Egypt should be granted asylum.

Patrick Grady: I am afraid I simply do not accept that. If people have made their way here through really horrific situations, as we have heard from other hon. Members, for the UK Government to say it is safe to deport those people back to a country that they are not willing to advise their own citizens to travel to is, frankly, rank hypocrisy. I thank the Minister for his intervention and for making the Government's continued position clear, but we will have to agree to disagree.

Hon. Members from Northern Ireland raised the issue of compensation for victims of terrorism. Again, a peaceful and diplomatic solution to that must be found.

In short, the UK Government must take responsibility for their failure to plan for the aftermath of their military intervention in Libya, and they must demonstrate a willingness to learn lessons from that failure. Sadly, there is little evidence of that so far, given that the objectives for military action in Syria do not appear to have materialised. Later today the House will discuss the situation in Yemen, where the Government refuse to admit any complicity, despite Saudi troops being trained in the UK, being accompanied by UK military observers and allegedly using weapons manufactured or sold in the UK. As the hon. Member for Spelthorne said, we have debates such as this and Select Committee reports for a reason. It is not too late for the Government to follow the example of Barack Obama, admit to their mistakes and set out how they intend to make amends.

10.37 am

Fabian Hamilton (Leeds North East) (Lab): It is a pleasure to serve under your chairmanship, Mr Chope. It is also a pleasure to follow the hon. Member for Glasgow North (Patrick Grady), who is the Scottish National party's spokesperson on foreign affairs and international development.

Back in 2005 I had the opportunity to visit Libya with the Foreign Affairs Committee. It was very different in those days. Gaddafi reigned supreme, and I found, as we all did, the country to be a paranoid place, covered with posters of Gaddafi—“the father of Africa”—with his portrait stemming out of a map of the whole of

[*Fabian Hamilton*]

Africa. It was a deeply disturbing place; there were no street signs or even road markings because they were so scared of invasion. We did not have the opportunity then to meet Colonel Gaddafi—I never met him, thankfully—but we met his deputy, Musa Kusa, who was one of the most sinister people I have ever met. During the revolution he “defected” to the west and came to live in Britain. I do not know if he is still here, but he gave us a portrait of Libya in 2005 that was worrying to say the least, given the human rights abuses and the absolute authority of Gaddafi and the way he dealt with opposition.

Daniel Kawczynski: My understanding is that Musa Kusa did not come to live in the United Kingdom. I believe he is currently living in the middle east.

Fabian Hamilton: That is interesting to learn; he certainly survived, although he was clearly Gaddafi’s henchman and de facto deputy.

I congratulate the hon. Member for Spelthorne (Kwasi Kwarteng) on raising a really important issue in the debate. It is something Parliament has not paid sufficient attention to, and the Government have not paid sufficient attention to it either; I am sure the Minister will contradict that when he winds up the debate in a few minutes’ time. I also commend the Foreign Affairs Committee—I served on it for 10 years—under the leadership of the hon. Member for Reigate (Crispin Blunt)—I think he is a right hon. Member now.

Crispin Blunt *indicated dissent.*

Fabian Hamilton: No? I am baffled by that. In the hon. Gentleman’s contribution, he showed his detailed knowledge of the current machinations of Libya’s internal politics and said quite clearly that the British Government should not support General Haftar, otherwise the country will descend into civil war. It is hard to see how much worse it can get, given some of the things we have heard today.

The hon. Member for Spelthorne made some important points about the two Governments, about the GNA being backed by the international community—something that the Foreign Affairs Committee certainly agrees with—and about the economic situation, which is very alarming indeed. In fact, the United Nations human development report ranked Libya as the 53rd most advanced country in the world, with a GDP per person similar to a number of European countries. That was in 2011. Five years later, as the hon. Gentleman pointed out, that has halved, and it continues to fall precipitously. That is extremely worrying for not only the people of that country but Libya’s place in the region and the rest of us, including in terms of migration, which the hon. Gentleman pointed out clearly. He asked in his conclusion how we can marry the ideals of what we would like to happen and what is actually happening on the ground. I am sure the Minister will address that.

The hon. Member for Strangford (Jim Shannon) rightly wanted an update on the lack of success in getting compensation for victims of Libyan terrorism from the Government of Libya, though we do not know who the Government of Libya really are at the moment. He said that chaos reigns in many parts of Libya and pointed,

as he often does—rightly so—to the continued persecution of Christians in that country, as in so many other parts of the world.

One of the best contributions today was from the hon. Member for Bristol North West (Charlotte Leslie)—not just Bristol North; I often get called the hon. Member for Leeds North, not the hon. Member for Leeds North East. She displayed an extraordinary knowledge of the area, with some extremely pertinent observations and questions that I will leave the Minister to answer.

One point that has come through in this debate is the proliferation of small arms in Libya, as in so many other parts of Africa, which fuels death and destruction and the different militia groups roaming the country trying to claim territory and their superiority, or the superiority of their particular ideology. The UN Office for the Coordination of Humanitarian Affairs estimated that out of a total Libyan population of 6.3 million, half have been impacted by the armed conflict, with 2.4 million in need of some form of protection and humanitarian assistance. More than 400,000 people have been displaced since the conflict started.

Reference has been made to our British ambassador, Peter Millett—a man who I have come to know well in his former roles in Jordan and Cyprus. He is one of our best diplomats. If anybody can do the work of the British Government in Libya, it is Peter Millett and his excellent team. However, as the hon. Member for Bristol North West pointed out, the team is based in Tunis. I spent some time in our embassy in Tripoli. We have some very good buildings and a very good estate there. I appreciate that it is not a safe place to be right now. It did not seem that safe under Gaddafi, to be honest. Constant threats were being made against the British mission there, even at that time, but I share the view that some kind of mission needs to be based in Tripoli. Is the Minister prepared to comment on the possibility of that happening soon? As I say, if anyone can do it, it is Peter Millett and his team.

It is estimated that there are more than 3,000 Daesh fighters in Libya at the moment. That is what the then Foreign Secretary, the current Chancellor of the Exchequer, said in his report in 2016. The US intelligence agencies believe that number could well be considerably higher. It continues to increase, as many of the fighters go to Libya, instead of Iraq and Syria, to join Daesh.

The Minister has stated that the international community needs to rally together and be ready to “provide service and support” to the GNA. The UK Government have stated that the security agenda in Libya must be “owned and led” by the GNA, but how do we actually make that happen? The British Government have also discussed the deployment of approximately 1,000 ground forces as part of an Italian initiative with Spain, France, Italy and other nations, but only at the invitation of the GNA. The previous Foreign Secretary, the current Chancellor of the Exchequer, said on 19 April:

“Libya has Africa’s largest oil and gas reserves and a population of...six million”—

—the population that existed before the civil war. Currently, only 200,000 barrels of oil per day are being produced. The UK is assisting Libya, I understand, in attempting to bring that number up to 700,000 barrels a day, but oil is the main source of revenue and international finance in that country. The country did, of course, have a

sovereign wealth fund—the Libyan Investment Authority—that used the proceeds of oil revenues prior to 2011, but those funds have been frozen ever since the conflict started.

Reference has been made to removing chemical weapons still in existence in Libya and the risk they may have to the population of that country, to the wider region and to Europe. The current Foreign Secretary said in August this year:

“The UK, in close co-operation with our international partners, is taking practical and effective action to eliminate chemical weapon risks in Libya”.

Will the Minister tell us a little more about what is being done to neutralise and remove those very dangerous chemical weapons that could be a threat to so many? I understand that in August the Royal Navy assisted in the removal of a batch of known materials that could be used in the manufacture of chemical weapons, but what more are we doing?

The Minister has quite a lot to follow up on, so I will wrap up. Let me quote something that President Obama said earlier this year, which has already been quoted this morning but is worth saying again:

“When I go back and I ask myself what went wrong, there’s room for criticism, because I had more faith in the Europeans, given Libya’s proximity, being invested in the follow-up.”

He went on to say that the former Prime Minister, David Cameron, was

“distracted by a range of other things”.

Can the Minister tell us what, in practical terms, the Government are prepared to do to try to reduce the flow of weapons and weapons currently in circulation in Libya, and to bring about further concerted support for the GNA, which, as many Members have said, is really the only hope for rebuilding Libya?

10.47 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr Tobias Ellwood): It is a pleasure to respond to what has been an important debate. I will put out a written ministerial statement on this matter. It is clear there is an awful lot of information that the Government are aware of, but there is also a lot of disinformation and confusion. I will also make a recommendation to the Foreign Secretary that, as with Syria and Iraq, an oral statement is made to the House on a regular basis, updating colleagues on what is happening here. Today’s debate is pertinent and it is a pleasure to respond to it.

Many discussions on Libya go straight into the details. That needs to be done, but I want to step back for a second and look at the context in which this is playing out. It is often seen through the prism of Gaddafi and the consequences of his removal. Seeking solutions to today’s challenges requires a deeper understanding of what is happening and the character of this north African piece of land. Going back to the 7th century BC, Libya has been occupied or run by the Venetians, the Greeks, the Romans, the Arabs and the Ottomans, each of them carving their own personality unto the three regions of Libya: Fezzan, Tripolitania and Cyrenaica.

During the interim war period, it was occupied by Italy, and then by us and the French after the second world war. Then came independence in 1951, under King Idris, who was removed in the coup that we know

led to 40 years of misrule by what started off being Lieutenant Gaddafi—talking of promotions, he promoted himself to Colonel because he was trying to emulate Colonel Nasser further to the east. That 40 years of misrule destroyed any tribal relationships that existed. It stifled any political representation and undermined the development of institutions. That all came about and was laid bare in the 2011 revolution.

Sadly today—we have heard a little of this in the Chamber this morning—some people are attempting to rewrite recent history, linking the 2011 decision for the west to intervene with the very difficulties we face today. That glosses over important events in between. We must not forget that the decision to intervene was international and supported by UN Security Council resolution 1973 and by the Arab League. We took action to prevent attacks on civilians that were about to take place. There would have been a bloodbath if we had not intervened. Even before Gaddafi went into hiding, more than 60 countries, with the African Union, recognised the National Transitional Council—the body of Libyan people based in Benghazi who were looking ahead to a post-Gaddafi world.

Kwasi Kwarteng: Will the Minister give way?

Mr Ellwood: I will give way briefly. I have only a short time left.

Kwasi Kwarteng: I am sure my hon. Friend’s skill will enable him to make a more concise speech than the one written for him, or that he wrote himself.

Why would President Obama say this was the worst mistake of his presidency if everything were as hunky-dory and rosy as my hon. Friend suggests?

Mr Ellwood: First, I confirm that I write my own speeches and I am happy to place that on the record. Secondly, if I may, I will come to the aftermath and what is happening in relation to international views later.

I stress the point about the context in which things happened in 2011, which was made by my right hon. Friend the Member for North East Bedfordshire (Alistair Burt), a former north Africa and middle east Minister, who is no longer in his place. There were elections in July 2012 and the General National Congress was formed. Libya was starting to take charge of its own destiny. In 2014, there were elections for the new Council of Deputies.

It is recognised today that perhaps we did not do enough. Perhaps the west could have done more, but many agencies, including UN agencies, were asked to leave Libya because the Libyan people wanted to take ownership of the path they wanted to pursue without interference from the west. Could we have done more? Of course we could have done more. That is what President Obama is looking at and why he is making those comments.

I certainly believe that, with the disparate society we are dealing with that had 40 years of misrule, not enough happened during Gaddafi’s reign for society to develop. I politely disagree with my hon. Friend the Member for Spelthorne that nothing has happened over the past five years. Elections have taken place, there is a Prime Minister in place and there is a structure, including a Government of National Accord, a Presidency Council, which needs to be confirmed and put in place, a House of Representatives and a State Council.

[Mr Ellwood]

Those important infrastructure institutions must be given the opportunity to work. It is right to say that they are not working as efficiently as they should, because there are spoilers and stakeholders who are choosing to follow their own agendas. The challenge facing us today is getting them to realise who benefits if they do not support that infrastructure—the criminal gangs that move the migrants through and the extremism that flourishes in that vacuum.

The Skhirat process helped to empower the moderates and the Khartoum process brought together countries around Libya to ensure that they secure their borders and provide support to Libya—that was raised as a concern in the debate. International countries have come together. I have sat in many meetings discussing how better to co-ordinate our international aid and our work to improve governance, and to ensure that that happens. The issue came to the fore in December 2015 with the agreement that rolled into Security Council resolution 2259 formally recognising the Government of National Accord as the sole legislative body to take Libya forward.

I will pose a question, but I do not want to go down this rabbit hole. Which countries can intervene when something very bad is happening in another part of the world? I take hon. Members back to Rwanda and what happened there. The world blinked while a travesty took place. Is it right that the international community glosses over things and asks who in the world can step forward and which nations have the ability and commitment to do that? There are very few and they can be counted on one hand, but we are one of them. What would colleagues do if they were in No. 10 and Benghazi had tanks on the outskirts that were about to roll in? Would they have a plan for what happens next? They would have to think about that, and also about our duty as a permanent member of the United Nations interested in supporting international security and stabilisation and decide whether to act. That is exactly what David Cameron did and I believe it was the right decision.

Libya's governance structure today is not as strong as it should be, but we must give our support to Prime Minister Siraj. I believe that the Libyan political agreement is the framework to enable things to move forward and make that happen. We want the Libyan Government to submit promptly a revised list of Ministers which the House of Representatives must endorse and we need a more unified command structure under General Haftar. He is a general and he needs to answer to civilian governance structures. That is very important indeed.

We must address the challenge of Daesh and people traffickers. If there is time I will come to that.

The conflict is unique and very different from all the others. There is a lot of plate-spinning in the middle east and north Africa, but this is different because there are working institutions. Oil is flowing—there are up to 500,000 barrels a day—and that money is going into the central bank. It is paying people who, ironically, are fighting on both sides of the argument. The salaries of

teachers, doctors and nurses are being paid because those basic structures are in place. However, we certainly need to do more and that is why we have allocated £10 million to provide technical support for the Government of National Accord.

Operation Sophia was mentioned a couple of times. It is important to stem the flow of migrants choosing to make an horrific journey in an attempt to get to Europe. Unfortunately, we can work only in international waters. We cannot get into territorial waters at the moment because the Government are not fully in place to give us that permission and Russia is denying us the ability to use military capability in that space. We must answer that, otherwise we are encouraging people to come here. When ships pick them up, which British ships have done, those people are taken to Italy, so we are still not breaking the chain. We are now working to train a local coastguard to break that chain so the boats never leave Libyan soil in the first place.

Several hon. Members mentioned Daesh. It is absolutely right that we are concerned about the vacuum. Its numbers are down to 200 or 300 in strength and many are indigenous local people choosing to join that gang because that is where the money is. That is where the guns come from and where the success seems to be. That is why it is important that the Government offer something different to fill that vacuum of governance. It is important to recognise what we can do, but also where things are in the country. It is not as bleak as some of the comments today have suggested, but we are not there yet in any sense whatever.

In conclusion, Libya is extremely complex, as has been highlighted by colleagues today. It is dynamic and certainly challenging. The process of building trust between communities, confidence in political institutions and willingness to compromise for the common good will not be easy. It is up to the political leaders of Libya—I stress this—to make this work. We remain committed to supporting them, but also to working for peace and security in Libya, not just for the sake of stability in the region where the UK has important interests, but for the sake of the Libyan people.

I very much welcome this debate and look forward to the closing comments of my hon. Friend the Member for Spelthorne. I will seek to provide a full and regular oral statement so that the House is informed as progress moves forward.

10.59 am

Kwasi Kwarteng: I am grateful for the Minister's remarks. We have covered many of the issues that bedevil Libya and have a huge impact on our safety and security here in Europe, with particular regard to the question of migration. I conclude by saying this is not the end of the matter, but the beginning of a fruitful and, I hope, effective engagement with many of the issues that have been raised this morning.

Question put and agreed to.

Resolved,

That this House has considered British engagement with Libya.

A34 Safety

10.59 am

Mr Edward Vaizey (Wantage) (Con): I beg to move,
That this House has considered safety on the A34.

I am grateful for the opportunity to hold this debate under your chairmanship, Mr Chope. This is an important opportunity for me and my colleagues to describe the importance of improvements to the A34, which is a major arterial trunk road that runs from the south coast up through Hampshire, west Berkshire and Oxfordshire to the midlands. It is a vital economic route that is also used by many thousands of commuters—in fact, some 79,000 vehicles a day use the road.

May I put on record my gratitude to the Under-Secretary of State for Health, my hon. Friend the Member for Oxford West and Abingdon (Nicola Blackwood), who as a Back Bencher campaigned vigorously on this issue and secured £50 million towards road improvements in the previous Parliament? She cannot be at the debate today, and as a Minister she would not be able to speak in it, but I know she will continue to work and lobby on this issue of importance to her constituents. My hon. Friend the Member for Newbury (Richard Benyon), who also unfortunately cannot be with us today, has been extremely active in campaigning for improvements. Many of my hon. Friends and colleagues in the Chamber will no doubt wish to intervene or make remarks in the course of this short debate.

John Howell (Henley) (Con): It will be useful for my right hon. Friend to note that the A34 runs through a bit of the north of my constituency, near the constituency of my hon. Friend the Member for Oxford West and Abingdon (Nicola Blackwood). My right hon. Friend can rely on me to help campaign for the changes he wants to see on the road, which I am sure he will come on to shortly.

Mr Vaizey: I am grateful. My heart always lifts a little when I am on the section of road that runs through my hon. Friend's constituency. Given his track record in working for his constituents I know that he, too, will play an important part in a campaign that, although I expect it to be long-running, we hope will lead to some significant improvements.

The central point of my remarks, and no doubt that of colleagues, is that the A34 is no longer fit for purpose. It is a dangerous road, and the delays and accidents that happen regularly on it are having a significant economic impact on one of the most economically productive areas of the country.

The road is dangerous: there were almost 2,000 accidents on the A34 between 2010 and 2014. On the stretch of road that runs between the M4 and the M40 through Oxfordshire and west Berkshire, 32 people have unfortunately been killed. In the past four months, there have been two fatal accidents and numerous injuries both serious and less serious. I am sad to say that one recent fatal accident claimed the lives of four people, including three children, and the most recent accident resulted in the tragic death of a three-year-old child. Action is therefore long overdue. The urgent need to improve road safety alone would justify a significant investment of money and time from the Department for Transport and Highways England.

Kit Malthouse (North West Hampshire) (Con): I congratulate my right hon. Friend on securing this debate in what seems to be a sauna this morning. Will he acknowledge that while the statistics he outlined are alarming, they are even more alarming if we add in the accidents that take place at intersections with other roads? For instance, I am concerned about the junction of the A303 and the A34 at Bullington Cross, which by about 100 yards is not in my constituency but which is used nevertheless by my constituents. A significant number of accidents there are reported as A303 accidents but relate to the junction between the two roads and could be attributed to either road.

Mr Vaizey: My hon. Friend makes an extremely good point. I focused solely on the accidents on the small section of the A34 that concerns me as the constituency MP, but he is quite right that if one takes the statistics along the whole of the A34 and for accidents attributed to other roads in close proximity, I am afraid the toll is higher. That again leads to the central point about the need for a clear strategic plan for the whole of the A34, to improve road safety.

Having started with the most important issue of keeping people safe on the A34, it is also important to highlight the economic impact that the delays and accidents are having on my constituency, and no doubt the whole of the region. For example, I am privileged to represent Harwell Campus, which is the one of the world's leading scientific research centres. Its director, Angus Horner, wrote to me recently and said:

"I often witness dangerous conditions on A34...Immediate term safety improvements will be strongly supported by thousands of us at Harwell Campus...The A34 is operating far beyond its designed capacity and major infrastructure investment should be allocated right now to substantially improve its capacity."

He continued:

"In a broader context, it is essential that the UK maximises the potential of its world leading knowledge economy...UK hotspots must be properly connected...Better vehicle flow along A34 would have a substantial positive impact at Harwell by facilitating even more collaboration with our neighbours at University of Oxford, plus tens of thousands of other regular research visitors and hundreds of companies who use A34 to access Harwell's ideas and £2 billion of international labs."

I also have the pleasure of representing Milton Park. On that business park there are 250 companies employing 9,500 people. The park is located right next to the A34, and its productivity is being severely affected by delays on the road. Its director, Philip Campbell, wrote to me and said that

"the A34 is central to maximising future success of this unique and vibrant area. A safe, free-flowing A34 is critical, for our area's future growth and prosperity and for the resilience, health and wellbeing of residents."

He signs off with a flourish:

"The A34 needs an A1 plan!"

Our local enterprise partnerships are closely involved in campaigning for improvements. Oxlep, the Oxfordshire LEP, and the Thames Valley Berkshire LEP have written a joint letter to me and my hon. Friends in which they say:

"As a key transport artery through our respective areas we believe it critically important to address the capacity issues of the A34 now; to help mitigate the serious and all too often tragic incidents that have taken place over the last five years and to support economic growth."

Kit Malthouse: My right hon. Friend is making a powerful case for the A34, and its economic impacts in particular. Does he agree that another impact—I am interested in whether he experiences this as well—is that when there is the slightest delay on the A34, the alternative routes, which are more rural in nature, become completely jammed with lorries trying to avoid the traffic? In my constituency those routes include the A343, which runs down from Highclere through Hurstbourne Tarrant to Andover.

Mr Vaizey: That is an excellent point. All too often I have witnessed the A34 at a complete standstill. Sometimes I am lucky and I am witnessing that from a distance when I am not actually on the road. As my hon. Friend points out, one then witnesses the traffic overspill that naturally results from that, with large lorries and a lot of commuter traffic using rural roads that are clearly unfit for purpose and go through villages and small towns.

The Oxford local transport plan, which is part of the county council's initiative to look at improving transport in the area, notes:

"The A34 is particularly congested and adversely affecting journey time reliability. This is particularly due to its high proportion of HGV movements, which account for above 20% of daily trips."

The Road Haulage Association has written to say that it is

"constantly hearing complaints from members of deliveries failing booking times and the cost of delays with drivers running out of their legal driving and duty hours, due to delays on the A34."

It cited the case of a small company whose 15 vehicles get stuck in traffic for 30 minutes every morning and evening. It loses about 4,000 man hours a year, which it has calculated costs about £150,000. With that comes an environmental cost, which is the third element that should enter our thinking when looking at improvements to the A34.

Colleen Fletcher (Coventry North East) (Lab): My interest in today's debate is that I use the A34 a lot, and have done over the past five years, because I have an interest on the south coast. From my constituency in Coventry, it is one of the main routes via the M40 down to the south coast, especially Bournemouth and the surrounding areas. I have witnessed a lot of accidents and been in a lot of traffic jams on the A34. In the right hon. Gentleman's opinion, is over-capacity the only reason why there are so many accidents?

Mr Vaizey: Over-capacity is the reason why there are so many accidents. In this case, over-capacity means that the road itself—being a dual carriageway and not a motorway—does not have any capacity to deal with accidents. We have not so far had what we need, which is what the Government are now considering: a strategic plan for the road network for the whole area, particularly the links between Oxford and Cambridge, which will have a knock-on effect of improving the A34. If that strategic study goes ahead, it will have an impact.

It is important that I mention the work of the A34 Action Group, which is a group of my own and my hon. Friends' concerned constituents, including those who have lost loved ones and people who regularly use the route to commute. It put forward a manifesto that encapsulates some of the small, immediate improvements that can be

made, specifically focusing on safety. They include a full risk assessment of the road; evidence-based—that is important to emphasise—traffic-calming measures, such as average speed cameras or chevrons in the right places; and improved flow mechanisms, such as a crawler lane or, in particular parts of the A34, no-overtaking areas. We are not saying that there should be a blanket ban on lorries overtaking, but there are certain parts of the A34, in particular on steep inclines, where no-overtaking areas would be suitable. The suggested improvements also include refuge and rest areas and a hard shoulder. That goes to the point made by the hon. Member for Coventry North East (Colleen Fletcher), because when there is an accident on the A34 there is nowhere for anyone to go. If there were a hard shoulder where people could pull over or HGV drivers could rest, that would have a massive impact.

Improved junctions, which I know are of concern to my hon. Friend the Member for North West Hampshire (Kit Malthouse)—we were discussing it earlier today—are also important. There has been a fantastic improvement at the junction with the M4, and my hon. Friend the Member for Oxford West and Abingdon secured £50 million to help improve junctions at places such as Pear Tree, Hinksey and Botley, as well as East Ilsley in the constituency of my hon. Friend the Member for Newbury. What is needed is, for example, longer slip roads for easier access to and from the M4. The Botley and Pear Tree junctions have already been redesigned as a result of that funding. A driver information system to alert commuters to problems ahead, a number of CCTV cameras and other technology improvements, such as detection loops, are also being introduced with that funding.

Measures are under way, and we now have the Oxford-Cambridge expressway strategic study, which was published this summer. It calls for a "strong case" for "strategic transport interventions" and identifies the A34 as a key part of the jigsaw in improving east-west links between Oxford and Cambridge. It notes, as so many have done, that the problem is not going to go away and is simply going to get worse. There are 100,000 new homes planned for Oxfordshire in the next 15 years and a prediction of 85,000 jobs being created there over the next 10 or 20 years, so the strain on roads and infrastructure is simply going to increase.

I know that my right hon. Friend the Minister no doubt has a desk full of the many proposals to improve strategic road networks. Only today, I saw that a group of my colleagues from Kent had been to the Chancellor to seek improvements on the A2. I know that money is limited, but I urge my right hon. Friend the Minister to look at the case of the A34. In post-Brexit Britain, where we are looking for infrastructure investment and it is a matter of national debate, we need strategic infrastructure investment that has an immediate impact on our economic prospects. We could not find a better area in which to make improvements than the south-east around Oxfordshire, west Berkshire, and Hampshire, where we have such a concentration of innovative, future-looking companies that need that investment in order to keep growing.

I know that the right hon. Member for Oxford East (Mr Smith) wants to make some short remarks, so I will conclude. I look forward to his remarks and to hearing from the Minister. May I also put on record how grateful I am that he has agreed to meet me and

colleagues at the end of November? I am also going to meet Highways England with colleagues in November to discuss this issue.

11.15 am

Mr Andrew Smith (Oxford East) (Lab): I congratulate my colleague, the right hon. Member for Wantage (Mr Vaizey), on securing this debate and on his speech, and I thank him for providing time for me to make a brief contribution.

Although the A34 does not touch my constituency, it is used by thousands of my constituents and local businesses every day. It is, indeed, not fit for purpose and is dangerous, as the recent horrific record of traffic accidents shows. As the right hon. Gentleman said, the problems are the volume of traffic—in particular, heavy lorries on what is a national strategic route—limited capacity and the speed of vehicles. Like other Oxfordshire colleagues, I have been pressing for safety and capacity improvements and I, too, call for the measures that he mentioned today.

The problem we face is that the A34 is fulfilling a motorway role without motorway capacity or safety features. Last month, in response to my written questions, the Minister assured me of A34 scheme improvements between Chieveley and the M40, including vehicle detection loops to inform electronic traffic signage, CCTV and driver information systems. Those would be welcome, as would distance separation chevrons, safer stopping places and further junction improvements. Perhaps the most significant thing the Minister told me, however, was that Highways England intends to start work by March 2020 and that his Department is not minded to carry out a further review of the route at this time. That simply is not good enough, and I urge him to think again. Measures need to be started now if the risk of further accidents is to be reduced, and there needs to be a major review of the whole route.

John Howell: I fully support all the measures that the right hon. Gentleman has mentioned and think they would be extremely useful, but will they not come to naught unless the A34 is turned into a motorway?

Mr Smith: That is the logical conclusion of what I said: it needs to be motorway standard to guarantee the safety and capacity that we all want to see. The problems are only going to get worse as the economy grows in the future. As well as a major review of the whole route, we need to look at options for getting traffic across from the A34 to the M40 south of Oxford, to address the additional problems caused by the A34 being both a strategic route to the midlands and the north and a local access road and Oxford bypass.

I feel sure that the Minister will want to reflect on the points made today. I am glad he has agreed to a meeting at the end of November, and I would very much like to be part of the delegation meeting him.

11.18 am

The Minister of State, Department for Transport (Mr John Hayes): It is a great pleasure to speak in this debate, Mr Chope, and I congratulate my right hon. Friend the Member for Wantage (Mr Vaizey) on securing it. He is a doughty champion of his constituents and a great friend of mine.

As my right hon. Friend described, the A34 has been of concern for a considerable length of time. He was right to draw attention to the work of my hon. Friend the Member for Oxford West and Abingdon (Nicola Blackwood), who raised and discussed this issue with me just this summer, following the tragedies that my right hon. Friend the Member for Wantage drew to the Chamber's attention. It is absolutely right, at the outset, that I offer my condolences and sympathies to all those affected by those dreadful events he has highlighted today. Sympathy matters, but support matters more. It is really important, for those people and others, that we show that support; I think Disraeli said that

“justice is truth in action.”—[*Official Report*, 11 February 1851; Vol. 114, c. 412.]

We need action, because it is just and right that we give proper consideration to the A34.

First, let me deal with a matter that the right hon. Member for Oxford East (Mr Smith) raised—I have lots of notes here but I will refer to them only fleetingly, because I do not want to lecture people who already know more than most about details relating to the A34. However, I want to say, following his remarks, that I will review safety on the A34. I will take a close look and commit to a study of safety on the road. I have been thinking about the issue for some time; discussing it with my officials, given that this has been a matter of detailed concern, as I say, for a considerable time; and I have reflected on representations that have been made to me by Members in this Chamber and others and feel that we now need to look at safety on the A34.

Secondly, I am absolutely committed to the meeting that has been mentioned twice. It needs to be with all interested parties—by that I mean not only all colleagues who have a direct involvement and interest in these matters because of their constituency responsibilities, but Highways England and my officials. This round-table meeting should involve a genuinely open-minded debate about what more can be done.

A series of steps can be taken, so let me rehearse those in detail. I have no doubt that further technological improvements that we can make to this road will make a difference. Having looked at the map of the area, I am particularly conscious of the problems in the constituency of my right hon. Friend the Member for Wantage because of its topography. This is a relatively small road with hilly terrain, carrying a large number of HGVs, not least to and from the port of Southampton and the south coast. For that reason, it is sometimes a difficult road to navigate.

There may be further technological changes we can make. I am happy to write to hon. Members following this short debate to rehearse in detail some of the improvements that have been made. Many safety improvements have been made over the last five or six years by the Government, Highways England and prior to that, the Highways Agency, as hon. and right hon. Friends and Members know. However, we may be able to go still further with technological changes, by which I mean such things as interactive signage, gantries, and more information being provided to drivers that will compensate and mitigate some of the challenges associated with the topography that I described.

That being the first thing, the second thing was referred to by my right hon. Friend. We are, of course, looking at the Oxford-Cambridge expressway, which is part of

[Mr John Hayes]

the Government's roads strategy. He made clear that the provisional study—the interim report—was published in August and he will know that the final report is due to be published later this year. Inevitably, that will include considerations about this stretch of road and will give us the opportunity to think through what more can be done in a reasonably short time. I take the point made by the right hon. Member for Oxford East about 2020 and know that hon. Members, local authorities and others will want more urgent work. When we have that report, I am prepared to look, on the back of the round-table discussions, at what more urgent work could be committed to as part of the road investment strategy phase 1 and consistent with the Oxford-Cambridge expressway report.

However, I want to go further. The call has been made for a still more strategic piece of work—my hon. Friend the Member for Henley (John Howell) described this as “a motorway”—and I think we need to think that through. I suspect that would be part of the road investment strategy as it moves into its second and third phases, because it requires a different scale of work, but none the less, the significance of the road is not lost on me. We may be able to look in the road investment strategy as it moves forward at that still more fundamental piece of work on this stretch of road.

Safety and congestion are the two issues that have been raised in this debate, and they relate closely to each other. A road that is congested does not only cause inconvenience to the local traffic, and hon. and right hon. Members will know that we are committed to a number of local schemes in Oxford. We are working with the LEP, which I emphasise is absolutely at the heart of making representations on this matter, and alongside local authorities to ease congestion around

Oxford. However, the safety issues are there and further south on the road, in the constituency of my right hon. Friend the Member for Wantage and beyond. Looking at the separate but related issues of safety and congestion requires the lateral, innovative thinking that I have tried to illustrate and outline in this brief response.

In summary, we will continue to work with all the interested parties concerned and continue to invest in the local schemes that ease congestion around Oxford; I agree to the round-table, open-ended meeting of the kind that I described to seek views from all those who know and care about this road; I am happy to review safety on the road—there are criteria for that, but I have never been a man who is constrained by criteria imposed by others, as you know, Mr Chope. I am prepared to say that I have made the decision and announce now that I will institute that safety review. I am also prepared to look at further technological change to improve safety on the road; happy to consider what can be done in the road investment strategy in its first phase to mitigate some of the risks associated with this route; and prepared to consider what more strategic changes might be made at a later stage of the road investment strategy as it moves to phases 2 and 3.

I thank my right hon. Friend for drawing these matters to my attention once again. I hope he feels that the debate has been worthwhile in pressing a Minister who is not reluctant to use these kind of debates to reconsider Government thinking, and in pressing this Minister to take action necessary not only to avoid the tragedies that I mentioned, in amplifying my right hon. Friend's words of sympathy at the outset, but to improve the wellbeing of the people in this part of our country.

Question put and agreed to.

11.27 am

Sitting suspended.

Disclosure and Barring Service

[SIR DAVID AMESS *in the Chair*]

2.30 pm

Helen Hayes (Dulwich and West Norwood) (Lab): I beg to move,

That this House has considered the performance of the Disclosure and Barring Service.

It is a pleasure to serve under your chairmanship, Sir David.

I sought this debate because, since being elected last year, I have been approached by a significant number of my constituents who have experienced serious personal consequences as a result of delays in the processing of enhanced Disclosure and Barring Service checks.

When I asked written parliamentary questions on the subject earlier this year, two things happened. First, the answers to my questions did not provide any comfort or confidence that the problems were in hand. Secondly, many more individuals, voluntary sector organisations, care providers, public sector employers and others got in touch with me to say that they had had problems, confirming my view that there is a significant problem with far-reaching impacts. Today I will discuss the nature of the problems with the DBS, the impact on individuals, the reasons behind the poor performance, the Government's response, and the key issue of the current non-portability of DBS checks.

The DBS is a vital part of the safeguarding process. The process began under the Criminal Records Bureau established by the Labour Government, and I support it wholeheartedly. It is absolutely right that the checks take place and that anyone who, because of a previous conviction, is not a safe person to work with children or vulnerable adults can be prevented from doing so. However, the service must be run in an efficient and effective way, and it is clear that there are major problems in many parts of the country. Performance levels depend on the DBS itself and on the relationship between the DBS and the police forces across the country that are charged with delivering 25% of checks that come through the police character inquiry centres. The DBS and the police must work hand in hand to deliver a good service.

I will discuss that in further detail shortly, but I want to be clear about the impacts that the current delays in processing enhanced DBS checks are having. In November 2015, I was contacted by a constituent who was a student nurse and who needed a DBS check to be completed so that she could take up her student placement. She made the original application in August 2015. She did not receive her DBS clearance until December 2015, as a consequence of which she missed the first term of her nursing placement.

In March 2016, I was contacted by another constituent, who was seeking to complete six months of clinical experience in hospital and voluntary sector settings before enrolling on a programme of doctoral study in clinical psychology. He had submitted three applications for the three settings in which he was undertaking placements. That is an issue in its own right, to which I will return. The first application was made in October 2015, with two subsequent applications shortly thereafter. In anticipation of beginning his placements six months

ahead of the commencement of the doctoral programme, my constituent resigned from his job only to wait several months for his DBS checks to be finished. That happened only in July 2016, far too late for the placements to be completed in time for the start of the course in September. My constituent has been forced to claim jobseeker's allowance and to delay the commencement of his studies by a whole year as a consequence of the delays.

I have also been contacted by a healthcare worker who was unable to take up a job offer for five months; a parent-run nursery that is in breach of Ofsted regulations because it cannot appoint the required number of trustees until they have all been DBS cleared; a care agency that is unable to recruit a sufficient number of careworkers quickly enough to meet demand; and schools and hospitals experiencing frustrating delays in being able to fill vacant posts.

There are harder cases, including my constituent who is an ex-offender and has found it very difficult to find work. In May 2016, he was offered a job that he was keen to take up. He contacted me about the delay in processing his enhanced DBS check. Despite my office contacting the DBS a number of times and receiving assurances on three occasions that the case had been escalated, my constituent is still waiting for his DBS check more than five months later and the rare offer of employment has been withdrawn. When people are doing their very best to do the right thing and to turn a corner in their lives and move on, it cannot be right that the Government are placing an unnecessary barrier in their way.

The Criminal Justice Alliance—a coalition of 110 charities working across the criminal justice pathway—contacted me to say that, in recent months, the performance of the DBS, particularly in London, has been having a severe impact on its capacity to deliver services, delaying rehabilitation work for many prisoners. The Local Government Association is concerned about the national impact of DBS delays on the social care sector.

My right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), who is unable to attend the debate, contacted me with examples from her constituency of people who have been forced to claim benefits and use food banks, and who have even been issued with eviction notices, because they have been unable to take up employment as a consequence of DBS delays. In Sheffield, as elsewhere in the country, taxi drivers must undergo annual DBS checks. That is particularly important given the links that there have been between the taxi trade and child sexual exploitation in some parts of the country. However, the DBS is so slow in Sheffield that taxi drivers are sometimes unable to work for a third of every year as they await their certificate.

My point is that the consequences of the poor performance of the service are far-reaching, can be devastating, and can result in additional costs to the public sector and important posts in our public services and elsewhere remaining unfilled. I have sought to illustrate the impact on individuals, but what do we know about the bigger picture? The Government have not published any official data on the performance of the DBS since July, and have published no data at all on the most severely delayed cases, meaning those delayed beyond 60 days.

[Helen Hayes]

In July, of 51 police forces, only 32 had achieved the target of processing 85% of applications within 14 days. At the Metropolitan police, only 14% had been processed within that time. In North Yorkshire, the figure was only 12%, and in Nottinghamshire, it was just 7%. There is enormous variation in performance. Also in July 2016, the average time taken by the Metropolitan police to process an application was 128 days, while the average time taken in Norfolk was 1.8 days.

The Government website acknowledges that there are delays and states that action is being taken to address them but, in my view, the lack of comprehensive performance data, including the absence of any data at all on the most severe delays, combined with the lack of any substantive or detailed information about the plan for recovery, is not acceptable. The Government owe it to the many people suffering the severe adverse consequences of DBS delays to be much more transparent about the scale of the problem and the action being taken to address it.

I have spoken with the Public and Commercial Services Union, which represents 12,000 members based in the Home Office, including those working in the DBS, and more than 6,000 members in the Metropolitan Police Service. The PCS told me that, in February this year, the Metropolitan police character inquiries centre had a backlog of 70,000 applications waiting to be processed, with an average weekly intake of 6,000 new applications. That amounts to a 12-week backlog. The problem got so bad that DBS customer services staff were provided with guidance on what to do when they received calls from customers who were suicidal, which were becoming a more frequent occurrence.

The PCS acknowledges that some management action has been taken, including changes of leadership in the Metropolitan police team responsible for the character inquiries sector; increases in staffing; an increase in the number of permanent employees over agency staff; and streamlining of the process. That action led to some reduction in the backlog but it is clear that some of the problems are structural. Those include long-term understaffing and the short-term nature of the funding provided by the DBS to the police, which results in high levels of temporary staff and job insecurity, and means that experienced staff often find more secure work elsewhere. There are also problems with computer software.

Although I am strongly supportive of the role of the DBS, it is important that progress is made towards delivering a fully portable certificate. In my constituency, as across the rest of the UK, people move jobs, often work for more than one employer, or use valuable skills from their day job as a volunteer in the evenings or at weekends. All those circumstances lead to multiple applications that add to the workload of the DBS. I place on the record my support for the many employers and voluntary sector bodies calling for the development of a fully portable certificate.

Finally, I have personally been very disappointed by the responses I have received from the Government and the police when I have raised the issue of the poor performance of the DBS. Although they acknowledge that there is a problem, their responses across the board have failed to reflect the serious impact that the poor service is having on my constituents and on residents

across the country. They have failed to convey any sense of responsibility for the failures. It simply cannot be the case that a system designed to protect our most vulnerable residents has the effect of punishing many entirely innocent citizens. That situation must be addressed.

In closing, I ask the Minister to answer the following questions. Will the Government publish full performance data for the DBS, arranged by individual police force, including data on the most severely delayed applications? Will they publish the recovery plan for the DBS, including the performance targets it is working towards? Will they consider bringing the DBS back within the Home Office? Will they review the funding arrangements for the police, with a view to providing a more stable funding environment to enable the police to resource DBS checks properly?

Will the Government commit to compensation for those who have lost earnings as a consequence of DBS delays? Will they publish plans to progress fully portable DBS checks? Finally, will they commit that, in situations where someone's offer of employment is in jeopardy as a consequence of a DBS delay, their application will be escalated and dealt with within a fixed timescale of no more than three working days to prevent further hardship and cost to the public sector through the benefits system?

2.41 pm

James Berry (Kingston and Surbiton) (Con): I commend the hon. Member for Dulwich and West Norwood (Helen Hayes) for securing this debate. This is an important matter and something that we perhaps come across even more in London than elsewhere. I am a barrister and have dealt with a number of cases where the police have resisted challenges to DBS refusals. I have also gone through a DBS check myself as a school governor—I am pleased to say that the check was negative.

Like the hon. Lady, I have received correspondence about DBS checks in my postbag and inbox. Teachers, nursery workers, care providers, charity workers, taxi drivers and even members of the police and the security services have to go through these checks and have suffered delays. Some people, particularly those who have been offered short-term or temporary work, have had their offer of work disappear because they simply have not received their clean bill of health from the DBS quickly enough.

DBS checks and the DBS system are, of course, vital, as the hon. Lady recognises. There are two elements: the DBS has to issue the certificate, and the individual police force has to feed in the information for the DBS to assess. That leads to two potential areas where delay can creep in and, as she says, that is not acceptable for people who make such applications.

There were problems with the Metropolitan police when the hon. Lady and I were first elected, and the Government posted a statement on their website in October 2015 acknowledging that there were problems and that there was a backlog where the service standard of 60 days had not been met. Steps have been taken to reduce that backlog, and every application that went over the 60-day service standard is automatically escalated. I have seen a reduction in the number of cases that have come to me as a local MP, but the problem plainly has not gone away. The cases are still coming, just not in the same volume. I am sure the Minister will be able to update the House on the steps that have been taken.

A twin-track application process that allows for urgent applications where there is a job offer on the line or where someone is starting work early should be considered, but in most cases the guidance is that people should make their application well in advance, knowing that it will take a long time to process.

There are cases where individuals want to challenge a refusal by the DBS, and they will either make that challenge to the DBS via judicial review or they will try to challenge a police force for providing the information, which can sometimes slow down the process. Overall, this is an important area that police forces and the DBS have to get right because of the potential consequences for the vulnerable adults and children who use the services provided by employees who are required to have DBS checks. The checks are also important for employers of people who want to work in these sectors, and whom we need to work in these sectors, because we do not want people to be turned away by an overly onerous and lengthy process.

This issue has frequently come up in my postbag, and I commend the hon. Lady for bringing it to the House's attention. I commend the Government for the steps they have taken to expedite the process, particularly with the Met police, and I look forward to hearing from the Minister what further steps can be taken and what options there might be for expediting the process, particularly where there is a time-sensitive application.

2.45 pm

Jeff Smith (Manchester, Withington) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I congratulate my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes) on securing this debate on an important issue that probably affects many more people than today's turnout suggests.

I have a few short remarks—I will not speak for long—about my constituents' experience of the Disclosure and Barring Service over the past year, which has not been good. The delay in issuing DBS certificates is not just an administrative problem; it can cause people to turn down work or to lose an income on which they previously relied. It is vital that the delays in processing applications are brought under control.

Like other hon. Members, I have had many cases in Manchester, Withington of people who are ready to work but who are left waiting, sometimes for months, for their DBS certificate to be processed. These are people who have worked hard to find a job and have been successful at interview but who find themselves in an administrative limbo that means that, in the worst cases, they cannot take up the job. I will highlight a couple of cases that show the impact of such delays.

The first case is of Nazim Uddin, a taxi driver in my constituency who submitted his DBS renewal application on 4 June, well in advance of the September date when his hackney carriage licence expired. He eventually received his certificate on 28 September, 120 days after his application and after his licence had expired.

Catherine West (Hornsey and Wood Green) (Lab): I congratulate my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes) on securing this debate. My constituent had a 94-day wait. Does my hon. Friend the Member for Manchester, Withington (Jeff Smith)

agree that that is an awfully long time to wait and could have a detrimental impact on this individual's financial situation?

Jeff Smith: I absolutely agree. The case is similar to that of Nazim in my constituency. Despite my office raising the issue both with the DBS and with the Government, he became unable to work because his licence expired, which understandably caused him and his family a huge amount of stress and some financial hardship.

The second case is of Angela Gallagher, a constituent of mine who lost a job as an occupational therapist because her DBS certificate was so delayed. She spoke to me about her constant phone calls to the DBS for updates only to be told to be patient and that the DBS was working through the backlog. She could not understand why, after she had been offered a job, the system was putting such obstacles in her way. She described how it affected her family's finances—at the time, she was forced to sign on to out-of-work benefits—and how her mental health was affected by the stress caused by the delay and by her inability to access the job.

Lyn Brown (West Ham) (Lab): My hon. Friend is making an excellent point and an excellent speech. One of my constituents told me how, although she knew there was nothing in her background that could possibly come up, the stress of waiting made her worry that somebody had made something up about her that was going to come to light. Waiting for weeks and weeks for a resolution added to her mental ill health.

Jeff Smith: My hon. Friend is absolutely right. It is an extremely stressful process for a person stuck in this limbo.

James Berry: Does the hon. Gentleman agree that it is important for the DBS to give an accurate estimate of the time the process will take, even if it is a very long period of time, so that people do not suffer the additional stress that the hon. Member for West Ham (Lynn Brown) just mentioned?

Jeff Smith: I agree absolutely that in principle we should be trying to do that. I appreciate that the DBS itself is not always the cause of the delay, because the backlog is often at the police checking stage, and that the DBS often cannot give a proper estimate of the delay with any real accuracy. Even for people who live in Manchester, the backlog is often down to delays from the Metropolitan police, as my hon. Friend the Member for Dulwich and West Norwood pointed out. Constituents of mine who have lived in London have come to me with real problems with the Met's performance. Let us face it: the Met does not have a good record on processing the system properly.

The Met backlog is a real problem. Government cuts to the police have left the Met unable to cope with the increase in demand; since 2010, it has lost 1,300 staff. That is not as many as the Greater Manchester police—we have lost more than 1,800 since 2010—but it is tough all the same. Those cuts have clearly affected the internal flexibility that the Met needs to deal with changing demands on the force. Ministers have said that the Government are training extra staff to cover the gaps, but there will be a significant time lag before we see

[Jeff Smith]

quicker turnaround times. In the meantime, people across the country who rely on the Met to process DBS checks will suffer delays, leading to the problems I have outlined. Those problems have shown that cuts to police funding are a false economy because their consequences have been felt right across the public sector. It is not just about police forces; those police forces are struggling to complete the necessary checks on people whose job is to safeguard children and the vulnerable.

Care home associations have said that delays are forcing care homes to recruit expensive agency staff. The Royal College of Nursing has reported students turning down places because of the delays, as we heard earlier in the debate, or losing their bursaries for the academic year. We have all heard examples from schools, hospitals and childcare providers that show that the delays are making already difficult recruitment issues even more difficult. If there is a lesson to be learnt, it is that the Government cannot just cut police numbers without expecting problems down the line, not only for the police but across the public sector, for businesses and services, and most importantly for constituents such as Nazim and Angela who have experienced these problems through no fault of their own.

I ask the Minister to think about several things. First, will she give serious consideration to how to stop these delays? Secondly, we have not fully discussed how constituents can get redress for their difficult experiences; as I understand it, redress is available if the DBS is at fault for the delay, but if the police force is at fault, there is no redress or compensation for the people who suffer. Surely that situation needs to be rectified. Thirdly, I reinforce the point made by my hon. Friend the Member for Dulwich and West Norwood about the possibility of a portable certificate; obviously it would need safeguards, but it would be a major contributing factor to a solution. Finally and most importantly, a process must be put in place to escalate cases in which jobs are at risk and to get them dealt with very quickly to ensure that our constituents around the country can access the jobs they need in a timely fashion. I thank Members for listening.

2.53 pm

Lyn Brown (West Ham) (Lab): It is an absolute pleasure to serve under your chairmanship this afternoon, Sir David. I congratulate my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes) on securing this important debate and on her excellent speech on behalf of her constituents. I also thank my hon. Friend the Member for Manchester, Withington (Jeff Smith) for joining the debate and for again representing his constituents with such clarity and integrity.

As my own mailbag can attest, delays occurring in the Disclosure and Barring Service are making life exceptionally difficult for many workers in this country. Frankly, Minister, we need to sort that out. As we know, the DBS enables employers to make safer recruitment decisions by identifying candidates who may be unsuitable for certain types of job. The service plays a vital role in keeping our young people and vulnerable adults safe. Having access to DBS certificates is essential for people who want to pursue careers working with vulnerable people and groups, and for organisations such as hospitals and schools, which need to recruit staff.

One of my constituents, a qualified teacher working with children with special educational needs, informed me that her DBS check had been stuck with the Metropolitan Police Service for three months, despite the fact that it has a target of 18 days. Since her DBS expired in February, she has been offered a number of roles but has been unable to start work because of the delay. Without work, she is now in arrears with her rent, her car insurance and other monthly bills.

In May 2016, it was reported that 10% of the staff of one primary school in north London were unable to fulfil their roles because of the delays. The headteacher said:

“Under official guidelines you can do a risk assessment based on the DBS from someone’s previous job, but they have to be supervised at all times...In one case we had to wait four months for a check to come through. There’s already a teacher shortage in London so this is a headache we could do without.”

That is the real impact of the delays: schools with teacher shortages are unable to recruit staff, unemployed teachers are falling into debt and employees are left waiting anxiously for months. That is simply not good enough.

These delays cause real anxiety, as my hon. Friend the Member for Manchester, Withington attested. Employees are expecting to hear back within eight weeks, and as the weeks pass they become really anxious that the delays are the result of a complication with their check. The problem is made worse by the fact that application processing times seem to be entirely arbitrary. People in that situation understandably fear that their job offer will be withdrawn. I also know from my constituents that people from the same area who apply at the same time will sometimes get radically different response times.

James Berry: The hon. Lady will be probably aware that in some of these cases, the fact that an individual has moved a number of times and a number of different police forces have to be contacted can explain the longer delay, even if they have applied at the same time as another constituent. Six police forces having to do checks will involve a much longer process than just one.

Lyn Brown: I accept that point, but the hon. Gentleman must accept that that is a symptom of living in London. My constituents have not all lived in West Ham all their lives; they have travelled from all over the country, and yet they are still given an arbitrary response time. I would really like the Minister to explain whether there is a system for prioritising some checks over others—or does she have another explanation, as the hon. Member for Kingston and Surbiton (James Berry) does, for the vastly differing response times that constituents experience?

The DBS states that it aims to deal with 95% of applications within eight weeks. It is currently at 93.8%, which is below that target but not far off. However, that figure masks what is actually a deep problem in some parts of the country: the severe delays that kick in when some police forces get involved in the process. As we know, there are five stages to a DBS check. The majority of delays occur at stage 4, when individual police forces check their records to make sure that the potential matches are not missed.

Police forces have targets to process 85% of applications within 14 days and 90% within 18 days. In July 2016, the Metropolitan Police Service hit its 14-day target just

14% of the time. Things do not get much better for its 18-day target, which it met just 19% of the time. In April 2016, the then Home Office Minister, the right hon. Member for Staffordshire Moorlands (Karen Bradley), revealed in a written answer that the Metropolitan Police Service took on average 85 days to carry out stage 4 of the DBS process.

Let us recap: the whole process from stage 1 to stage 5 should take eight weeks. However, the Metropolitan Police Service is taking an average of 85 days to do its part of the process—that is just over 12 weeks. In those circumstances, it is literally impossible for the DBS to meet its eight-week target because one of the five stages is taking longer than the total target time. No wonder I, as a London MP, receive so many complaints about the service from my constituents.

Having researched the details, it is of little surprise to me that the Metropolitan Police Service is struggling. Just look at what has happened to its support staff, which have been cut by a third since the Conservatives came to power: down from 14,179 in 2010 to 9,521 in 2016. As my hon. Friend the Member for Dulwich and West Norwood rightly said, those cuts have had consequences. Under the strain of falling staff numbers, a substantial backlog of applications has emerged. All police forces have a target of having no more than 12 days' worth of work on DBS checks at any one time, meaning that if no new applications were received, police forces would be able to deal with all existing applications within 12 days. The most recent figures available show that it would take the Metropolitan Police Service 60 days to complete the pile of DBS applications it is sitting on, and only if no more came in. That is five times the target.

This is not only a London issue. In Nottinghamshire, the 14-day target for stage 4 of the process is currently being met just 7% of the time, while in North Yorkshire the target for both 14 and 18 days is being met just 12% of the time. In fact, according to the Government's July 2016 red, amber or green assessment, 17 of the 50 forces were judged to be providing a second-rate service or worse. Something has to be done to improve the situation, and fast. We cannot have potential employees and potential employers waiting for so long. I want to know what the Government will do about it. It is unfair on both sides and it is causing financial damage.

This is not a new phenomenon. Research by the House of Commons Library revealed that the Met has not hit its 14-day target since February 2008. That is more than eight years for which my constituents, and other people living and working in London, have had to put up with a substandard service. For six of those years, the Minister's party has been in government. A Government press release from earlier this month stated that they have been

“working very closely with the Met to help improve performance and good progress is being made to reduce applications in progress.”

If that is true, it is very welcome, but I am yet to see any evidence that good progress is being made. The most recent figures show a service struggling to keep up with demand, and people having to wait far longer than they should to have their applications processed.

Will the Minister inform the House of precisely what steps the Government have taken in the short term to help police forces to clear their backlogs? Will she also

tell us how long she anticipates it will take for the service to return to an acceptable level? Some undefined time in the future is simply not good enough when people's livelihoods and careers depend on their being able to get these checks carried out promptly.

The police missing their time targets is not the only problem. The DBS has failed to meet its accuracy targets in each of the last three months as well. I am told that the failures are administrative, such as spelling a name wrong or placing an inaccurate date of birth on the form, but that is not clear from the DBS business plan, which explains the performance indicators, because an inaccurate check is not defined. I am not told that it is administrative; I am not told that it is a small issue; and I am not reassured that inappropriate people are not getting DBS certificates, or that people who should be given certificates are not being refused. Will the Minister assure us today that the accuracy failures are largely administrative? Can she give us a figure for them, or a percentage? Can she give us any reassurance whatever? Will she prove to the House that inappropriate people have not been receiving DBS certificates to which they are not entitled?

I do not want to downplay the importance of administrative failures. They need to be rectified because they really do have knock-on effects. Take another of my constituents, who contacted me earlier this year about her DBS check. She informed me that after waiting six months for her application to be processed, her certificate, when it finally arrived, was inaccurately filled in, as it failed to include a previous name. As a result of delays and inaccurate information, my constituent was unable to take up employment as a childminder and has lost significant earnings. These are legal documents and they need to be filled in as accurately as possible so that people can use them.

Will the Minister inform the House of the steps the Government have taken to make sure that the accuracy of barring decisions improves in future? I really would like to be reassured that she takes this matter seriously. My hon. Friends the Members for Dulwich and West Norwood and for Manchester, Withington asked a number of pertinent questions in the course of their contributions. They asked for detail, and I hope the Minister will be able to provide it today, but, if not, will she commit to answering us in writing within the next week or so?

Let us face it: the longer delays to DBS checks are the result of cuts to our police services. The Metropolitan Police Service and other struggling police services are simply overburdened with the number of applications they are receiving. They do not have the resources they need. We know that since 2010 the Met has seen police support staff cut by 33%, and today we have heard about the reality of those cuts: poorer services and people missing out on jobs. That is, I am afraid, the Government's record on the DBS.

3.6 pm

The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton): It is a pleasure to serve under your chairmanship, Sir David. I sincerely congratulate the hon. Member for Dulwich and West Norwood (Helen Hayes) on securing the debate. There is no doubt that the Disclosure and Barring Service is vital, but we have heard powerful speeches about the impact on people's lives and on employers if it is not right.

[Sarah Newton]

I welcome this opportunity to address the issues that have been raised and I hope that, by the end of the debate, Members will be assured about the progress we are making. If not, and if I am not able in the time I have remaining to address all the points that have been made, not only will I of course agree to answer them in writing, but I am happy to invite Members into the Department to meet me and my officials and go through in more detail the important issues that have been raised.

Protecting the public is certainly a priority for me and for the Government. We will not compromise on safeguarding children and vulnerable adults. The DBS plays a vital role by enabling organisations in the public, private and voluntary sectors to make better-informed and safer recruitment decisions. It provides proportionate access to criminal record information, allowing employers to determine whether an individual is unsuited to certain kinds of work. It also manages two lists of those barred from working with children or vulnerable adults.

I maintain a close interest in the DBS's performance and receive regular reports. I visited the DBS office in Liverpool earlier this month, and it was clear to me that the staff are professional, effective and passionate about their role in protecting the public. I saw an organisation with a culture of continuous learning and improvement that seeks to put its customers, and protecting the public, at the heart of everything it does.

On the barring side, the DBS makes complex, evidence-based decisions, weighing a person's rehabilitation against the need to keep the public safe. More than 61,000 people are now prevented from working with children, vulnerable adults, or both.

Most people come into contact with the DBS when it issues disclosure certificates, which have been the subject of most of the discussion in the debate. Certificates can be applied for by people in a range of occupations, including teaching assistants, doctors, taxi drivers and social workers. Last year the DBS issued more than 4 million certificates, with nearly 95% provided within the eight-week timeline. It is important to focus on that.

The DBS asked customers how happy they were with the service, as we would expect of any arm's length Government organisation. In the year to May 2016, 89% reported that they were satisfied with the service they had received. However, I am aware from the letters that I have had, and from today's debate, that some people have experienced very long delays in receiving their enhanced disclosure checks. I do not underestimate for one minute the impact that that has on the lives of not only those individuals but the organisations affected, and I agree that it is totally unacceptable.

Although I recognise that disclosing criminal records information is complex and that checks must be thorough, I am clear that delays absolutely must be addressed. The DBS works with various partners, particularly the police forces that provide the data on which checks are based and assess what non-conviction information from their locally held information should be disclosed as part of the enhanced check. That may require the DBS to send search requests to more than one police force. The vast majority of checks should be completed within two to four weeks, and the DBS monitors performance closely, assisting any forces that are not meeting their targets.

It is important to make it clear that police disclosure units are fully funded by the DBS, so the issue is not about the general funding that police forces receive. Each year the DBS agrees budgets and expected numbers of disclosures with police forces and funds them. Where police forces run into difficulty, as the Met indisputably has, the DBS will provide extra resources.

Helen Hayes: The issue that has been raised by the PCS and others is that of annual funding settlements, which mean that there is a great deal of insecurity for staff working on DBS disclosures within police forces. Temporary contracts and insecurity are part of the problem. What is needed is a fully staffed, professional service with some continuity and longevity in the length of time people stay in their jobs.

Sarah Newton: I completely understand that if there is job insecurity, that makes it difficult to retain good-quality staff. I visited the Metropolitan police unit only a few weeks ago and witnessed the training process. The decision-making process is complex, and it takes time to train staff. Even when the DBS sits down with the Met or any other police force that is having difficulty and agrees extra funding, it takes at least six months to train someone so that they can carry out the checks.

The hon. Member for Dulwich and West Norwood is right that the PCS union has acknowledged that there has been a change of leadership at the Met. The Home Office has provided considerable support to help improve processes, and the DBS has funded more than 100 new staff, so there has been a huge amount of effort. The hon. Lady understands, as I do, that more of the staff have now been given full-time contracts. The DBS sits down with the police forces each year and agrees the contracts based on the anticipated number of checks. If the number of checks requested goes up, more staff have to be recruited. Sometimes it is efficient and right to have temporary staff; on other occasions we need more full-time staff. Such contractual decisions are made between the DBS and the police forces. I have also seen that no stone is left unturned. The Met has asked for support from other police forces that have a surplus of staff with the right expertise to help. So I can absolutely assure the hon. Lady that every effort has been made between the DBS and the police forces to get the necessary resources in.

Only two police forces are not meeting their timeliness performance targets: the Met and Surrey. In the case of Surrey, a relatively small number of people are affected and a recovery plan has been agreed with the DBS, which is going well. I can share that information and be certain about it because the DBS regularly publishes the data on its own website. That addresses one of the issues that the hon. Lady raised, about the transparency of data. Opposition Members have quoted extensively from performance data, so there is not an issue of transparency here. Those data are on local police force performance as well as the DBS's own organisational performance, and the next data will be published later this month. I look at such data on a daily basis.

Lyn Brown: I am struggling with what the Minister is telling us. First, we know there has been a problem in the Met since 2008, which is a long time. We know that the delays in the Met are massive. If the DBS has been placing money in the Metropolitan Police Service so that it can get the checks done, then it must have been

significantly underpaying the Met for several years in order for us to have got to the current situation. I am afraid I cannot accept what the Minister is saying about that.

The Minister also tells us that only two police forces are not meeting the timescales, but in the Government's own assessment, on the red, amber and green scale, 17 of the 50 forces were judged to be providing a second-rate service or worse. It is not only two police forces; by the Government's own admission, it is more.

Sarah Newton: The hon. Lady raises a couple of points. The data I am referring to are the most recent. We will get another tranche of data this month, so she will be able to see for herself what the information is.

On how the Metropolitan police or any other police force is funded, the fact is that the DBS funds police units to do police checks. Whether they have received adequate funding over a certain period of time is a fair question. I have been to Liverpool and had conversations with the DBS, and I am monitoring the situation on a weekly basis. I will go back to the DBS to make sure that all the recovery plans we have discussed are implemented. I can say no more to reassure the hon. Lady about how seriously I take this issue. I and my officials are focused on it, and I am regularly involved with the DBS to make sure we tackle it.

As I have said, I visited the Metropolitan police unit recently. The hon. Lady has acknowledged that significant extra resources and changes in leadership have been put in place, and the unit is processing 20% more applications than it receives. That gives me some confidence that it will reduce the backlog over time. If the unit was processing only the number of applications that it was receiving, we would not have any confidence that it was dealing with the backlog, but it is, and 20% is significant. I am therefore confident that it will make significant progress.

It is important that the DBS continues to work closely with the Metropolitan police and any other police forces that are having difficulties to make sure that they are given the necessary resources to do the job. I know that the Metropolitan police take the matter seriously. I have been to Sidcup and spent time with the team there, and they talked me through what they were doing about it. They know full well that I will be back again to personally check up on their progress.

I will go through the range of other questions that hon. Members asked me on issues from portability to escalation and redress.

James Berry: Although DBS checks are clearly a weak spot for the Metropolitan police, I am pleased to hear what my hon. Friend the Minister is doing personally to ensure improvements. It is important not to lose sight of the fact that, over the past six years, we have seen a sustained fall in crime in this country, largely due to the fantastic work of our police forces, particularly here in our capital, including in Kingston, which is now the safest borough in London.

Sarah Newton: I thank my hon. Friend for making that point. Getting the checks right is an incredibly important crime prevention measure. The top priority is to deal with the possibility of people doing harm to vulnerable children and young people. Frustrating as delays can be, the safety of individual people must be uppermost, and it must have played its part in those cheering results showing a drop in crime.

To return to the questions that were put to me, employers and individuals are encouraged to use the update service. An online subscription service allows individuals to demonstrate that their DBS certificate is up to date. That would prevent their having to make multiple re-applications. With the applicant's permission, organisations can check a certificate online, free of charge, which allows them to see whether any relevant information has been identified since the individual's certificate was last issued. There are more than 800,000 subscribers to that service. I encourage the hon. Lady to ask constituents to register for the online service at the same time as they apply for DBS checks. If they move jobs, they will not have to go through repeated checks, because once they sign up for the service the employer, charity or wherever they were working could freely go online to see whether any information needed updating.

I may have got the wrong impression, but the hon. Member for West Ham (Lyn Brown) seemed to be telling me that the certificate of one of her constituents had expired. It is simply not possible for certificates to expire because they do not have a set period of validity. If that constituent were signed up to the updating service they really would not be affected. It is important to set the record straight.

When there are delays, employers can, during the wait for DBS check results, consider whether it would be appropriate for an individual to begin work, with appropriate safeguards, depending on the nature of the role and the assessment of potential risk. For example, DBS Adult First can be used in cases where, exceptionally, and in accordance with the Department of Health terms, a person can be permitted to start work with adults before the certificate is obtained. There are appropriate ways of safeguarding while people are waiting so that they can avoid the dreadful situations that have been described today, where they cannot take up jobs, and where they incur financial hardship, and where organisations miss out on good employees.

Customers can track their application online and call the DBS helpline for support. There were questions about how the DBS prioritises applications. It does so in date order, but if an applicant can make the case that there will be undue hardship and they will suffer in some way, the DBS will do everything it can to expedite an application. It will contact a police force and do all it can to reduce the time.

I want to clarify the point about redress, which was mentioned. The DBS will consider cases. If there has been hardship and the DBS can be proved not to have acted appropriately, there is a system of redress. There is not a nationwide system for the police, but individual police forces can be held accountable. If they have not acted in a timely and appropriate way, redress can be considered.

I hope I have covered all the questions. I am not at all complacent. Getting the service right is central to protecting the most vulnerable people in society, and I am determined to do that. I understand that we need an efficient process to enable people to take up the sorts of jobs we need them to do. I shall continue to monitor what happens on a regular basis. As I have said, if any colleague wants to come into the Department and go through the matter with me in more detail, they are welcome to do so.

3.24 pm

Helen Hayes: I am grateful to my hon. Friend the Member for Manchester, Withington (Jeff Smith), the hon. Member for Kingston and Surbiton (James Berry) and the shadow Minister, my hon. Friend the Member for West Ham (Lyn Brown), for their contributions to the debate. I am also grateful to the Minister for her response and for the interest she shows in the matter. She has clearly set out the steps she is taking to address the problem.

I should be grateful, however, if the Minister could follow up in writing on my questions. I do not consider that all of them were fully answered today. I was in particular a little disappointed that I did not hear much from the Minister in acknowledgement of the distressing cases I raised, and the serious impact of delays on my constituents and those of my hon. Friends. We brought up several specific examples of shocking hardship and distress as a consequence of delays in the service. The Minister set out some aspects of the service that are in development, and steps being taken to deal with the problems, but I do not feel that she properly addressed the seriousness of the consequences. I should be grateful for some further information in response to my questions.

My hon. Friends' points about cuts in police resources were pertinent and well made. There is more work for the Minister to do to make certain that the police are being resourced on the necessary basis for them to undertake their important work. On the question of annual funding settlements from the DBS to the police, the context in which, as the Minister explained, it takes six months to train someone to do the job when they may have job security only for another six months, sounds like a false economy in the public sector. It also sounds like a context in which it is difficult to recruit and retain high-quality staff. I welcome assurances that the Minister is considering the issue, including how more staff can be put on a permanent, secure footing in their employment, and how the DBS and police can plan for the longer term.

The advice that the Minister gave about the helpline for employers, and steps that employers can take, puts

too much emphasis on employers in the process. It is the Government's role, through the DBS, to undertake the checks, and employers should not have to take steps to compensate for delays in a process that should work efficiently and effectively. Finally, the Minister did not address my point about the need for rapid escalation to a secure and committed timescale for individuals whose employment is at risk as a consequence of DBS delays.

Sarah Newton: I am sorry that I did not adequately communicate how seriously I take the impact on individuals. I thought I had. This is a further opportunity for me to underline the fact that the cases I heard about are clearly very distressing for the people concerned. However, I pointed out that individuals as well as employers can call the DBS, which will make every effort to deal with a case. If there is hardship, distress or concern, that service is available.

Helen Hayes: I am grateful to the Minister. As I pointed out, my office called the DBS on behalf of a constituent on several occasions. On at least three of those occasions assurances were made that the case would be escalated and dealt with, but that did not happen until the offer of employment had been withdrawn. Processes may be in place, but they do not always work—I assure the Minister of that. There is a need for a service standard in the DBS, guaranteeing that, if an offer of employment is contingent on receiving a DBS disclosure in a given time, the DBS will meet that requirement. We cannot continue with people's employment being put at risk as a consequence of delays in the service.

I am grateful for the interest that the Minister has shown and the work she is doing on the matter, and I look forward to following up on it in future.

Question put and agreed to.

Resolved,

That this House has considered the performance of the Disclosure and Barring Service.

3.29 pm

Sitting suspended.

Highways England Compensation: Broadway in Chadderton

[NADINE DORRIES *in the Chair*]

4 pm

Jim McMahon (Oldham West and Royton) (Lab): I beg to move,

That this House has considered Highways England compensation payments for residents of Broadway in Chadderton.

This is my first Westminster Hall debate, Ms Dorries, and it is a pleasure to speak in it under your chairmanship. I will set out why I felt it was necessary to call for this debate, and the history of the scheme, before asking the Minister to respond to the concerns expressed repeatedly by residents living in the area. The issue has been going on for some time, and was previously dealt with by the right hon. Michael Meacher, before he passed away. I have come to it towards the end of the scheme. I am hoping that my speech will be received positively. People affected by the scheme might be watching the debate, and they are hopeful of some conclusion to a long-standing issue.

To provide some context, Oldham is a young town, and demand for school places is significant. A determined effort by the local council has seen many new schools built, with the support of Government. The John Henry Newman College is one of them. It was formed from Our Lady's School in Royton and the St Augustine School in Oldham. The new school is now home to 1,400 pupils.

The new school site at Broadway was selected after a thorough assessment and, despite legitimate concerns about the impact on traffic and highway safety, local people by and large supported the project. The issue has been long and drawn out, however, with delays over site selection, the possibility in 2010 of funding being cancelled and, after the eventual building of the school, the ongoing fight for compensation payments by residents living near the site.

The scheme consisted of the construction of a signalised junction to create a new access to the site of the school that was being built. To facilitate that, the road needed to be widened with additional lanes, and a cutting had to be made into the parapet where the properties are in a significantly higher position than the road. The scheme required dedicated turning lanes and new signalling works, lighting and road markings. However, no measures to reduce noise or the visual impact of the scheme were put in place. As we can imagine, for example, the headlights of cars exiting the site shine directly into the windows of the house opposite, where previously there had been no road junction.

The road, to put it into perspective, is the A663, a busy trunk road that becomes the A627(M) motorway, which in turn connects the M60 Manchester orbital motorway to the M62. The road carries about 30,000 vehicles a day and, according to the Department for Environment, Food and Rural Affairs noise chart, the location under discussion has prevailing road noise levels in excess of 70 dB both day and night.

The properties in which my constituents live have been the subject of previous compensation claims. Those properties are predominantly brick-built, semi-detached

houses with pitched slate or tile roofs, usually dating from the post-war period. As the House will appreciate, where properties are so close to the road and at a higher level, they are particularly affected by noise, including the noise of cars standing at the traffic lights with their engines idling. That noise travels up—a problem in addition to the headlight problem I mentioned.

Those affected by the scheme rightly sought compensation under part I of the Land Compensation Act 1973. Evidence was supplied of previous Lands Tribunal decisions by professional experts highlighting similar schemes, including two that were agreed with the solicitors of some Broadway residents and the Highways Agency working with other residents. Evidence of other schemes for which property devaluation agreements were in place was supplied.

I had hoped to meet Highways England staff, but I am afraid that I was put on a Bill Committee because of my new Front-Bench responsibilities, which did not allow a meeting to happen. Notwithstanding that, a long series of correspondence took place between the highways body and Michael Meacher, when he was here. Local councillors who have been leading and supporting local people have been involved.

In similar schemes, the loss of value of properties has been accepted. No two schemes are the same, and any assessment of compensation payment will always look at the individual scheme on its own merit—I accept that completely—but it is important to highlight nearby schemes in which A-class roads have been widened and traffic lights installed, resulting in compensation payments. The Lands Tribunal decision on a new junction for the Parrs Wood scheme in Manchester returned a maximum of 7%; on a road widening scheme just up the road at Hunt Lane, Broadway, the maximum was 5%; further on again, on a road widening towards Middleton Road, Broadway, the maximum was unknown; and on the new junction improvements on the A56 Chester Road at Helsby, the maximum was 7%.

Given the location under discussion, clear evidence suggests that properties have reduced in value as a result of the road widening scheme. I will refer to two properties in particular—properties A and B. Property A is an extended and substantially modernised four-bedroom, semi-detached house, which sold for £175,000 on 20 March 2014. The same property sold for £200,000 on 14 August 2007. Between 2007 and 2014 that property had decreased in value by £25,000—that is a matter of public record. Property B, also on Broadway, is a three-bedroom, semi-detached house, which sold on 18 October 2013 for £156,000. On 6 January 2008, it was purchased for £165,000. That property too was sold for less than its purchase value only a few years earlier as a direct result of the market conditions following the road widening.

Moreover, the residents applied for their council tax to be re-evaluated to take into account the change in the neighbourhood. In 2012, the valuation office made the decision to reduce the council tax banding. The Highways Agency was aware of that, but refused to acknowledge any relationship between the road widening and that decision, which is contrary to the correspondence that took place at the time.

To conclude, I am hoping that the issue is straightforward. The scheme should have been really positive—a brand-new school was constructed, which provides a fantastic educational facility for local children, with 1,400 of our

[*Jim McMahon*]

young people benefiting, but it required engineering that has affected people who live nearby. Local people accept that the school is a positive contribution to the town, but if their property value has been affected as a result, clearly compensation payments should be made.

The school and the necessary engineering works required public investment of about £30 million and, given that context, the compensation payments requested are minor, but for someone whose property value has been affected the amount is significant. The issue has gone on for far too long. Today, I would like to make progress and to get some resolution so that residents can get on with their lives instead of entering a drawn-out tribunal process, which will cost them quite a lot of money and take even more time, when this is a straightforward matter.

4.8 pm

The Minister of State, Department for Transport (Mr John Hayes): It is, as ever, a delight to be in your presence, Ms Dorries, and to serve under your diligent chairmanship. It is also a delight to welcome the hon. Member for Oldham West and Royton (Jim McMahon), as a newish Member, to his first debate in the Westminster Hall Chamber. I congratulate him on securing the debate, which follows the work of his predecessor, a distinguished Member of this House who served his constituents for a very long time.

Ms Dorries, might I offer the hon. Gentleman, through you, some advice that he seems already to have followed, even if he has not heard it? When approached by constituents about these kinds of things, you and I try to put ourselves in their position. We try—I know that this is true of the way that you serve your constituents, if I might say so, and it is certainly the way that I serve mine—to imagine how we would feel in similar circumstances. We ask, “What would we feel like if this were our home, our community and our family’s interests?” That is precisely what he has done in bringing this debate to the Chamber, and I commend him for that. It seems that he did not need my advice, but I offer it anyway, as a more experienced Member to a newer one.

Given the overtures that were made by the hon. Gentleman’s predecessor, this case is familiar to Highways England and my Department. As he says, it concerns the A663 at Broadway, a busy urban trunk road linking the M60 with the A627(M) and the M62. It is an important link between Oldham and Manchester and forms part of the strategic road network, for which Highways England is responsible.

As the hon. Gentleman will be aware, the local authority, Oldham Council, constructed a new school, the John Henry Newman College, on previously disused land close to the road-widening scheme. It is wonderful that the college should be named after that great man, who by the way is one of my heroes—we do not have time to discuss that at length. None the less, the council, having agreed in response to local demand to construct that new school, was obliged to make changes to the road, and those changes are the alterations to which the hon. Gentleman referred. The changes were designed to allow safe access to the site, and the council took powers under section 6 of the Highways Act 1980, which allows local authorities to make such changes to the strategic road network where such a development is taking place.

It is worth listing the improvements that were made. They included the construction of a new signalised junction, giving access from the A663 to the new school; the widening of the carriageway and the construction of a new footpath; the creation of dedicated turning lanes into the school from both northbound and southbound directions; and the construction of central islands to help pedestrians cross the road. Improvements were also made to the road itself. The junction between Broadway and Foxdenton Lane further south of the school was improved, including by widening the carriageway on all four arms of the junction and improving pedestrian refuges. As the hon. Gentleman will know, all those alterations were completed by around September 2012.

Following the completion of those works, a formal submission was made by a land claims agent representing the interests of 32 households. Compensation was claimed under part 1 of the Land Compensation Act 1973 for residents living close to the new access to the school. On that occasion, Highways England did the proper thing and sought advice from a valuation consultant on the changed property values. Indeed, it went further than that and sought advice from two experts in that field, because it felt that that was the right thing to do.

Jim McMahon: The Minister is quite correct in his assertion that two separate experts were selected, but can he confirm that those experts were both in-house, not independent of Highways England?

Mr Hayes: They were valuation consultants, who are accustomed to dealing with these things and in so doing adopted the appropriate empiricism—indeed, that is their stock in trade—to gauge whether the changes in the values of the properties that the hon. Gentleman has suggested took place could be attributed to any of the environmental factors that would entitle the 32 households to compensation, such as increased vibration, increased noise or even light pollution from headlights shining into homes. Those experts would have taken those things into account, though he will have some good news at the end of my short but fascinating speech along the lines that he has just implied.

The problem is that when those tests were applied, the claim was found wanting. The hon. Gentleman has made the case that the value of the houses has fallen, and I am not in a position to dispute that.

Nadine Dorries (in the Chair): Order. If anyone in the room would like to take their jacket off, they should feel free to do so. The heating is apparently broken. The temperature is about 25° and I think it is going to get hotter, so please feel free to disrobe.

Mr Hayes: Ms Dorries, I never remove my jacket, except in the most extreme circumstances. One of those is playing competitive sport, and as I am not doing so, I will not remove my jacket, but I am grateful for your typical generosity and indulgence in giving me permission so to do should I wish to.

As I said, the valuation that was done does not necessarily contradict the hon. Gentleman’s assertions. He has provided evidence that values have indeed fallen, but I suppose the point that I was making—for the sake of emphasis, I make it again—is that according to the expert analysis, the criteria on which compensation

could rightly have been paid, according to the basis that applies to all similar schemes, were not met. In essence, that means that there was no loss in property value as a result of the physical factors—I described them earlier as environmental factors—arising from the alterations to the A663. The question is really whether any loss in value met the necessary terms and conditions set out in the Land Compensation Act 1973. In truth, the A663 was already a busy urban route, and a signalised pedestrian crossing was already in place on that road before the roadworks were undertaken. The new access to the school is not in constant use but is used largely at the beginning and end of the school day, as can be expected.

The hon. Gentleman understandably made a point about council tax banding. I was aware of that point. However, it is clear from the council tax decision notice issued by the local authority that the rebanding was due to the presence of a new school rather than the road improvement scheme. Highways England fully accepts its obligations under the 1973 Act and never seeks to deny the payment of compensation that is due, but it has no power to pay compensation that it does not consider to be payable statutorily. Highways England has accepted the views of its valuation consultants and no claim has been paid with regard to the A663 junction improvements, and he will know that the claimants were advised accordingly in March 2015. He made reference to the possibility of appealing, and he will know that the Act allows a claimant who disagrees with the amount of compensation offered by the relevant authority—in this case Highways England—to refer their claim to the lands chamber of the upper tribunal for independent determination. Claimants have until 25 September 2019 to make reference to the tribunal in this case.

As is my wont, I am going to go a little further than I have been advised to do. As I said at the outset, I have been impressed by the hon. Gentleman's diligence in bringing this matter forward, and I was an admirer of his predecessor, as I have also made clear. If I—like you, Ms Dorries, and the hon. Gentleman—put myself into the place of those affected, I feel a duty to share his and their perspective as much as possible. My second piece

of advice to the hon. Gentleman, therefore, is that he obtains a further independent assessment of whether the alleged loss of value can in any way be attributed to the work that has been done and therefore fits the criteria laid out in law. If he brings that to me directly and personally, I will commit to looking at the matter again. That would not oblige the residents to seek a tribunal hearing, which I appreciate is expensive, and it would give him an opportunity to take the matter further. If the criteria cannot be met—or if evidence cannot be brought that they may be met—it will clearly be difficult for me to help him or those residents.

The hon. Gentleman wants to do the right thing by those residents, and I do, too. These debates must have a purpose in holding Ministers to account and encouraging them to go the extra mile to support colleagues from across the Chamber in representing the wellbeing and interests of their constituents.

Jim McMahon *rose*—

Mr Hayes: That was my pre-peroration. Before I move to my exciting peroration, I give way once more.

Jim McMahon: I thank the Minister for giving way. Given that I do not get to come back at the end of the debate, I should take the opportunity to say that I find that very constructive. I am thankful on behalf of the residents of Chadderton for the opportunity to present that assessment at a future date.

Mr Hayes: It is my willingness to be constructive that has built the solid reputation I enjoy on the Opposition Benches, in which I take such great pleasure. I am grateful to the hon. Gentleman for his complimentary remarks and look forward to hearing from him further on this important subject for his constituents.

Question put and agreed to.

4.23 pm

Sitting suspended.

AEA Pension Scheme

4.26 pm

Sir Oliver Letwin (West Dorset) (Con): I beg to move,

That this House has considered the advice given to AEA pension scheme pensioners.

I am grateful to my hon. Friend the Minister, who is indeed honourable and a friend and a Minister. As I mentioned to him outside the Chamber, the gist of what I want to say is more directed towards the Cabinet Office than his Department, but it is useful to have this opportunity to put a flag in the ground. I should say right away that the purpose of the debate from my point of view, and I think that of those Association of Accounting Technicians pensioners who have been affected by what I am to describe, is to lay the grounds for an amendment we will need to move to the forthcoming ombudsman Bill to remedy a particular problem to which I shall come.

For the sake of anyone who happens to read *Hansard* in due course, I should begin by telling the story in brief. Incidentally, this is a story that has been told by many hon. Members from both sides of the Chamber. My hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown) held a debate on a connected subject. Others who have taken a great interest include my right hon. Friends the Members for Saffron Walden (Sir Alan Haselhurst) and for Wantage (Mr Vaizey)—the latter is in his place: he has been particularly active on this recently and I have corresponded with him—my hon. Friends the Members for Newbury (Richard Benyon) and for Oxford West and Abingdon (Nicola Blackwood), and indeed former Members such as Ian Bruce, who represented South Dorset.

I think the story is well known to all present, but, in brief, in 1996 when the United Kingdom Atomic Energy Authority was spinning off what became AEA Technology, a new pension scheme was created for that company. The employees concerned had been employees of UKAEA and had benefited from a Government-backed pensions scheme there. They were offered the choice either to remain in the existing scheme or to transfer, on two possible bases, to the AEA Technology scheme.

The sequel, which is also well known to everyone present, is that unfortunately the AEA Technology final salary scheme, like many other such schemes, came a cropper and, when AEA Technology went bust, the scheme turned out to be in massive deficit, so my constituents, and I suspect those of other hon. Members present, found themselves in the hands of the Pension Protection Fund, which—thank goodness—had been set up to deal with such matters. In that respect, they are in no different position from many other people who have suffered a similar fate.

Stephen Crabb (Preseli Pembrokeshire) (Con): I thank my right hon. Friend for giving way so early in the debate. He is summarising his case exactly right. Is it not the case that, when the pension holders transferred to the new scheme, they were given strong assurances that they would continue to enjoy benefits identical or “very close to”—that was the wording in some of the literature that they were given—those they had under the Government-backed scheme?

Sir Oliver Letwin: I am grateful to the former Secretary of State for Work and Pensions, my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb), with whom I have dealt on various occasions in even more vexed circumstances. He is absolutely right. The gist of what I am talking about is the advice these pensioners were given at the time they decided to make the transfer. I will go into that in some detail in just a moment.

Dr Julian Lewis (New Forest East) (Con): I thought I would get this in now before my right hon. Friend gets into his flow. My constituent, Dr Keith Brown, wrote to me quite some time ago, saying:

“Our main complaint is that official information provided to us at the time of privatisation did not tell us that the new pension scheme was at a much greater risk of failure than our old UKAEA scheme.”

That seems to be the nub of the problem: what they were and were not told.

Sir Oliver Letwin: My right hon. Friend is absolutely right: that is the nub of the problem—and the nub of the solution is related. It is a good idea to have solutions that relate to problems, and I am going to propose a solution to that particular problem, but let me first enlarge on the point both of my right hon. Friends have just raised, because this is where we get to an extraordinary sequence.

At the time when the pensioners in question were choosing whether to transfer their existing accrued rights from the Government-backed UKAEA scheme into the commercially-backed AEA Technology scheme, they were offered advice by all sorts of people. They were told various things by AEA Technology, the new firm. Needless to say, AEA Technology said the new scheme was wonderful because it wanted to attract people into it. It wanted to do that because anybody who knows about final salary schemes—there are people here who are genuine experts on that—knows that it is necessary to have a large number of employees in such a scheme to make it remotely viable, so AEA Technology had an interest.

I do not know, and I do not suppose we will ever find out, but I suspect that the UKAEA employees—who are not just any old set of employees, they are highly skilled professionals; some of them are extraordinarily clever people—would quite easily have been able to account for the undoubted bias in the advice coming from their prospective employer, so let us forget about that piece of advice. They were also, I think, given a certain amount of steer by UKAEA itself. This is where it gets a little trickier, because UKAEA is a Government body and it had some kind of duty to give people dispassionate and neutral advice. However, UKAEA was in the course of trying to spin off AEA Technology, so it had an interest, too. I genuinely do not know the extent to which the employees did or did not pay attention to whatever they were told by UKAEA. Luckily, for the purposes of the debate, I do not want to dwell on that either, because there is a much more serious issue at stake.

The third set of people from whom the employees received advice—we do not have to speculate about this because it was written, and I am going to describe exactly what it said—was from none other than the Government Actuary’s Department. That is not just

any old body. It is the most august body, so far as advice on pensions and pension matters is concerned, in our country. It is exactly what its name says on the tin; it is the Government Actuary's Department.

The Government Actuary's Department now has a statement of practice, but at the time it issued that advice it did not. It issued a paper, a copy of which I have in my hand, that discussed transfers from the UKAEA superannuation scheme to the AEA Technology pension scheme. In section 3 of that paper, particularly in subsection 3.2, the Government Actuary's Department listed what it describes on the contents page as "Advantages of preserving", which means the advantages of remaining in the UKAEA scheme. Another section describes "advantages of taking a special transfer value"—

namely, the advantages of moving from the UKAEA scheme to the AEA Technology scheme.

The first strange thing about that is, in section 3, in which the Government Actuary's Department lists the "Factors to consider in making the decision",

and was in particular describing the advantages of preserving the UKAEA scheme benefits—looking at what might influence the employees to remain with the public sector scheme—it said:

"Whilst it is unlikely that the benefit promise made by either the UKAEA Scheme or the AEAT Scheme would ever be broken—", and it went on to say that it is even more unlikely that both promises would be broken.

The important point is that not just any old person but the Government Actuary's Department said it was unlikely that the benefit promise would be broken by either the Government-backed scheme, UKAEA, which is undoubtedly true, or the AEA Technology scheme. I have no doubt that, so far as it went, that statement was accurate, if looked at from the perspective of the date on which the Government Actuary's Department wrote that it was "unlikely" that the benefit promise would be broken by AEA Technology. Incidentally, I hope the Minister and others will trust me; I am sure the Minister has read the whole thing because I know he has been assiduously preparing for the debate.

What is clear is that nowhere in the rest of the document does the Government Actuary's Department say what was also patently true—that the risk of the pensioners losing a large part of the value of their pensions if they remained with their accrued rights in the UKAEA scheme was zero, or as near to zero as human beings get. A triple A-rated guarantee from HM Government attended that scheme. No such security was available under the AEA Technology scheme. Commercially-backed schemes do not have a triple A-rated Government-backed guarantee that pensioners will get their money as promised. That is a material difference between the two schemes, and the Government Actuary's Department, in offering advice to pensioners, had a clear duty to bring out that difference in risk. It did not, and that is the starting point for the compelling argument I will make.

Stephen Crabb: It is true that pensioners were encouraged to seek the advice of a qualified independent financial adviser, but that adviser could never advise on the overall risk of company failure and, therefore, the failure of the scheme, so my right hon. Friend's point is exactly right. There was nothing in the documentation that pointed to the risk of the scheme failing altogether.

Sir Oliver Letwin: I am glad that my right hon. Friend raised that point. It has been said in previous debates and in correspondence with successive Ministers that the point about the availability of independent financial advice is material. To the argument I am making it is not material, because even though the pensioners could have sought independent financial advice, and even if it were the case—as a matter of fact, I think my right hon. Friend the Member for Preseli Pembrokeshire is right that it would not be the case—that the independent financial adviser had advised them about the overall risk profile of the two possibilities, we would still have to ask why advice was given by the Government Actuary's Department. If the pensioners were meant to rely exclusively on independent financial advice, the only appropriate posture for the Government Actuary's Department would have been to say, "We're not offering you any advice. This is not for us. Go to an independent financial adviser."

On the contrary, the Government Actuary's Department very unusually constructed a paper, of which we all have copies, and handed that to highly intelligent people with the intent of persuading them that it described the situation, which is the only presumption we can make. Why else would the Government Actuary's Department give someone such a paper?

Ian Blackford (Ross, Skye and Lochaber) (SNP): Does the right hon. Gentleman agree that, in effect, what the Government Actuary's Department has done is to give a subtle inducement to those who were in the UKAEA scheme to move across? At the end of the day, the Government should have some responsibility for exposing those pension plan holders to risk as a consequence of what has happened.

Sir Oliver Letwin: I agree that there was probably a subtle incentive, but I will come on to that in more detail in a moment. At this stage of the argument, all I am saying is something that I think is unchallengeably certain: the Government Actuary's Department gave advice that did not bring to light the material difference in risk between one situation and another. That is fact. Beyond that, one can speculate, but that is fact.

When I say that the Government Actuary's Department had a duty to highlight that difference of risk, I am again not speculating. Although at the time it did not exist, the Government Actuary's Department now has a statement of practice. I have a copy of it in my hands. Under the heading "Security", the statement of practice—essentially a code of conduct—says:

"It is recognised that the security of a private sector scheme cannot be provided in the same form as that applying in the public service".

It is practically impossible to imagine that the Government Actuary's Department would offer advice now in the form it did then, because it would be guided by its own code of practice. If it were not, I imagine rapid action would be taken to correct it, because if a Government Department issued a code of practice and then did not follow it, that would lead a Minister quickly to do something. Therefore we know that the Government Actuary's Department had a duty, which unfortunately was not at that time written down in the code of practice, that it did not observe to bring to light the difference in security between the two positions. It did not do that.

[*Sir Oliver Letwin*]

It is important to make one last point about what the Government Actuary's Department did. A freedom of information request has revealed an interesting sequence of events about which I intend in due course to write a little monograph, because it is very instructive about what happens inside Government and agencies when they engage in commercial transactions. The FOI revealed that there were exchanges of drafts between the Government Actuary's Department, UKAEA and AEA Technology. The drafts went back and forth, and the various parties commented.

When the draft of the very section to which I am referring, which was at that time labelled 3.1.1 instead of 3.2.3—I will come on to that point, but it is *ipsissima verba*—was sent to AEA Technology, the person looking at it from AEA Technology noted in handwriting, "Delete". So even an observation that it was possible the AEA Technology scheme might conceivably go bust, or that the UKAEA scheme might not deliver, was objected to by AEA Technology. It tried to get that deleted. To be fair to the UKAEA people and the Department then in charge of them, which is effectively now the Department for Business, Energy and Industrial Strategy, that did not get deleted.

I mentioned, however, the numbering, which is also instructive. Section 3.1.1 became section 3.2.3 because UKAEA supported the AEAT proposition that the advantages of preserving—in other words, staying in the public sector—should not be presented before the advantages of transferring, as it was in the original draft, but vice versa. Indeed, that change was made. That whole sequence of events illustrates very clearly that AEA Technology and UKAEA had a joint interest in trying to get as many pensioners as possible to transfer into the AEA Technology scheme—not because they were evil schemers, but because they wanted that scheme to be viable. They were putting as much pressure as they could on the Government Actuary's Department, to get as close as they could get it to go to telling the pensioners that that was a good thing to do.

To be fair to the Government Actuary's Department, it did not say that that was a good thing to do, but it also did not illustrate the fact that if we looked at the risks, it was a very bad thing to do. That is a very important point. The Government Actuary's Department did not just fail to point out the risks; it failed to point out the risks under conditions in which some pressure upon it was being brought not to reveal those risks in full.

I want to make one last point about the advice from the Government Actuary's Department before I move on to the law. The role of the Government Actuary's Department, which comes out clearly in the whole of its advice, was to look at the benefits of the two possibilities—remaining or transferring the accrued rights—and to see whether, on an actuarial basis, one was superior to the other or the other to the one. The Government Actuary's Department concluded that there was not really anything to choose between them. That was translated into the view that all in all, the benefits were as good in the one case as the other. Of course, for a particular individual—this was pointed out—it might be different, but by and large, people got the same kind of benefit in the two cases.

We have the word of the Government Actuary's Department that there would be no financial difference for pensioners, by and large, whether they stayed or went to the AEAT scheme—except, of course, that there was a huge difference. In the one case, they were getting the same benefits guaranteed, and in the other case they were getting the same benefits not guaranteed, because they were supported only by a commercial firm that could have gone bust and did go bust, and whose pension fund could have been in deficit and was in deficit—and lo and behold, they have indeed suffered.

Under pressure from those responsible for the transaction, the Government Actuary's Department assessed the two schemes as being of equal value to employees without taking account of the difference in risk. It failed to point out that difference and therefore led the pensioners to believe that there was nothing particularly wrong with transferring their accrued rights to the AEAT scheme. They could have had the benefits guaranteed permanently had they remained in the UKAEA scheme, but they did not ever realise that great difference in risk.

Richard Fuller (Bedford) (Con): My right hon. Friend has pointed to advice from the Government Actuary's Department about a privatisation. There was a period when many other Government businesses were being privatised. Has his research identified whether the advice was similar in other cases, or was this piece of advice unique to the circumstances of AEA Technology?

Sir Oliver Letwin: I do not know whether my hon. Friend brilliantly waited until this moment to ask that pertinent question, but he has asked exactly the right question at exactly the right moment. It was generally the case that undertakings were given—I was involved as a financial adviser in many privatisations—about the solidity of the pension scheme that was going to be available for pensioners if they transferred to the new undertaking. I strongly suspect, although I cannot prove, that many of the AEA Technology pensioners who later suffered imagined at the time, not least because the Government Actuary's Department did not say anything about a difference of risk, that such undertakings were available.

Moreover, the pensioners were probably led to have greater faith by the accident that the provisions of the law that gave rise to the transfer of the undertaking suggested—although did not say, if we read them carefully—that it would be just as good a pension scheme as the one they were leaving. In fact, in this case there were no such undertakings, and therefore there was a difference between this and many other privatisations. That was never brought out in the documentation, and the Government Actuary's Department did not refer to it. That further strengthens, to my mind, the point that the Government Actuary's Department advice served to mislead the pensioners.

I apologise, Ms Dorries, for the fact that that was all just the shaggy dog story, and now I am coming to the actual point of the debate. Everything I have described is a series of allegations by a Back-Bench MP—namely me—about what I think the Government Actuary's Department did, and who the hell cares whether a Back-Bench MP thinks the Government Actuary's Department behaved well, badly or indifferently? There is another body that judges these things that is much more important than a Back-Bench MP for these purposes, and that is

the Parliamentary and Health Service Ombudsman. That body gets to judge whether a Government agency—the Government Actuary’s Department is certainly one of those—has acted in such a way as to maladminister. That is the task of the ombudsman.

It is well established in the case law surrounding the ombudsman that if a Government Department misleads people, that is a form of maladministration, and if it causes them loss, that is a form of maladministration that the ombudsman can rule requires remedy. That is a perfectly well established chain of thought. We might think, therefore, that the Parliamentary and Health Service Ombudsman would be able to rule on whether I am right in asserting that the Government Actuary’s Department misled these pensioners and therefore engaged in an act of maladministration.

If we look at the Parliamentary Commissioner Act 1967—although it has often been amended since—and its original description of what the ombudsman should do, our heart lifts to begin with, because section 4 says clearly that the Act applies to

“government departments, corporations and unincorporated bodies” listed in schedule 2. If we turn to schedule 2 of the Act, lo and behold, one of the bodies listed is none other than our friend the Government Actuary’s Department. We might therefore think that we do not need to speculate about this; we just need to write a letter—I have written letters, as a matter of fact—to the Parliamentary and Health Service Ombudsman to ask it to investigate the Government Actuary’s Department action in this case.

Alas, it ain’t so, because schedule 2 is subject to the notes to schedule 2, and in those notes—I do not know how this happened—the Government Actuary’s Department is specifically included in the purview of the ombudsman only

“relating to the exercise of functions under—

(a) Part 2 of the Insurance Companies Act 1982, or

(b) any other enactment relating to the regulation of insurance companies within the meaning of that Act.”

I will not trouble the Chamber with what goes on in the Insurance Companies Act 1982, but I assure hon. Members that I have been through it—it is incredibly boring—and there is absolutely nothing that would in any way enable the ombudsman to look at the Government Actuary’s Department’s action in this case.

I imagine that the underlying purpose of that massive exclusion was that someone at the time—in 1967 or later—wanted to ensure that the parliamentary ombudsman would not be able to second-guess the actuarial calculations of the Government Actuary’s Department. I thoroughly sympathise with that. As a former Minister, I would certainly not want to see the Parliamentary and Health Service Ombudsman trying to be an amateur Government Actuary’s Department No. 2. That would be mad, and I am not asking for that.

In this case, we are not talking about an actuarial calculation. I am assuming, as I have done throughout my remarks, that Government Actuary’s Department calculations of the value of the two schemes to the pensioners, if they had been of equal risk, were perfect. My problem is what the calculation did not bring to light. It was not an actuarial calculation. It was a failure of a duty to point out the obvious in an extremely important way to people who may not have known it was obvious.

It is arguably clear that that is maladministration that the parliamentary and health service ombudsmen should be able to adjudicate on. It would require only a small amendment to section 4(1) of the 1967 Act in the forthcoming parliamentary ombudsman Bill to remedy that. We would then be able to go back to the ombudsman and say, “Now you have the power to look at what the Government Actuary’s Department did, whether it constituted maladministration and whether in your view that maladministration was material in having an effect on the pensioners, the choices they made, and hence the losses they incurred.” Then, as with Equitable Life—I threatened to go on hunger strike if the then Government did not bring in the ombudsman and agree to follow its ruling—it would be possible to introduce a scheme with compensation proportionate to the extent to which the losses to the pensioners were caused by the maladministration.

We all know that the Equitable Life scheme is not perfect and does not fully compensate the pensioners, because much of the problem was due to the directors and not the regulators. However, to the extent that it was due to the regulators, there has been a compensation scheme exactly like my proposal. We could do that in this case if we changed section 4(1) of the 1967 Act.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I, too, have constituents who are affected by this issue. My right hon. Friend set the problem out in detail and helpfully, and is now getting to the solution. Is there not a difficulty, in that it would have to be retrospective, or are there ways around that to help his constituents and mine?

Sir Oliver Letwin: I am delighted that my hon. Friend raises that point. I do not think it would be retrospective in any noxious meaning of the word. The decision that the incoming coalition Administration made on Equitable Life in 2010—to implement commitments that the Conservative party and the Liberal Democrats had entered into in opposition that we should follow the ombudsman’s ruling—was post facto. It was after all the damage had been done to the pensioners, and it was not regarded as retrospective. We implemented the scheme, and many Equitable Life pensioners have received compensation.

The case I am talking about is exactly the same. The ombudsman could rule ex post—not retrospectively, but simply with a ruling about what occurred. That ruling would undoubtedly be followed by the Exchequer in constructing a proportionate scheme. That is what we need to achieve.

I see that my right hon. Friend the Member for Wantage (Mr Vaizey) wants to take part in the debate, and I welcome that. I will sit down, because I have made the points I wanted to make.

4.54 pm

Mr Edward Vaizey (Wantage) (Con): I am grateful for the opportunity to participate in this debate, Ms Dorries. I have never had such an immediate effect on my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) and I relish the moment. I think I missed the announcement about a third runway in west Dorset. I am slightly disconcerted to see him wearing a red jumper and sitting on the Labour Benches. I hope he will return to the Government side of the House as soon as possible.

[Mr Edward Vaizey]

I praise my right hon. Friend for calling this important debate on the plight of pensioners in the AEA Technology scheme. There are many in my constituency and, as he rightly pointed out, there was an important debate on the subject a year ago in this Chamber. This is the second debate. The number of hon. Members, not just those here today, but those who took part in that debate, shows how widespread the concern is in the House. Around 3,000 pensioners are affected and although at the moment some have lost about 10% of their pension, the cumulative impact for many of them will be that their pensions decline by between 30% and 50%.

At the heart of what is a clear injustice is that it is as plain as a pikestaff that my constituents were misled 20 years ago in the advice they were given about whether to retain their accrued benefits in what was effectively a Government pension scheme, or whether to transfer them to a private scheme. As my right hon. Friend said, the advice given to them in 1996 was that the private sector scheme would be no less favourable than the public sector scheme.

My constituent, Derek Whitmell, has been assiduous in digging out information from various organs of Government. He has a letter from the Government Actuary's Department dated 14 November 2014 which states:

"We have found no specific record on file of the underlying justification for the statement that 'it is unlikely that the benefit promise made by either the UKAEA scheme or the AEAT scheme would ever be broken.'"

My constituents were told that a transfer would not be detrimental to them, and that it was unlikely that being in the private sector scheme would have any impact on them, yet the then Pensions Minister, Steve Webb, when responding to the debate a year ago, put forward various hypotheses and said:

"Let us suppose the trustees of a hypothetical privatised new scheme invested recklessly and generated a huge deficit, resulting in insolvency. Would the taxpayer be responsible for the trustees' actions?" Similarly, if investment returns went badly for that private company or other private companies, would the taxpayer be indefinitely on the hook for any deficit?"—[*Official Report*, 18 March 2015; Vol. 594, c. 289WH.]

I am not saying the Government should be responsible for the investment decisions of AEA Technology, but the very fact that such risks were hidden from my constituents says something.

My right hon. Friend referred to the drafting of the original advice in the 1990s. Again thanks to FOI requests from my constituent, Derek Whitmell, we have seen what emerged. One paragraph that my right hon. Friend did not quote but is very telling comes from AEA Technology. It states:

"We believe the general tone of this note is likely to discourage people from transferring to the AEAT scheme"—the private scheme—

"while recognising that the note must be as neutral as possible we do not think this is the case and have suggested a few places where the tone could be modified. In section 3"

which my right hon. Friend referred to,

"we would like to see the advantages of transferring put before those for preserving."

In plain English, to me that means, "Slant the advice to encourage people to transfer." That is why 90% of pensioners transferred to that scheme.

I will be as brief as possible because I know the wind-ups are about to begin. We have been pushed from pillar to post. I went to the Secretary of State for Work and Pensions and the Pensions Minister before the last election. I went to the then Secretary of State for Business, Innovation and Skills and was told to go to the ombudsman. A full complaint was made to the ombudsman, who decided not to take any action. A case worker in the Parliamentary and Health Service Ombudsman's office, Oliver Forrester, wrote back—he has since moved on and there is no one to talk to—and stated:

"By law, we cannot investigate complaints about superannuation (including public sector pensions) in relation to employment under any authority to which our legislation applies...Nor can we look at service in any office of employment or any contract for services...As this complaint is wholly regarding the advice you were given by these two organisations about your pension options, unfortunately, we are legally barred from looking at it further."

I am not sure I agree with that, but I note what my right hon. Friend the Member for West Dorset says: in any event, there is scope to amend the law in order to have clarity.

At the heart of this is a plain and simple fact: my constituents and those of other right hon. and hon. Members were clearly misled in the advice that they were given. They were in effect given cast-iron assurances that their pension would be as secure in a private pension scheme—the accrued Government pension, I hasten to add. We are not arguing about the private pension from the moment they became employees of a private company. They were told that the accrued Government pension would be as secure when it was transferred to a private pension scheme. None of the risks was flagged up to them. As my right hon. Friend the Member for West Dorset said, these are highly professional men and women, working in a very skilled environment. There seems to be absolutely no redress for them from Government—no willingness from anyone in Government to take on board what has happened and to have a reasonable, intelligent and thoughtful conversation about how we can right what is clearly a wrong.

I welcome the new Pensions Minister to his post. He has an unparalleled reputation in the House. I will now sit down, hear what the Opposition have to say and look forward to the Minister's remarks.

5 pm

Dr Paul Monaghan (Caithness, Sutherland and Easter Ross) (SNP): I congratulate the right hon. Member for West Dorset (Sir Oliver Letwin) on winning this debate. He has provided a detailed analysis of the issues impacting on the lives of many people in Scotland and elsewhere who are AEA Technology pension scheme members.

We know that AEA Technology was formed in 1996 as a privatised offshoot of the UK Atomic Energy Authority. Crucially, we also know that the Atomic Energy Authority Act 1995 detailed the conditions for AEAT's creation, including specific provision for the pension arrangements of transferring staff. Those specific arrangements included a statutory reinsurance and statutory duty to provide a pension scheme that was "no less favourable" than the UKAEA scheme. In November 1996, the Government Actuary's Department issued a note outlining the choices available to members of the UKAEA pension scheme: to leave their preserved benefits in the UKAEA pension scheme; to transfer them to the AEAT scheme; or to purchase a personal pension. According to evidence

submitted to the Pensions Ombudsman Service, the Government Actuary's Department not only highlighted the three options that I have just noted, but specifically stated at the time that it was unlikely that

"the benefit promise made by either the UKAEA scheme or the AEAT scheme would ever be broken."

Sadly, the companies that made up the AEA Technology group did fail and went into administration in November 2012. At that time, the AEAT pension scheme entered a Pension Protection Fund assessment period. The PPF was set up under the Pensions Act 2004 to provide compensation to members of defined-benefit pension schemes that wind up underfunded on the insolvency of the employer. Unsurprisingly, because of all this, AEA Technology pension scheme members now feel very aggrieved and misled by the advice that they were given by the UK Government.

It is clear that the UK Government are now abrogating their responsibilities towards the AEA Technology pension scheme members. It is equally clear that the circumstances surrounding the information provided by the Government Actuary's Department at the time of the transfer, or the lack thereof, warrant thorough investigation in the light of AEA Technology being unable to meet its commitments. That could perhaps be undertaken by the ombudsman, as suggested by the right hon. Member for West Dorset.

Sadly, this affair is another in a long line of pension crises facing UK taxpayers in the last few years. They range from BHS, through the Scottish and Northern Ireland Plumbing Employers' Federation and the civil nuclear constabulary, to the Women Against State Pension Inequality campaign and more. Indeed, many people affected by the AEA pension scandal are also affected by the arbitrary changes in the retirement age. That is a completely different take on the "pensions triple lock" of which the UK Government have boasted.

It would be helpful and honest for the UK Government to reinstate AEA Technology pension rights as promised by the Government at the time of privatisation and to launch immediately a thorough investigation into the pre-pack insolvency of AEA Technology that will scrutinise the roles of interested parties, including the Pensions Regulator, the PPF and the trustees. Pensions are a contract, not a benefit. Those who pay in deserve to receive their promised entitlement, and it is the responsibility of the UK Government to secure that entitlement and provide dignity in retirement to AEA Technology scheme members.

5.5 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is a pleasure to serve under your chairmanship, Ms Dorries. I congratulate the right hon. Member for West Dorset (Sir Oliver Letwin) on bringing this—

Nadine Dorries (in the Chair): Order. Mr Blackford, I should have said that there is five minutes each for you and the Opposition spokesman and 10 minutes for the Minister, so if you could limit your remarks to five minutes, that would be great. Thank you.

Ian Blackford: I will do so, Ms Dorries, as I was intending to.

I congratulate the right hon. Member for West Dorset on securing this important debate. He has been assiduous in pushing the case, and his suggestion this afternoon of looking at amending the law as it affects the ombudsman certainly has some merit.

I also congratulate the right hon. Member for Wantage (Mr Vaizey). He has very accurately shown what happened with the advice that was given, some of the deficiencies that were there, and the possible interference from AEAT in that process and the advice that was given.

As my hon. Friend the Member for Caithness, Sutherland and Easter Ross (Dr Monaghan) said in his concluding remarks, we need to remember that pensions are a contract, not a benefit. Those who have paid in to pension schemes deserve to get their due entitlement. It is the responsibility of the UK Government to ensure that there is confidence in the pensions industry throughout the UK. We all look forward to a time when people can save in pensions, secure in the knowledge that they will get their due entitlement. We need to have that confidence, and it is the Government's responsibility to ensure that the Pensions Regulator and the ombudsman discharge their obligations to ensure that the consumer interest is protected.

It is clear that pension scheme members in this case, as we heard last week in a debate in the main Chamber on the BHS scheme, are not fully protected—they are not protected to the extent that they should be. Lessons must be learned and appropriate action taken. Whether that is done through the ombudsman or the regulator is a moot point and we can come back to it in due course. What needs to be remarked on today is that, with the AEAT scheme ending up in the Pension Protection Fund, those who worked for the company when it was in the public sector have, among others, lost pension entitlement. The Government cannot walk away from their obligation to what were public sector workers. That is not acceptable.

It is clear from its conduct that the UK Government Actuary's Department has ducked its responsibility to the AEAT pension scheme members. Liability has to lie somewhere. As discussed in a Westminster Hall debate on this topic in March last year, the Government Actuary's Department was the author of a leaflet designed to inform pension scheme members of their next course of action in the light of the creation of AEAT. According to evidence given to the Pensions Ombudsman Service, that leaflet suggested three options, but also said that it was unlikely that the UKAEA scheme would fail or that "the benefit promise made by either the UKAEA scheme or the AEAT scheme would ever be broken."

That was in my book an inducement and assurance to the scheme members. Who will stand behind the scheme members who were made those promises? Will the Minister accept that the Government at least have a moral and ethical responsibility?

Richard Fuller: I heard the hon. Gentleman make these points in the British Home Stores debate last week. Does he not think that it will be very difficult for the Government to take action on employer behaviour that seems to fall below the norms that they would expect if they do not keep their own ship in order?

Ian Blackford: The hon. Gentleman makes a very valid point. I argued last week and argue again today that we must learn the lessons of the failure that has taken place. We have to ensure that we create confidence in pensions—that is what emerges, whether we are talking about BHS, the AEAT scheme or many others. We have to look at the responsibility that the regulator and the trustees have, but it is a responsibility, ultimately, that we all have as legislators.

[*Ian Blackford*]

The pensions ombudsman said that the scheme's post-privatisation survival, and hence scheme benefits, were not guaranteed:

"AEAT was a private sector company and so there was a risk of the company getting into financial difficulties or failing altogether." It is clear that the circumstances surrounding the information provided by GAD at the time of the transfer, or the lack thereof, warrant thorough investigation in the light of AEAT being unable to meet its commitments. If it is the case that vital information was left out of the leaflet, it is a serious matter and must be treated as such.

This would certainly not be the first time that a UK Government Department has been found guilty of misinforming pensioners. The shambolic handling of the notification process for the WASPI women has meant that thousands of women born in the 1950s face hardship, having unexpectedly to push back their retirement by years. The members of the AEAT scheme deserve a full and thorough investigation that incorporates the timelines from the creation of UKAEA to the present so that mistakes can be identified and those responsible held to account. When hard-working employees are promised a pension and it is not delivered, there should be a concerted effort to establish a thorough and independent investigation to determine accountability and all avenues that can be explored to protect pension rights.

The Scottish National party has long called for the establishment of an independent pensions commission to build the architecture to ensure that employees' savings are protected, and that a more progressive approach to pensions is taken. Will the Minister commit the Government to doing that today? There are far too many issues affecting pensions policy and they need to be addressed in a holistic manner. Establishing a pensions commission would be an important step in ensuring fairness in pensions policy, dealing with problems such as this one and building confidence in pension saving.

In summary, I look forward to hearing the Minister's response. For the first time in his capacity as Pensions Minister, I welcome him to the debate, and also welcome the Labour Front-Bench spokesman, the hon. Member for Stockton North (Alex Cunningham).

5.11 pm

Alex Cunningham (Stockton North) (Lab): It is a pleasure to serve under your chairmanship, Ms Dorries. I, too, congratulate the right hon. Member for West Dorset (Sir Oliver Letwin) on securing the debate. I am told he is quite a champion on these matters.

As others have mentioned, the AEAT scheme is a defined-benefit final salary scheme set up when AEA Technology was floated on the stock exchange in 1996. At that time, under the Atomic Energy Authority Act 1995, a condition of the privatisation agreement ensured that the benefits received by the scheme members were "no less favourable" than those they would have expected to receive from the UK Atomic Energy Agency pension scheme, set up when the Government were their employer. A month or so later, in November 1996, the Government Actuary's Department issued the note that has been mentioned, outlining the options available to scheme members. However, those scheme members believe that they were actually encouraged to transfer into the new

scheme. Sadly, as we know, in 2012 AEA Technology entered into administration and the pension fund was entered into the Pension Protection Fund.

It is worth adding that the pension benefits accrued before 1997, which would have been for all those who acted on the basis of the Government's original commitment in the 1995 legislation, are not eligible for index-linked uprating. That is why pensioners believe they have been misled and, as a result, will be worse off. In effect, that means that those scheme members who decided to transfer their pensions following advice that their benefits would be "no less favourable" back in 1995 suddenly find themselves with a smaller pot, the real value of which is eroded by inflation every year. The campaign estimates that some members could lose half their pension pot.

Despite that, a determination by the pensions ombudsman found that the original commitment to ensuring that benefits were "no less favourable" did not amount to a guarantee against future changes to the pension benefits owing to financial difficulties. Surely the Government have responsibility to ensure that promises made to members of the UKAEA pension scheme were fulfilled, and have serious questions to answer about whether the Government actuarial note amounted to impartial guidance. Furthermore, in a Westminster Hall debate last year, the hon. Member for The Cotswolds (Geoffrey Clifton-Brown) raised important questions as to whether the scheme received sufficient funds from its mother scheme properly to protect it against later risk of deficit. That mother scheme was apparently operating at a surplus, and some of that money disappeared into the Treasury—I wonder whether the Minister knows how much it was.

We have heard that the Government actuarial note actively encouraged members to transfer their funds to the new scheme. Although the pension scheme group notices and recognises that the note certainly did outline arguments both for and against the transfer, it believes that it dismissed all of the arguments against. That was best highlighted by the right hon. Member for West Dorset, particularly in relation to the fact that they were leaving behind a scheme that was backed by the Government.

In future, we have to ask whether scheme members can be expected to take responsibility for moving their pension savings on the basis of what has been described as impartial advice. Has the Minister examined the evidence in question? If it is apparent that amendments were made to obscure the risks of changing the offer and moving the scheme, will he agree to take action? Last year, the then Pensions Minister argued that the Government could not possibly act without setting a precedent for other formerly state-owned enterprises. I do not see that that needs to be the case. Given the points made about alleged amendments to the note from the Government Actuary's Department at the request of the UKAEA, surely these pension fund holders are in a unique position.

Clearly, pre-package administration deals are sometimes necessary to ensure that the process of insolvency can be managed quickly and effectively in a rapidly evolving insolvency situation. As we have seen recently, for example in the case of Bernard Matthews, there are instances where pre-package deals have negatively affected employees' pension entitlements while allowing parent companies

to walk away from insolvency with very large sums of money. What plans does the Minister have to look more closely at an expanded role for the Pensions Regulator to intervene earlier in the process when a number of warning signs are triggered? How will the Minister ensure that pre-package administration deals are not used as a vehicle for employers to reduce their pension responsibilities?

Given the promise made by Government to ex-Government scheme members that their benefits would be protected, the criticisms made of the guidance offered by the Government Actuary's Department note, and what many believe to be the failure to properly resource the new scheme to ensure it would be put on a sustainable footing, will the Minister agree to consult scheme members to explore all avenues for redress? Will he also agree to strengthen the governance of defined-benefit pensions schemes to ensure that scheme members' pensions are better protected in future cases of insolvency? I recognise that this may not be a simple matter, but if the advice that was given to the pensioners was flawed, someone needs to take responsibility for the members' losses. I hope the Minister will now do that.

5.16 pm

The Parliamentary Under-Secretary of State for Pensions (Richard Harrington): It is a pleasure, as ever, to serve under your chairmanship, Ms Dorries. I thank right hon. and hon. Members for their contributions.

As a junior Minister in Government until July, I recall that one of the great fears we all had, for very good reason, was of being summoned before my right hon. Friend the Member for West Dorset (Sir Oliver Letwin). When he applied for this Westminster Hall debate, I realised that it was an issue to be taken very seriously. I hope that after my remarks he will agree that the Government have indeed done so. In the first instance, it is clear that no Minister—or indeed anyone else—could have anything but sympathy for the constituents who have suffered in these circumstances. There is absolutely no question about it; that is reflected by the morality of the issue and by the fact so many people have come to hear this debate and other debates that have taken place.

I hope to shed some light on the Government's position, but I am not in a position to answer the questions in the way that my right hon. Friend and other contributors to the debate might expect, which is to provide a solution to the problem. The Government do not believe that we should compensate members of the AEA Technology pension scheme above what is being provided by the Pension Protection Fund. That is very clear. I would rather not be grey about it; that is the Government's position. We do not accept that the loss of the pensions was the Government's fault.

As my right hon. Friend said, the note has been widely circulated. I read it. Whatever it may or may not be, the note clearly states at the beginning that it was a note by the Government Actuary's Department on the options available in respect of accrued benefits. It states that clearly. I do not wish to be pompous about the word "advice", which means different things in the financial services world than in the general context of conversation between people and in guidance, but it was not designed to be advice. It provides three options and outlines the main factors that people should take into account when reaching their decision on which option to accept.

I accept that on behalf of the Government I may select particular pieces from the note, and other right hon. and hon. Members may select pieces that suit their argument. That is natural and I have tried not to be like that when considering these comments. However, the note specifically and explicitly said that it did not intend to suggest that one course of action was better than another, and that if anyone was in doubt, they should seek independent financial advice. It stated that very clearly in the final note. It said that the intention was not to suggest one option was better than the other.

Sir Oliver Letwin: I entirely understand that the Minister needs time to reach the rest of his argument, but he has hit the nub of the question. Does he accept that if the Government Actuary's Department calculated on an actuarial basis that the two schemes were equivalent financially, and if it stated, as he rightly said it did, that it was not suggesting that one was superior to the other, but if it was, in fact, the case that one was risk-free and the other was risk-bearing, it follows as a proposition of business logic and economics, as taught in any business school, that the thing that is financially equivalent but is risk-free is superior to the thing that is financially equivalent but risky? Therefore, it should have suggested that one was superior to the other—namely, that remaining was a superior option, because it was.

Richard Harrington: I thank my right hon. Friend for those comments. It is certainly true to say that the area of risk is not discussed explicitly and it is reasonable to argue that there should have been a box with a health warning saying that one piece of advice—or not advice, but information—was different from another because of the risk element, but it is also fair to say that the note does not attempt to assess risk. It may imply by default that one was less risky than the other, but it certainly does not say anything that could be interpreted as misleading the people who received it, in my view.

I understand the position of constituents in the Public Gallery today, some of whom are understandably shaking their heads, given their views about what I have just said, but it is very easy, years later, to pick pieces out of documents. If it said that this was advice, that would be one thing, but it clearly says that people should take independent advice.

My right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb), the former Secretary of State for Work and Pensions, said that independent advice would not cover the risk of transferring. Please do not misunderstand me: I am not saying that I have no reason to believe him, but I cannot understand why an independent financial adviser would be more or less likely than anybody else to comment on the risk or the lack of risk in giving advice. As I said, I accept that it is easy for us to say things all these years later, but the note does not seem to me to be intended to cover every eventuality. It was eight pages long and it was not intended to cover everything. It does not completely ignore the subject of insolvency.

Richard Fuller: I am struggling with something that the Minister said. He indicated that the advice of the actuary was able to be second-guessed by someone then going to an independent adviser. My right hon. Friend the Member for West Dorset (Sir Oliver Letwin) talked about the role of the PHSO and said that it did not

[Richard Fuller]

investigate the rulings of the actuary so that it could not second-guess the advice the actuary gave on liability. So which way should we have it?

Richard Harrington: My hon. Friend knows very well that I did not say that. I said that an independent adviser is no more or less likely to consider the idea of risk. I was actually referring to the view of my right hon. Friend the Member for Preseli Pembrokeshire that suddenly Government advisers did assess risk, but independent advisers could not possibly do so. I will have to make progress, because we are running out of time. I believe that the note was intended as a helpful starting point but did not constitute advice for members.

I will move on to the parliamentary ombudsman—I must deal with the ombudsman service generally and the choice of ombudsman, because they are so important in this case. It is correct that the actions of the Government Actuary's Department fall generally outside the parliamentary ombudsman's remit. I understand, however, that is only one of the reasons that the parliamentary ombudsman gave for deciding not to investigate. I hope I am not misrepresenting what she said—I have tried to look into this in some detail—but it seems to me that her decision was made partly on the basis that the complaints were not about the actions of a Government Department in relation to a citizen, which is what the ombudsman service is for. She has concluded that the complaints are about information provided in relation to employees and employees' pension rights. That is why it is not the concern of the parliamentary ombudsman. If that is a correct interpretation of her opinion, changing the legislation to allow her office to have greater oversight of GAD would not solve the difficulty raised in this debate.

Sir Oliver Letwin: Will the Minister give way?

Richard Harrington: I really think I should make progress.

As for the pensions ombudsman, which I have some responsibility for and some knowledge about, members of a pension scheme can complain to the pensions ombudsman, who has the power to investigate, and does investigate, public sector pensions schemes as well as private sector schemes.

The pensions ombudsman looks at maladministration—for example, when a trustee or a manager has been given incorrect advice or information. The previous pensions ombudsman investigated a complaint last year concerning the AEA Technology pension scheme. GAD was not a party to that complaint. In the determination, the ombudsman specifically said that he was not ruling on whether the actions of GAD came under his jurisdiction and that no inference should be drawn from his comments about whether it did or did not, or about the likelihood of a successful complaint about GAD.

I understand that the current ombudsman has since considered some AEA complaints and the ombudsman's office has decided not to investigate. I cannot comment on any particular complaint, but I have been informed that, in accordance with the usual procedures, all the complaints were looked at individually. Many reasons for not investigating the complaint were given, but they did not include that GAD was outside the pensions ombudsman's remit.

It is possible, of course, to challenge the pensions ombudsman's decision through the courts by judicial review or by appeal. I would briefly like to mention the Equitable Life case, which has been discussed during the debate. The parliamentary ombudsman did an investigation and asked the Government to expand the jurisdiction for this case alone. She informed us that public sector pensions are beyond her remit, so it seems to me that it is in the pensions ombudsman's remit. He has looked at these two cases but has said that GAD was not a party. As far as I can see, however, there is nothing to stop people from going to the pensions ombudsman and naming GAD as a party to the case. If they are still not satisfied, there is the system of judicial review in the Court of Appeal, because the pensions ombudsman is a quasi-judicial body. I meet the pensions ombudsman regularly, and I am prepared to bring the subject up straightaway and ask whether he has difficulties within the scope of his existing jurisdiction in dealing with complaints brought to him.

Mr Vaizey: Will the Minister give way?

Richard Harrington: I am afraid there is not time. I am really sorry, but I only have three minutes left.

The Government have announced their intention to bring forward a draft Bill to create a new public service ombudsman, the focus of which remains the resolution of complaints from individual citizens who claim to have suffered injustice. The response to the consultation said that the ombudsman should operate a "no wrong door" approach, which is referring individuals and possibly transferring their complaints when they fall wholly or partially within the jurisdiction of another body. As for whether GAD should be included in its remit, the Government's commitment at the moment is that it should take on just the jurisdiction of the parliamentary, health service and local government ombudsmen, but if right hon. and hon. Members believe—as my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) does—that there will be gaps, the Government are willing to listen to their concerns. After I found out about this debate, I spoke at some length with the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Kingswood (Chris Skidmore), and he would be pleased to meet my right hon. Friend the Member for West Dorset to discuss this and other relevant issues.

I realise, Ms Dorries, that you are about to tell me that my time is up. I am sorry that I do not have more time to go into details, but I hope that I have given some indication of the Government's thinking.

5.29 pm

Sir Oliver Letwin: I am very grateful to the Minister. I will indeed pursue that question with the Parliamentary Secretary, Cabinet Office, and perhaps the Minister's question about the pensions ombudsman. Eventually, I am sure we will find a solution.

Question put and agreed to.

Resolved,

That this House has considered the advice given to AEA pension scheme pensioners.

5.29 pm

Sitting adjourned.

Written Statements

Wednesday 26 October 2016

HOME DEPARTMENT

Terrorism Prevention and Investigation Measures

The Secretary of State for the Home Department (Amber Rudd): Section 19(1) of the Terrorism Prevention and Investigation Measures Act 2011 (the Act) requires the Secretary of State to report to Parliament as soon as reasonably practicable after the end of every relevant three-month period on the exercise of her TPIM powers under the Act during that period.

The level of information provided will always be subject to slight variations based on operational advice.

TPIM notices in force (as of 31 August 2016)	6
TPIM notices in respect of British citizens (as of 31 August 2016)	5
TPIM notices extended (during the reporting period)	0
TPIM notices revoked (during the reporting period)	0
TPIM notices revived (during the reporting period)	0
Variations made to measures specified in TPIM notices (during the reporting period)	3
Applications to vary measures specified in TPIM notices refused (during the reporting period)	3
The number of current subjects relocated under TPIM legislation (as of 31 August 2016)	6

The TPIM Review Group (TRG) keeps every TPIM notice under regular and formal review. The TRG met on 7 June 2016. The next TRG meetings will take place on 20, 27 and 28 September 2016.

During the reporting period one individual was charged in relation to offences under section 23 of the Act—contravening a measure specified in a TPIM notice without reasonable excuse. This individual is not currently subject to a TPIM notice, the notice having been revoked in the last reporting period.

The case of Secretary of State for the Home Department v. EB [2016] EWHC 1970 (Admin) was heard at the High Court between 11 and 15 July 2016. In a judgment

handed down on 29 July 2016 Mr Justice Mitting upheld the decision of the Secretary of State to impose a TPIM notice against EB. This judgment can be found at: <http://www.bailii.org/ew/cases/EWHC/Admin/2016/1970.html>

[HCWS220]

LEADER OF THE HOUSE

English Votes for English Laws Standing Orders

The Leader of the House of Commons (Mr David Lidington): Today I am launching a scheduled technical review of the current English Votes for English Laws Standing Orders.

The previous Leader of the House of Commons committed to a review of the Standing Orders 12 months after their introduction and I am now honouring that pledge.

In October 2015, English Votes for English Laws was introduced to address the West Lothian question. It provides for the consent of English (or English and Welsh) MPs to legislation that solely applies to England (or England and Wales), while maintaining the important principle that MPs from all parts of the UK should continue to be able to deliberate and vote on all legislation before the House.

There will be a consultation period to inform the review which will come to a close on 2 December 2016, with publication of the outcomes of the review due later this session. The review will be available online only. Details of the review can be found at: <https://www.gov.uk/government/publications/english-votes-for-english-laws-review>.

The terms of reference for the review are outlined below:

- The impact of the Standing Orders on the legislative process.
- The operation of the certification test.

Any suggestions for how the process could be further improved, or how understanding of the process could be further supported.

[HCWS219]

Petition

Wednesday 26 October 2016

PRESENTED PETITION

Petition presented to the House but not read on the Floor

Implementation of the 1995 and 2011 Pension Acts

The petition of residents of Middlesbrough,

Declares that as a result of the way in which the 1995 Pension Act and the 2011 Pension Act were implemented, women born in the 1950s (on or after 6 April 1951) have unfairly borne the burden of the increase to the State

Pension Age; further that hundreds of thousands of women have had significant changes imposed on them with little or no personal notice; further that implementation took place faster than promised; further that this gave no time to make alternative pension plans; and further that retirement plans have been shattered with devastating consequences.

The petitioners therefore request that the House of Commons urges the Government to make fair transitional arrangements for all women born in the 1950s (on or after 6 April 1951) who have unfairly borne the burden of the increase to the State Pension Age.

And the petitioners remain, etc.—*[Presented by Andy McDonald.]*

[P001967]

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Implementation of the 1995 and 2011 Pension Acts	1P

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